

Prepared by:
Deidre Luker
City Attorney
312 W. Main St.
Russellville, AR 72801

ZONING ORDINANCE NO. 2022-2

AN ORDINANCE AMENDING ARTICLE IV. OF THE CITY OF POTTSVILLE ZONING CODE 94-03 OF AUGUST 1994

WHEREAS, the Pottsville Planning and Zoning Commission has proposed an amendment to Article IV. of the Pottsville Zoning Code 94-03 of 1994 which covers "Special Use Permits"; and

WHEREAS, the Pottsville City Council desires to approve the amendment to Article IV. of the Pottsville Zoning Code 94-03 of 1994.

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

SECTION 1: The Pottsville City Council hereby approves the modification of Article IV., Section 3, Subsection D. of the Pottsville Zoning Code 94-03 of 1994 , and Article IV., Section 3, Subsection D. is hereby amended to read as follows:


"Special Use Permits shall have an expiration date assigned which shall be no longer than three (3) years unless a longer duration of time is approved by the Pottsville City Council and specified in the resolution approving the Special Use Permit. An expiration date should be assigned by the Planning and Zoning Commission when the Special Use Permit is considered. The Special Use Permit may be renewed by an approved motion of the Planning and Zoning Commission if all requirements of the Special Use Permit are met and the property owner requests that the renewal be made. The property owner shall be notified by the Planning and Zoning Commission Secretary sixty (60) days prior to the expiration date of the Special Use Permit. The property owner will have up to thirty (30) days after the expiration date to apply in writing to renew the Special Use Permit. If a request in writing is not received within thirty (30) days after the expiration date, the property will revert back to its previous zoning classification and the owner will be notified of non-conformance in usage of the property. If the Special Use Permit is allowed to expire, a new request process must be initiated."

SECTION 2: Any and all prior resolutions, ordinances, or parts of the same, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3: If any provision of this ordinance or the application thereof to any person or circumstances is declared to be invalid, such invalidity shall not affect the other provisions or applications of the ordinance which may be given effect without the invalid provision(s) or application(s), and to this end the provisions of this ordinance are declared severable.

SECTION 4: EMERGENCY CLAUSE: This Ordinance being necessary for the orderly planning and zoning of the City of Pottsville, Arkansas, and in turn protect the health, safety, and welfare of the City and residents of the City of Pottsville, Arkansas, an emergency is declared to exist and this Ordinance shall go into effect immediately upon and after passage by the City Council.

PASSED AND APPROVED THIS 24th day of January 2022.



RANDY TANKERSLEY, MAYOR

ATTEST:

I, Holly Fowler, City Clerk of Pottsville, Arkansas, hereby certify that the above and foregoing is a true and correct copy of Zoning Ordinance No. 2022-2 passed by the Pottsville City Council on the 24th day of January 2022.



HOLLY FOWLER

