

1 (B) **Exceptions for Monitoring and Remediation.** This ordinance shall not apply to wells
2 constructed or used for purposes of investigation, monitoring, removal, and/or remediation of any
3 subsurface contamination or suspected subsurface contamination pursuant to an order of, or with the
4 consent of, the City or any state or federal regulatory agency.

5 **Section 4. *Restrictions on Future Use.***

6 (A) **Property Uses Restricted to Those Allowed by Current Zoning.** The Property is currently zoned
7 I-2, Light Industrial District, as currently defined in Section 36-320 of the Little Rock Code of
8 Ordinances. The Property shall hereafter be restricted to those uses that are identified as compatible with
9 I-2 zoning as of the enactment of this ordinance regardless of whether the Property's zoning, or the uses
10 allowed thereunder, should change in the future. The current version of Section 36-320 of the Little Rock
11 Code of Ordinances is attached as Exhibit C.

12 (B) Provided, however, that in no event, regardless of future zoning, shall the Property be used for
13 any of the following purposes, as currently defined in Section 36 of the Little Rock Code of Ordinances:

- 14 a. A day nursery or day care center;
- 15 b. An adult day care center;
- 16 c. Any eating establishment;
- 17 d. A business school;
- 18 e. A commercial, trade, or craft school;
- 19 f. A bus station or terminal;
- 20 g. A hotel or motel;
- 21 h. A drive-in theatre;
- 22 i. A child care or other play facility.

23 **Section 5. *Penalties for Violations and Noncompliance.*** Any person who is found to have violated
24 this ordinance shall be fined. The maximum fine per violation shall be Five Hundred Dollars (\$500.00).

25 **Section 6.** A certified copy of this ordinance shall be filed with the Pulaski County Clerk.

26 **Section 7. *Severability.*** In the event any title, section, paragraph, item, sentence, clause, phrase or
27 word of this ordinance is declared or adjudged to be invalid or unconstitutional such declaration or
28 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and
29 effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the
30 ordinance.

31 **Section 8. *Repealer.*** All laws, ordinances, resolutions, and parts of the same that are inconsistent
32 with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

33 **Section 9.** The City has previously declared the importance of assuring the health, safety, and
34 welfare of any person using the groundwater beneath certain lands in the City. The ability to assure the

1 compliance of all landowners with this regulation of the use of groundwater beneath certain lands in the
2 City is essential to the health, safety and welfare; therefore, an emergency is hereby declared to exist, and
3 this ordinance shall be in full force and effect from and after its passage and approval.

4 **PASSED: January 20, 2015**

5 **ATTEST:**

APPROVED:

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Susan Langley, City Clerk

Mark Stodola, Mayor

9 **APPROVED AS TO LEGAL FORM:**

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Thomas M. Carpenter, City Attorney

