

City Council Members

Mayor Tab Townsell

City Attorney Michael Murphy

City Clerk/Treasurer Michael O. Garrett



Ward 1 Position 1 – Andy Hawkins
Ward 1 Position 2 – David Grimes
Ward 2 Position 1 – Mark Vaught
Ward 2 Position 2 – Shelley Mehl
Ward 3 Position 1 – Jim Rhodes
Ward 3 Position 2 – Mary Smith
Ward 4 Position 1 – Theodore Jones, Jr.
Ward 4 Position 2 – Shelia Whitmore

Special City Council Meeting
Tuesday, June 29th, 2010 @ 5:30pm
Russell L. "Jack" Roberts District Court Building
810 Parkway Street, Conway, AR 72032
www.cityofconway.org

Call to Order
Roll Call

A. Community Development Committee (Planning, Zoning, Permits, Community Development, Historic District, Streets, & Conway Housing Authority)

1. Consideration for approval of Conway's portion of the consortium agreement with WES, Inc for preparation of the Analysis of Impediments and conditionally approving for CDBG to enter into an agreement with a firm for the Consolidated Plan.

Special Committee Meeting:

1. Discussion regarding the creation of a T-2 Rural Zone & amending the zoning ordinance

Adjournment

Memo

To: Mayor and City Council Members
From: Lauralee Wilcox McCool, CDBG Director
Date: 6/28/2010
Re: Consideration of Consolidated Plan outsourcing

Conway is considering a consortium with Bentonville, Fort Smith, Jacksonville and West Memphis for development of our five year Consolidated Plan. The Consolidated Plan sets the priorities of the city for five years regarding the use of CDBG money. This is a required document by HUD.

The consortium has agreed on a vendor. Western Economic Services, LLC, of Portland Oregon, is the selected contractor. Conway's obligation will be \$21,238.52.

Of the remaining CDBG entitlement cities in Arkansas, Bentonville, Springdale, Fayetteville, Pine Bluff, Texarkana and Hot Springs all have current con plans and will not have to do another one for a year or two. Little Rock is soliciting proposals for a contractor. North Little Rock is completing a plan in house.

I respectfully ask the council to approve Conway's portion of the consortium agreement with WES, Inc for preparation of the Analysis of Impediments and conditionally approve our entering an agreement with a firm for the Consolidated Plan.



CITY OF CONWAY
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Synopsis of Proposed Zoning Ordinance Amendments Creating a T-2 Rural Zone and Supporting Revisions

The proposed ordinance creates a new zone, the T-2 Rural Zone and amends the Zoning Ordinance in support of this new zone. The T-2 Rural zone is intended to be applied to those areas in the Conway Territorial Jurisdiction within two miles of the Conway City Limits, agreed municipal boundaries, or as allowed by state law. This synopsis will strive to explain the proposed new zoning district and supporting amendments.

Section 1: Classification of Zoning Districts.

This section clarifies the general introductory paragraph and creates the new T-2 Rural District.

Section 2: T-2 Rural Zone Specific Regulations

This section creates the specific regulations of the T-2 Rural Zoning District. This zone will regulate inappropriate land use within the Territorial Jurisdiction. Basically, any residential use is allowed by right. Any use more intensive than residential will require a conditional use permit. This permit will be sought like any other CU permit within the city. These regulations would help ensure a quality of life for residents in the territory and adjacent city. Gas, oil, and mineral exploration is pointed out as one important protection for residents with the Territorial Jurisdiction.

Lot dimensions, setbacks, building height, etc. are not regulated for large lot subdivisions or tracts of land. A large lot subdivision in the Territorial Jurisdiction is defined in the Subdivision Ordinance as a subdivision having lots with greater than 150 feet of street frontage.

No building permits or inspections are required. Likewise, the Animal Control Ordinance is not enforced in the territory.

Signage will be regulated as per the Conway Sign Ordinance, Section 1301 of the Zoning Ordinance.

A pre-existing non-conforming use (grandfathered) shall lose its legal standing upon closure or vacancy. Before a business may reopen, it must seek a conditional use permit.

