

**ORDINANCE NO. 2018 - 33**

**AN ORDINANCE AMENDING THE SEARCY ZONING CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, the Planning Commission for the City of Searcy, Arkansas, has, pursuant to Article 9-4-2 of the Searcy Zoning Code, conducted a public hearing upon proposed amendments to the Zoning Code text heretofore adopted by the City Council for the City of Searcy: 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 amendments to the Zoning Code text are consistent with the purposes of the Zoning Code and the Plans adopted by the said Planning Commission; and

WHEREAS, upon the aforesaid finding of fact, the Planning Commission has recommended to the City Council the amendments to the Zoning Code text; and

WHEREAS, the City Council has reviewed the requested code changes.

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

**SECTION 1.** The Zoning Code text of the City of Searcy, Arkansas be amended as follows:

**CHAPTER 2 APPLICATIONS AND APPEALS**

Article 2-1: Change table to read:

Conditional Use Permit	Article 9-3
Rezoning	Article 9-4
Variance	Article 10.5
Wireless Communication Facilities	Article 5-5

### CHAPTER 3: GENERAL PROVISIONS

Add Article 3-10: Structures, as defined in this code, and fences shall not be permitted in the front yard of any residential district or the C-3 Low-Intensity Commercial District. Any yard adjoining a street shall be considered a front yard as defined by this code.

Add Article 3-11: No Dumpster shall be permitted to be installed, or to remain, unless the same is enclosed on at least three sides by an enclosure of a height which completely conceals the Dumpster, the open side of such enclosure to be adjacent to the parking area for the building, and away from adjoining property.

Add Article 3-12: No Mini-warehouse shall be permitted unless there shall be constructed, along the front and/or any side of the property adjoining a Residential Zoning Classification, a privacy fence of no less than 5 feet in height, Further, no Mini- warehouse shall be permitted unless the same is served by at least two vehicular entrances to the property, each of which shall be at least 20 feet in width.

Add Article 3-13 Accessory Buildings: In all residential areas, accessory buildings more than 15 feet in height, as measured from ground level to the highest point, must meet the same setback requirements as the primary structure. In all districts, accessory buildings shall be clearly incidental and subordinate to, and support only the primary building on the lot.

### CHAPTER 4: ZONING DISTRICTS

Article 4-2-3: Change C-4 side setback from 10 feet to 0 feet.

Article 4-2-3 Add an additional note as follows: “d. for all commercial districts except C-1, a 10-foot buffer shall separate the commercial use from any residential district.”

Article 4-5-1 Table of Uses:

Accessory buildings, to be permitted in all districts except C-1 and as a Conditional Use in C-1

CHAPTER 6: PARKING AND LANDSCAPING

Article 6-3-1 Between the two sentences add: "As an alternative, other materials such as Geogrid may be used if applied in conformance with accepted construction practices and approved by the City Engineer.

CHAPTER 11: DEFINITIONS

Add or revise the following definitions in Article 11-3

Multiple Family: Change to Multi-Family

Call Center: An office set up to handle a large volume of telephone calls, especially for taking orders and providing customer service.

Bed and Breakfast: Add must serve breakfast.

**SECTION 2.** 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 13<sup>th</sup> DAY OF NOVEMBER, 2018.**

***/s/ David Morris***

**Mayor of Searcy**

**ATTEST:**

***/s/ Jerry Morris***

**City Clerk**