

ORDINANCE NO. 434

**AN ORDINANCE AMENDING ORDINANCE No. 267, ORDINANCE NO. 272, AND
ORDINANCE NO. 281 TO PROVIDE FOR PLANNED ZONING DISTRICTS MEETING
CERTAIN TECHNICAL REQUIREMENTS AND FOR RELATED PURPOSES IN THE
CITY OF BARLING, ARKANSAS**

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE
CITY OF BARLING, ARKANSAS, that

**ARTICLE 1
PURPOSE, AUTHORITY, AND JURISDICTION**

**Section 1
PURPOSE**

Upon recommendation from the Planning Commission for the City of Barling (the “**City**”) and following careful consideration of the subject matter, this Board City finds that planned zoning districts, if developed in accordance with stipulated technical criteria, specifications, and standards attached as Schedule A (the “**PZD Standards**”) serve as an important means to promote the City’s present and future needs as well as provide for the safety, morals, order, convenience, prosperity, and general welfare of the citizens of this City.

**Section 2
AUTHORITY**

Act 186 of 1957, Arkansas Code Annotated 14-56-403 et seq. empowers cities of the first and second class to adopt and enforce plans for the coordinated, adjusted, and harmonious development of the municipality and its environs and to amend the same from time to time.

**Section 3
JURISDICTION**

The adoption of a new, planned zoning district within the territorial jurisdiction of the City is within the purview of this Board.

**ARTICLE II
LEGAL STATUS**

**Section 1
AMENDMENT/CONFLICTING ORDINANCES AND REGULATIONS**

- A. Ordinance No. 267 is amended to permit and allow for separate planned zoning districts within the City known as a planned zoning district (“**Planned Zoning District**”).

- B. A new Section 7 is added to Article III of the Zoning Ordinance for the City to permit or allow Planned Zoning Districts within the planning area for the City.
- C. All Planned Zoning Districts within the City must be constructed and developed in accordance with the technical criteria set forth on Schedule A attached (the “**PZD Standards**”).
- D. Ordinance No. 272 establishing a Master Street Plan for the City is amended to allow for and permit the construction and use of streets within a Planned Zoning District constructed in accordance with the PZD Standards. With regard to approved Planned Zoning Districts only, to the extent there is a conflict between the standards and requirements set forth in Ordinance No. 272 and the PZD Standards, the PZD Standards shall control.
- E. Ordinance No. 281 adopting land subdivision and development standards for the City is amended to allow for and permit Planned Zoning Districts that meet or exceed the PZD Standards so long as the same have been reviewed by the Planning Commission and approved by the City after a public hearing. Article III, Section 4 of Ordinance No. 281 is specifically amended to include Planned Zoning Districts as a permissible community or neighborhood unit in which case the PZD Standards shall apply. With regard to approved Planned Zoning Districts only, to the extent there is a conflict between the standards and requirements set forth in Ordinance No. 281 and the PZD Standards, the PZD Standards shall control.
- F. The land use plan for the City is amended to permit the location of Planned Zoning Districts in specific areas of the City approved by the planning commission and the Board of Directors.

Section 2
SEVERABILITY

The provisions of this Ordinance and the Standards attached are hereby declared to be severable and a decision by any court of competent jurisdiction that any section, phrase, or provision of this Ordinance or any application thereof is illegal, invalid, or unconstitutional, shall not affect the legality, validity, or constitutionality of the remaining provisions or applications of this Ordinance.

ARTICLE III
OTHER

Section 1
REPEAL IF CONFLICT

All parts of the ordinances, resolutions, regulations, and parts thereof for the City in conflict with this Ordinance are repealed to the extent of such conflict.



THE ACHE PROPERTY TECHNICAL STANDARDS

Barling, Fort Chaffee Redevelopment Authority, and Fort Smith, Arkansas

Prepared for
Arkansas Colleges of Health Education

by

MICHAEL WATKINS ARCHITECT, LLC
January 7, 2016

Section 2
PUBLICATION

Following adoption, this Ordinance shall be published in a newspaper of general circulation in the City, at least one time.

Section 3
EMERGENCY CLAUSE

It is declared that planned zoning districts must be permitted within the City as soon as possible to accommodate the needs of the City, its citizens, its inhabitants, and persons residing in any area to be served by a planned zoning district, without which the life, health, safety, and welfare thereof are jeopardized, and that the implementation of this Ordinance and the attached PZD Guidelines and the taking of the other actions authorized by this Ordinance are necessary for the accomplishment thereof. It is declared that an emergency exists and this Ordinance being necessary for the immediate preservation of the public peace, health, and safety shall take effect and be in force from and after its passage.

PASSED AND APPROVED this 14th day of June, 2016.

Attest:


Florene Brown, City Clerk

