

ORDINANCE NO. 349

AN ORDINANCE AMENDING TITLE 14 OF THE GREENLAND MUNICIPAL CODE REGARDING THE EXPANSION OF NON-CONFORMING RESIDENTIAL STRUCTURES; AND TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the City Council desires to modify the City's regulations pertaining to the expansion of non-conforming residential structures, and the Council believes it is in the best interest of the citizens of Greenland to amend the code provisions as set forth below; and

WHEREAS, the Planning Commission has recommended the following changes to Section 14.04.06 for the betterment of the City and applicants seeking alterations and expansions of existing non-conforming residential structures in commercial zones.

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

SECTION 1. That the Greenland Municipal Code, Greenland, Arkansas, bearing the date of February 2019, and as previously amended by Ordinance No. 343, is hereby amended by adding the following language, identified in bold type, to the body of Paragraph E following the last subparagraph of Paragraph E of Section 14.04.06 Non-conforming structures and uses of Chapter 14.04, to-wit:

E. Repairs and alterations

5. **Notwithstanding the foregoing, a non-conforming residential structure or a structure containing a non-conforming residential use, which is in existence prior to January 7, 2009 and located in any commercial zoning district of the City, may be expanded or altered, subject to zoning code, building code and all other applicable regulations of the City. Any expansion or alteration of a non-conforming residential structure must comply with the Lot dimensions; Parking requirements; and Height, Width and Area regulations for the R-1 or R-2 zoning district that abuts or is closest to the commercial zoning district in which the structure or use is located, as the case may be.**

SECTION 2. REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3. SEVERABILITY: If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional.

SECTION 4. EMERGENCY CLAUSE: The Council believes an immediate amendment is necessary to allow for owners of residential structures to improve their properties and to enjoy the benefits of real property ownership. Therefore, it is viewed that an immediate solution is necessary, thereby creating an emergency. It is hereby declared that based on the conditions set forth herein, an emergency exists, and this Ordinance, being necessary for the immediate protection of the health, welfare and safety of the citizens of Greenland, Arkansas, shall be in effect immediately upon its passage, approval and publication.

PASSED AND APPROVED this 12th day of October, 2020.



Bill Groom, Mayor

ATTEST:



Misty McCard, City Recorder/Treasurer

ROLL CALL VOTE ADOPTING THE ORDINANCE

Names of those voting YEA

Bill Yoes Justin Reed
Lee Guthrie Larry Forrester
Lisa Thornton Rebecca Lawson
Becky Center Diane Reed

Names of those voting NAY

Absent

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names of those voting YEA

Bill Yoes Justin Reed
Lee Guthrie Larry Forrester
Lisa Thornton Rebecca Lawson
Becky Center Diane Reed

Names of those voting NAY

Absent