



Legislation Details (With Text)

File #: ORD-13:040 **Version:** 1 **Name:** Amend Code of Ordinances regarding Section 117-138 and 117-139

Type: Ordinance **Status:** Passed

File created: 7/30/2013 **In control:** Public Works Council Committee

On agenda: 8/6/2013 **Final action:** 8/20/2013

Title: AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE, WITHIN THE CODE OF ORDINANCES FOR THE CITY OF JONESBORO, ARKANSAS, MODIFYING SECTION 117-138, 14 (D) (2), RESIDENTIAL DISTRICTS, AND SECTION 117-139, (E) (1) COMMERCIAL AND INDUSTRIAL DISTRICTS, LOT, YARD, AND HEIGHT REGULATIONS; AND, DECLARING AN EMERGENCY FOR THE PURPOSE OF PRESERVING THE PUBLIC PEACE, HEALTH AND SAFETY AND TO PROVIDE AN INCENTIVE FOR REDEVELOPMENT WITHIN OUR HISTORICAL NEIGHBORHOODS AREAS

Sponsors: Planning

Indexes: Code of Ordinances amendment

Code sections: Chapter 117 - Zoning

Attachments:

Date	Ver.	Action By	Action	Result
8/20/2013	1	City Council	Passed	Pass
8/6/2013	1	Public Works Council Committee	Recommended to Council	Pass

AN ORDINANCE TO AMEND CHAPTER 117, KNOWN AS THE ZONING ORDINANCE, WITHIN THE CODE OF ORDINANCES FOR THE CITY OF JONESBORO, ARKANSAS, MODIFYING SECTION 117-138, 14 (D) (2), RESIDENTIAL DISTRICTS, AND SECTION 117-139, (E) (1) COMMERCIAL AND INDUSTRIAL DISTRICTS, LOT, YARD, AND HEIGHT REGULATIONS; AND, DECLARING AN EMERGENCY FOR THE PURPOSE OF PRESERVING THE PUBLIC PEACE, HEALTH AND SAFETY AND TO PROVIDE AN INCENTIVE FOR REDEVELOPMENT WITHIN OUR HISTORICAL NEIGHBORHOODS AREAS

WHEREAS, It has been determined that the City of Jonesboro Code Ordinances lacked minimal redevelopment flexibility and tend to sometimes cause undue-hardship in the development review process.

WHEREAS, The Public Works Committee recommends approval of this amendment of the text to the City Council in the interest of public health, public safety, and general welfare for the provisions of special exceptions, and seeks to advance and promote good Quality of Life practices.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT: Code Chapter Sections 117:138 & 117:139 be amended as follows:

Section One: Code Section 117-138, and Section 117-139 shall be amended to read as follows:

Sec. 117-138. Residential districts, (d) (2) Lot, yard, and height regulations.

When an existing lot is reduced because of conveyance to a federal, state or local government for a public purpose and the remaining area is at least 75 percent of the required minimum lot size for the district in which it is located, then that remaining lot shall be deemed to comply with minimum lot size requirements. The Planning Director may approve an exception to the minimum lot requirement when a proposed lot is less than

5% (percent) out of compliance. The Planning Director may approve an exception to the minimum setback requirements, when a proposed setback is 1-foot or less out of compliance.

Sec. 117-139. Commercial and industrial districts, (e) (1) Size reduced for public purpose. When an existing lot is reduced because of conveyance to a federal, state or local government for a public purpose, and the remaining area is at least 75 percent of the required minimum lot size for the district in which it is located, then that remaining lot shall be deemed to comply with minimum lot size requirements. The Planning Director may approve an exception to the minimum lot requirement when a proposed lot is less than 5% (percent) out of compliance. The Planning Director may approve an exception to the minimum setback requirements, when a proposed setback is 1-foot or less out of compliance.

Section Two: This ordinance, being necessary for the preservation of the public peace, health and safety is hereby declared to be an emergency and this ordinance shall take effect and be in full force from and after its passage and approval. The purpose for this emergency is set on the reasoning that the City of Jonesboro Code Ordinances lacked minimal flexibility and tend to cause hardship in the development review process; and such change will not compromise good planning and land use principals. This change will provide an incentive for redevelopment in our historical neighborhoods and promote rehabilitation where decline has been realized.

PASSED AND ADOPTED this 20th day of August, 2013.