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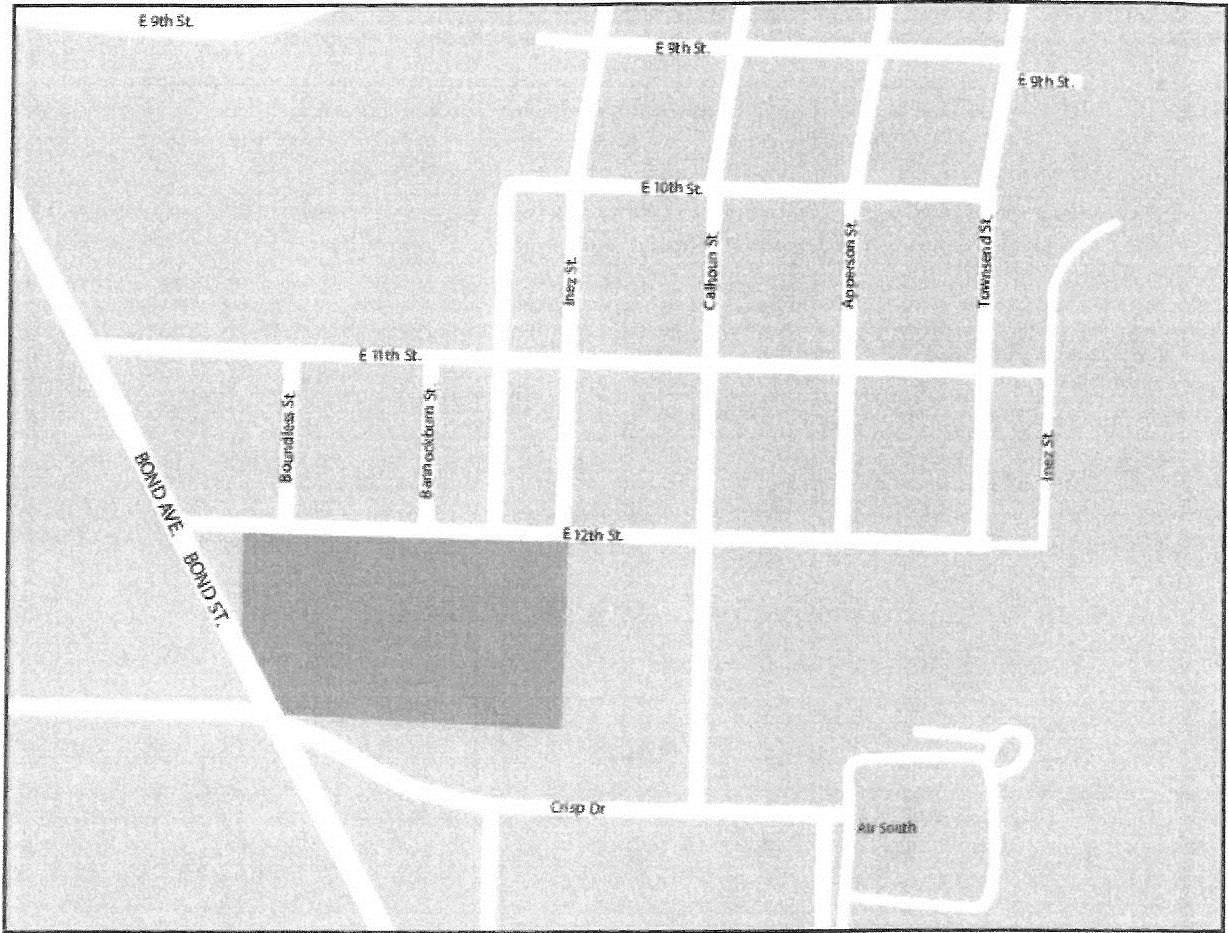
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Exhibit B

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1 Exhibit C

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3 **CODE OF ORDINANCES**

4 **Chapter 36 – ZONING**

5 **ARTICLE V. DISTRICT REGULATIONS**

6

7 **DIVISION 5. INDUSTRIAL DISTRICTS**

8

9 Sec. 36-320. - I-2 light industrial district.

10 (a) *Purpose and intent.* The I-2, Light Industrial District, is designed to accommodate a wide range of
11 industrial and related uses which conform to high development standards, Industrial establishments
12 of this type may either be located in extensive areas devoted solely to these uses or may provide a
13 buffer between commercial districts and other industrial uses which involve more objectionable
14 influences. This section applies to such district. A primary objective of this district is the reservation
15 of sufficient land at appropriate locations to accommodate both present and proposed needs of the
16 city for industrial development. Residential development is excluded from this district, both to
17 protect residents from an undesirable environment and to facilitate maximum efficiency of
18 industrial activity. Community facilities and convenience trade establishments which provide
19 needed services to the industrial uses are allowed in this district.

20 (b) *Development criteria.*

21 (1) Uses shall be provided entirely within enclosed buildings. Outdoor storage of equipment,
22 materials or merchandise, however, is allowed provided they are screened by a six-foot opaque
23 barrier, except when such merchandise consists of airplanes, automobiles, boats, mobile homes,
24 travel trailers or motorhomes, motorcycles, buses or trucks or wheeled or tracked industrial
25 vehicles. In those instances where the provisions of this section conflict with the landscape
26 ordinance or the buffer regulations of the zoning ordinance, the landscape ordinance shall
27 apply.

28 (2) The side and rear-yard setbacks will be adjusted to accommodate those tracts of land provided
29 with rail service.

30 (c) *Use regulations.*

31 (1) *Permitted uses.* Permitted uses are as follows:

32 a. Ambulance service headquarters post.

