

ORDINANCE 0-99-72

AN ORDINANCE AMENDING THE CONWAY ZONING ORDINANCE TO ADD OVERLAY DISTRICTS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

Whereas, the Zoning Ordinance, the Subdivision Ordinance, the Parking Lot Ordinance, the Sign Ordinance and the Master Street Plan do not fully address, as a whole, particular area and corridor development problems and opportunities; and

Whereas, the City of Conway wants to encourage growth and development, while at the same time creating the highest quality of life possible; and

Whereas, the City desires to be able to preserve and enhance unique natural features, design themes, historically significant areas, and it is in the City's best interest to adopt an overlay ordinance; and

Whereas, An Overlay District is not a substitute for a Land Use Plan, but is in addition to and designed to complement a Land Use Plan; and

Whereas, development is being proposed or is proceeding at various locations throughout the City, which locations may be the subject of concern or study for an Overlay District, thereby necessitating immediate action by the City to provide a mechanism to develop and put into place overlay zoning.

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

Section 1: That the Conway Zoning Ordinance as adopted by Ordinance 0-94-54, dated September 27, 1994 and as later amended is hereby amended further to add Section 401.10, which shall read as follows:

"SECTION 401.10 - OVERLAY DISTRICT

A. GENERAL DESCRIPTION

It is the purpose and intent of the Overlay District to provide enhanced standards to protect and enhance the unique characteristics of specific areas and/or corridors while providing for development opportunities. These characteristics may include natural scenic beauty, manmade features or other features. Overlay Districts may also be used to protect or facilitate a particular design theme established through specific architectural styles or periods, or to protect or facilitate site plan conventions such as setbacks that are both minimums and maximums. The purposes of any Overlay District may include:

1. Promoting the safe and efficient use of specific roadways by controlling access and other traffic measures.

2. Encouraging the redevelopment of an area consistent with a particular design theme.
3. Minimizing the detrimental impact of development on hillsides, watercourses and other significant natural features.
4. Giving special attention to landscaping, buffering, signage, lighting and building setbacks in those districts identified as needing special attention.
5. Giving special attention to the existing architectural style or to the style which is planned, so as to create an easily identifiable area in those areas identified as architecturally significant.

B. ESTABLISHMENT OF OVERLAY DISTRICTS

The City Council of the City of Conway may adopt Overlay Districts as the needs are identified in order to implement specific purposes, intents, and design standards based upon the adopted Land Use Plan for the area being regulated, which shall be applied as additional standards to other ordinance regulations required by the City. Such Overlay Districts shall be made a part of the Zoning Ordinance through the amendment process as stipulated in this Ordinance. Upon adoption, the boundaries of such Overlay Districts shall be shown on the Zoning Map of the City of Conway.

C. DEVELOPMENT CRITERIA

The development criteria for each Overlay District shall be those standards as set out in each Overlay District."

Section 2: As a result of the present development pressures experienced at various locations throughout the City, an emergency is hereby declared to exist and in order to preserve the health, safety, and welfare of the citizens of the City of Conway, this ordinance shall be in effect immediately upon its passage.

PASSED THIS 27th DAY OF July, 1999.

APPROVED:

John Jansell
Mayor

ATTEST:

Michael O. Garrett
City Clerk