Section 3: Sign Ordinance Amendments

This section makes changes to the sign ordinance to add the new T-2 Rural zone. T-2 signs shall be regulated like signs within the City limits. For example, a commercial business may have a monument sign up to 8 feet in height and up to 64 square feet in area per side. Sign permits would be required.

Section 4: Continuation of Nonconforming Buildings

This section clarifies language concerning the pre-existing nonconforming status of structures in relation to the new T-2 Rural zoning district. Actual structures not in compliance with standards such as setbacks etc., shall be allowed continued use. However, non-residential uses in the Territory will lose their pre-existing non-conforming status upon closure or vacation of the building. For example, if a business closes, ceases operation, or vacates a building they must seek a conditional use permit before another business may resume at the property.



**City of Conway, Arkansas
Ordinance No. O-10-__**

AN ORDINANCE AMENDING THE CONWAY ZONING ORDINANCE O-94-54 CREATING ZONING DISTRICT T-2 RURAL ZONE FOR THE PURPOSE OF ZONING WITHIN THE CONWAY TERRITORIAL JURISDICTION; CORRECTIONS, DELETIONS, AND AMENDMENTS IN SUPPORT OF A NEW TERRITORIAL JURISDICTION ZONE, REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS, The City of Conway wishes to regulate certain land uses and signage within its Territorial Jurisdiction for the protection of citizens and property within the territory and adjoining Conway city limits as allowed by Arkansas State Code ACA 14-56-413:

WHEREAS, The City of Conway would like to administer and regulate zoning ordinances within its Territorial Jurisdiction and;

WHEREAS, The City of Conway would like to amend certain certain zoning regulations of the Zoning Ordinance in support of this territorial jurisdiction zoning and;

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

SECTION 1. Classification of Districts

Article 201. Section 201.2 - Classification of Districts shall be amended as follows:

Section 201.2 Classification of Districts

This Ordinance classifies and regulates the use of land, buildings, and structures within the city limits **and Territorial Jurisdiction** of Conway, Arkansas as hereinafter set forth. For the purpose of promoting the health, safety, convenience, and welfare of the inhabitants by dividing the city into **zones zoning districts** and regulating therein the use of the land, **and** the use and size of buildings, **including as to** height and number of stories, the coverage of land by buildings, the size of yards and open spaces, density of population, and location of buildings. Zoning districts shall be designated as follows:

Special

T-2 - Rural District

SECTION 2. T-2 Rural District

A new zoning district is desired to regulate zoning beyond Conway City limits within Conway's Territorial Jurisdiction. As allowed by Arkansas State Code, Conway has zoning authority up to two miles beyond the City limits. This zoning district shall be designated as T-2 Rural District. Language shall be added and/or amended as follows with existing zoning districts reordered and resequenced in proper order. T-2 land uses shall be added to Addendum A in accordance with basic uses as presented below:

SECTION 401.7 - Special Zoning Districts

General Description

Special zoning districts do not readily conform to standard Residential, Office, Commercial, Institutional, or Industrial classifications. These special districts allow a greater degree of land use functions, design, and/or unique geographical criteria.

1. T-2 Rural District

A. Purpose

The T-2 Rural Zone is a zoning district within Conway’s Territorial Jurisdiction consisting of less densely populated areas in open or cultivated states, some low density residential developments, and scattered commercial and industrial uses. Typical buildings are farmhouses, agricultural buildings, and single-family residences. Streets are typically rural in nature with open ditches with the exception of higher density residential developments with curbed and guttered streets.

B. Permitted Uses

The permitted uses for this district are set forth below. If the the letter “X” appears the listed use is allowed by right. Where the letter “C” occurs, the use is permitted subject to acquiring a conditional use permit as set forth in Article 901 – Section 901.2. If no “X” or “C” appears within the chart, the use is not permitted.

ZONING DISTRICT T-2 USES	Permitted - X Conditional - C
Agricultural Uses	X
Residential Uses - All forms of residential housing including multi-family and mobile homes	X
Home Occupation	X
Industrial Uses	C
Manufacturing	C
Commercial Uses	C
Gas, Oil, and Mineral Exploration	C
Community and Public Facilities	C
Religious Activities	C
Commercial Businesses	C
Office Uses	C
Transmission Towers	C

C. LOT, YARD AND HEIGHT REGULATIONS

All subdivision activity within the Conway Territorial Jurisdiction is subject to the regulations of the Conway Subdivision Ordinance O-00-03.

