

ORDINANCE NO. 2023 - 41

**AN ORDINANCE AMENDING THE SEARCY COMPREHENSIVE
PLAN AND THE SEARCY ZONING CODE WITH
RESPECT TO THE ZONING CLASSIFICATION OF A
SPECIFIC LAND AREA WITHIN THE CITY; DELCARING AN
EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, the Planning Commission for the City of Searcy, Arkansas, has pursuant to Article 9-4-3 of the Searcy Zoning Code, conducted a public hearing upon the requested amendment of the Zoning Map heretofore adopted by the City Council for the City of Searcy, Arkansas with respect to the hereinafter described lands; and

WHEREAS, the Planning Commission for the City of Searcy, Arkansas, has, upon conclusion of the said public hearing, made a finding of fact that the amendment of the Zoning with respect to the hereinafter described lands is consistent with the purposes of the Zoning Code and the Plans adopted by the said Planning Commission; and

WHEREAS, upon aforesaid finding of fact, the Planning Commission has recommended to the City Council that the Comprehensive Plan Map and the Zoning Map be amended with respect to the said lands; and

WHEREAS, the City Council has reviewed and requested a Comprehensive Plan and Zoning change.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SEARCY, ARKANSAS;

SECTION 1. The Comprehensive Plan Map for the City of Searcy, Arkansas be and it is hereby amended for the purposes of changing the Land Use Classification from MEDIUM-HIGH DENSITY RESIDENTIAL to OPEN DISPLAY COMMERCIAL as to the following described real property at 1009 and 1010 Davis Drive being situated in Searcy, White County, Arkansas;

SECTION 2. The Zoning Map for the City of Searcy, Arkansas be and it is hereby amended for the purposes of changing the Zoning Classification from R-1 (MULTI-UNIT RESIDENTIAL) to C-4 (OPEN DISPLAY COMMERCIAL) as to the following described real

property at 1009 and 1010 Davis Drive being situated in Searcy, White County, Arkansas, as described in Exhibit A attached herewith;

EMERGENCY CLAUSE. The regulation and preservation of property uses and values in accordance with a comprehensive plan and the continued utilization of lands within the City of Searcy in accordance therewith being necessary for the preservation of the public peace, health, safety, and welfare, an emergency is hereby declared and this Ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED THIS 12TH DAY OF SEPTEMBER, 2023

**/s/ Mat Faulkner
Mayor of Searcy**

ATTEST:

**/s/ Jerry Morris
City Clerk**

EXHIBIT A (LEGAL DESCRIPTION):

FURNISHED (as described in Book 2020, Pages 12490-12492 & Book 2021, Pages 628-630):

Warranty Deed -Book 2020, Pages 12490-12492:

The North 4.00 acres, a strip of even width, from North to South, of all the South Three-fourths (S 3/4) of the Northeast Quarter (NE¹/₄) of the Southeast Quarter (SE¹/₄) of Section Two (2), Township Seven (7) North, Range Seven (7) West, that lies on the Right or East Bank of Gin Creek, White County, Arkansas. Subject to all existing easements and right o ways for roads or other purposes.

Warranty Deed -Book 2021, Pages 628-630:

The South Four (4.00) acres, a strip of even width, of the North Eight (8) acres, a strip of even width, of all of the South three-fourths (S 3/4) of the Northeast Quarter (NE¹/₄) of the Southeast Quarter (SE¹/₄) of Section Two (2), Township Seven (7) North, Range Seven (7) West, that lies on the East or Right Bank of Gin Creek.