

**Instrument #201700168**

Real Estate Book

Ordinance

Filed: 01/03/2017 03:29 pm

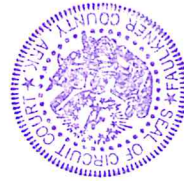
Faulkner County, Arkansas

Crystal Taylor, Circuit Clerk

By: Diana Varner, D.C.

**4 Pages**

**\$30.00**



City of Conway, Arkansas

Ordinance No. O-16-135

**AN ORDINANCE AMENDING THE CONWAY ZONING ORDINANCE O-94-54 TO REMOVE C-4 AND S-2 ZONES, HEIGHT REGULATIONS IN HIGHWAY SERVICE & OPEN DISPLAY DISTRICT (C-3), ALLOW DUPLEX DWELLING BY CONDITIONAL USE PERMIT IN QUIET OFFICE ZONING DISTRICTS (O-3); AND FOR OTHER PURPOSES:**

**Whereas,** The City of Conway would like to amend the Zoning Ordinance for future development and remove outdated and obsolete zoning classifications.

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

**Section 1.** The Conway Zoning Ordinance O-94-54, Section 401.5, Section 401.9 and Addendum A, be amended as follows with all other listed zoning districts and land uses remain unchanged:

Remove C-4 (Large Shopping Center Developments) and S-2 (Institutional District), C-4 Zoned properties amended to C-3 Zoning, S-2 properties amended to S-1 Zoning

References to C-4 Large Shopping Center are removed and any properties currently zoned C-4 are rezoned to C-3 zoning classification district

References to S-2 Institutional District are removed and any properties currently zoned S-2 are rezoned to S-1 zoning classification district

Uses (Permitted - X) (conditional - C)	R-1	R-2A	R-2	SR	MF-1	MF-2	MF-3	RMH	HR	C-1	C-2	C-3	<b>C-4</b>	O-1	O-2	O-3	I-1	RU-1	I-3	A-1	S-1	<del>S-2</del>	TJ
---	-----	------	-----	----	------	------	------	-----	----	-----	-----	-----	------------	-----	-----	-----	-----	------	-----	-----	-----	----------------	----

**Section 2.** The Conway Zoning Ordinance O-94-54, Section 401.5.D to the Conway Zoning Ordinance is hereby amended as follows

<b>LOT REGULATIONS</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>
Minimum Lot Area (Square Feet)	none	5,000	5,000
Minimum Lot Width at Building			
Line (Feet) 25 50 50 300 100 50 100 50	25	50	50
Maximum Lot Coverage (Percent)	100%	50%	50%
<b>YARD REGULATIONS (IN FEET)(2)(8)(9)</b>			
<u>Minimum Front Yard(7)</u>	0	25	40
<u>Minimum Rear Yard</u>	0	10	10
<u>Minimum Side Yard</u>			
<u>Interior</u>			
When abutting Property in			
Residential District	0	12	12
When Abutting Property in			
Nonresidential District	0	5	0
<u>Exterior</u>	0	15	15
<b>HEIGHT REGULATIONS*</b>			

Maximum Number of Feet	<del>35</del>	25	<del>35</del>	<b>45 (10)</b>
	No limit (Ordinance No. O-02-30)			
Maximum Number of Stories	-	2	<del>2.5</del>	<b>4 (10)</b>

FOOTNOTES: \*See Article 601 special Provisions Conditions Applying to Uses

(1) (a) Refers to requirements for duplexes; (b) refers to all others except accessory buildings. For accessory buildings, see Article 601 Special Provisions Conditions Applying to Uses.

(2) Anytime a structure is located less than six (6) feet from any lot line, the structure must meet fire district requirements for construction as specified in the Building Code.

(3) At no time may maximum height exceed seventy-five (75) feet.

(4) Maximum height at no time shall exceed forty-five (45) feet.

(5) The lot coverage may be 35% on an exterior or corner lot.

(6) Maximum number of stories shall not exceed 2.5.

(7) See Section 601.24 – Setbacks on Corner Lots

*(8) In the C-1 Central Business District, canopies may project over the street rights-of-way if they terminate no less than two (2) feet horizontally from the outside edge of the street curb and are no less than eight (8) feet above the surface of a new or existing sidewalk. (Ordinance O-00-126)*

*(9) No building in the C-1 Central Business District, regardless of the location of the lot lines of the property on which it is to be built, shall be built closer than eight (8) feet from the back of the curb line of any public street abutting the property on which the building is located. This spacing shall be maintained in order to provide adequate space for the required sidewalk to be built along that street frontage. (Ordinance O-00-127)*

**(10) Structures within the C-3 Zoning District abutting a lot with a single-family or two-family dwelling shall not exceed thirty-five (35) feet in height.**

**Section 3.** The Conway Zoning Ordinance O-94-54. Section 401.5 C and Addendum A to the Conway Zoning Ordinance, Uses Allowed in Various Zoning Districts shall be amended as follows with all other listed uses unchanged:

Zoning Districts

Uses (Permitted - X) (conditional - C)	C-1	C-2	C-3	C-4	O-1	O-2	O-3
1. Commercial							
Duplex/2-Family Dwelling*	XE (Ordinance O-01-83)	C	C	C	C		<b>X C</b>
* See Article 601 Special Provisions Conditions Applying to Uses							

Uses (Permitted - X) (conditional - C)	R-1	R-2A	R-2	SR	MF-1	MF-2	MF-3	RMH	HR	C-1	C-2	C-3	C-4	O-1	O-2	O-3	I-1	RU-1	I-3	A-1	S-1	S-2	TJ
Duplex/ 2 Family Dwelling*		X	X		X	X	X	X	C	X	C	C	C	C		<b>C X</b>					C	X	X

**Section 4.** The Conway Zoning Ordinance O-94-54. Section 401.9 Institutional Districts, D. Development Criteria shall be deleted.

**D. DEVELOPMENT CRITERIA**

The following development criteria shall apply to these Zoning Districts unless otherwise specified in this Section.

1. Properties in this District shall be contiguous.
2. Accessory uses shall be permitted only when incidental to primary use.
3. Ingress, egress and service easement provisions shall comply with the City Subdivision Ordinance.
4. ~~For lots that are one acre or more in size and one hundred fifty (150) feet or more in width at the building line, there shall be a twenty five (25) foot landscaped setback parallel to and abutting any boundary street that shall be provided and maintained by the owner with restricted parking allowing no wheeled vehicles.~~

**Section 5.** All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 13<sup>th</sup> day of December, 2016.

**Approved:**

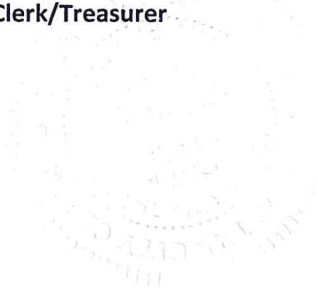


**Mayor Tab Townsell**

**Attest:**



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



**CERTIFICATE**

**STATE OF ARKANSAS  
COUNTY OF FAULKNER  
CITY OF CONWAY**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of an ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 13<sup>th</sup> day of December, 2016 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 21<sup>st</sup> day of December, 2016.

  
**CITY CLERK-TREASURER**