No lot or yard shall be established or reduced in dimension or area in any T-2 Rural District in a manner that does not meet the minimum requirements set forth in the following table. No building or structure shall be erected or enlarged that will cause the maximum lot coverage or maximum height regulations to be exceeded as set forth in the following table. However, a building or structure may exceed the maximum allowed height, but not number of stories, when an additional one foot of each yard setback is provided for each one foot of additional height.

A minimum of ten (10) feet shall separate all detached buildings. Accessory buildings shall meet the same requirements as principal buildings.

LOT REGULATIONS	DIMENSION, LIMIT, OR AREA LARGE LOT SUBDIVISION (LOTS WITH ≥150 STREET FRONTAGE)	DIMENSION, LIMIT, OR AREA SMALL LOT SUBDIVISION (LOTS WITH ≤150 STREET FRONTAGE)
Minimum Lot Area	None	6000 square feet
Minimum Lot Width at Building Line	None	60 feet
Maximum Lot Coverage	None	35% (40% Corner Lots)
Number of Buildings / Lot	No Limit	1 Principle Use + Accessory Building
YARD REGULATIONS		
Minimum Front Yard	0	25
Minimum Side Yard - Interior	0	6

LOT REGULATIONS	DIMENSION, LIMIT, OR AREA LARGE LOT SUBDIVISION (LOTS WITH ≥150 STREET FRONTAGE)	DIMENSION, LIMIT, OR AREA SMALL LOT SUBDIVISION (LOTS WITH ≤150 STREET FRONTAGE)
Minimum Side Yard - Exterior	0	25
Minimum Rear Yard	0	25
HEIGHT REGULATIONS		
Maximum Number of Feet	None	35(1)
Maximum Number of Stories	None	2.5

D. General Regulations:

Building Permits and Inspections - Within the T-2 Rural Zone, no building permits or inspections shall be required.

Signage - Signage shall be regulated as per Conway Sign Regulations found in Section 1301 of the Conway Zoning Ordinance.

Development Review - Development Review as per Article 1101 of the Conway Zoning Ordinance shall not be required within the T-2 Rural Zone.

Loss of pre-existing status - All nonconforming land uses, buildings, and structures shall be regulated as per Article 701 of the Conway Zoning Ordinance. With the exception of the one year period as specified in 701.3 - Nonconforming Uses, 701.3.A - Building Vacancy and 701.3.B - Damage or Destruction of Buildings or Structures, and 701.3.D - Change in Use. A nonconforming use shall lose its legal pre-existing nonconforming status upon closure and/or vacancy and must seek a conditional use permit to continue operation within the Rural T-2 Zoning District.

SECTION 3. Amendments to Section 1301 -Sign Ordinance

Section 1301.3.03 – Sign Ordinance, Commercial, Office, Institutional, and Industrial Zones – Sign Permit Required shall be amended as follows:

Zones: Commercial, office, institutional, and industrial zones C-2, C-3, O-1, O-2, O-3, S-1, S-2, I-1, I-2, T-2, and I-3

SECTION 4. Continuation of Nonconforming Buildings, Structures and Uses

Section 701.1 – Continuation of Nonconforming Buildings, Structures and Uses shall be amended as follows:

A nonconforming building or structure legally existing at the time of adoption of this Ordinance or any use, structure or lot which has been rendered nonconforming by the provision of this Ordinance may be continued and maintained except as otherwise provided in this Section **and as noted in Section 401.7 Special Zoning Districts.**

SECTION 5. Ordinances in Conflict

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

SECTION 6. Emergency Clause

That this ordinance is necessary for the protection, peace, health and safety of the citizens of Conway, and therefore, an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this ___ day of _____, 2010.

APPROVED:

Mayor Tab Townsell

ATTEST:

Michael O. Garrett
City Clerk/Treasurer