

O-15-61

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 3.1 (REGULATIONS APPLYING TO ALL DISTRICTS) AND ARTICLE 21 (TABLE OF PERMITTED USES) OF ORDINANCE NO. 7697 (THE ZONING ORDINANCE) REGARDING FARMING AND THE KEEPING OF LIVESTOCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of North Little Rock duly adopted Ordinance No. 7697 to regulate zoning in accordance with Ark. Code Ann. § 14-56-416 and has amended the same from time to time (hereafter “the Zoning Ordinance”); and

WHEREAS, there is a need to more clearly state the regulations regarding small farming or ranch plots and the zoning categories in which they are permitted; and

WHEREAS, amendments to regulations and zoning categories for farming and the keeping of livestock were duly considered and approved (7 affirmative votes; 2 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on July 14, 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Section 3.1 (Regulations Applying to All Districts) of the North Little Rock Zoning Ordinance is hereby amended as follows:

Section 3.1 – Regulations Applying to All Districts

F. Farming is permitted in all districts; however, the authority to farm shall not be a valid defense to a violation of any ordinance regulating animals, nuisances, businesses, property maintenance, the environment, or otherwise enacted to protect the public health, safety, and welfare. No person shall keep any horse, cow or other livestock except in an enclosed pasture containing one acre for each animal. The fencing for the enclosed pasture shall be a minimum of 300’ from any residence.

SECTION 2: That Article 21 (Table of Permitted Uses) of the North Little Rock Zoning Ordinance is amended to delete the following use categories:

~~Agriculture (farming)–~~

~~Conditional in Commercial and Industrial districts~~

~~Allowed by right in Conservation and Greenbelt / wetlands~~

~~Farm Lands, Crop and Ranching~~

~~Allowed by right in Industrial and Conservation districts~~

Editor's Note: Added text denoted by underline; deleted text by ~~strikethrough~~.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 6: It is hereby found and determined that the herein amendments to the North Little Rock Zoning Ordinance regarding farming and the keeping of livestock is necessary in order to maintain consistency, and the passage of this Ordinance is necessary to insure the proper and orderly growth of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

ATTEST:

Alderman Maurice Taylor

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>10:50</u>	A.M.	_____	P.M.
By	<u>City Atty Carter</u>			
DATE	<u>7-21-15</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>[Signature]</u>			