- 1 b. Airport or landing field.
- 2 c. Animal pound or kennel.
- 3 d. Appliance repair.
- 4 e. Auction—General merchandise.
- 5 f. Auto auction.
- 6 g. Auto glass muffler shop.
- 7 h. Automobile, motorcycle display, sales and service.
- 8 i. Auto or truck rental and leasing.
- 9 j. Auto parts and accessories.
- 10 k. Auto paint or body rebuilding shop.
- 11 l. Auto repair garage.
- 12 m. Banks and savings and loans.
- 13 n. Building material sales (open).
- 14 o. Bottled gas, bulk storage of nonflammable or nonhazardous.
- 15 p. Bottled gas, sales and service.
- 16 q. Bus or truck storage or garage.
- 17 r. Cabinet or woodworking shop.
- 18 s. Car wash.
- 19 t. Clothing manufacturing.
- 20 u. Contractor or maintenance yard.
- 21 v. [Reserved].
- 22 w. Day nursery or day care center.
- 23 x. Day care center, adult.
- 24 y. Eating place with drive-in service.
- 25 z. Eating place without drive-in service.
- 26 aa. Feed store.
- 27 bb. Fire station.
- 28 cc. Furniture repair store.
- 29 dd. Hauling and storage company.
- 30 ee. Home center.
- 31 ff. Job printing, lithographer, printing or blueprinting plant.
- 32 gg. Laboratory.

- 1 hh. Laboratory manufacturing.
- 2 ii. Landscape service.
- 3 jj. Laundry, industrial.
- 4 kk. Lawn and garden center, enclosed.
- 5 ll. Lawn and garden center, open display.
- 6 mm. Light fabrication and assembly process.
- 7 nn. Lumberyard.
- 8 oo. Machine or welding shop.
- 9 pp. Machinery sales and service.
- 10 qq. Miniwarehouse.
- 11 rr. Mobile home sales.
- 12 ss. Motor freight terminal.
- 13 tt. Office equipment sales and service.
- 14 uu. Office (general and professional).
- 15 vv. Office warehouse.
- 16 ww. Parking (commercial lot or garage).
- 17 xx. Photography studio.
- 18 yy. Plant nursery.
- 19 zz. Plumbing, electrical, heating or air conditioning shop.
- 20 aaa. Railroad passenger station.
- 21 bbb. Recycling facility, automated.
- 22 ccc. Recycling facility (MFR)
- 23 ddd. School, business.
- 24 eee. School, commercial, trade or craft.
- 25 fff. Secondhand store, used furniture or rummage shop.
- 26 ggg. Service station
- 27 hhh. Small engine repair.
- 28 iii. Studio (broadcasting or recording).
- 29 jjj. Swimming pool sales and supply.
- 30 kkk. Taxidermist.
- 31 ll. Taxi office.
- 32 mmm. Taxi service facility.

- 1 nnn. Tool and equipment rental (inside).
- 2 ooo. Tool and equipment rental (outside).
- 3 ppp. Truck or tractor sales or repair.
- 4 qqq. Warehousing and wholesaling.
- 5 rrr. Wood products manufacturing.
- 6 sss. Mobile canteen units when operated in compliance with current planning department
- 7 regulations for such vehicles.

8 (2) *Conditional uses.* Conditional uses are as follows:

- 9 a. Agricultural products processing.
- 10 b. Bus station and terminal
- 11 c. Crematorium.
- 12 d. Hotel or motel.
- 13 e. Industrial uses not listed (enclosed).
- 14 f. Racetrack.
- 15 g. Recycling facility (MRF) outside.
- 16 h. Retail uses not listed.
- 17 i. Slaughterhouse, closed facility.
- 18 j. Theater (drive-in).
- 19 k. Upholstery shop, furniture.
- 20 l. Upholstery shop, auto.
- 21 m. Hazardous or medical waste disposal facility.
- 22 n. Tire retreading and recapping.

23 (3) *Accessory uses.* Accessory uses are as follows:

- 24 a. Sleeping quarters for drivers or crew.
- 25 b. Vehicle maintenance or repair.

26 (d) *Height regulations.* No building hereafter erected or structurally altered shall exceed a height of
27 forty-five (45) feet.

28 (e) *Area regulations.*

- 29 (1) *Front yard.* There shall be a front yard having a depth of not less than fifty (50) feet.
- 30 (2) *Side yard.* There shall be a side yard on each side of the building having a width of not less than
31 fifteen (15) feet.
- 32 (3) *Rear yard.* There shall be a rear yard having a depth not less than twenty-five (25) feet.

1 (4) *Lot area regulations.* There shall be a lot area of not less than fourteen thousand (14,000)
2 square-feet. In addition, there shall be a lot width of not less than one hundred (100) feet.

3 (Code 1961, Ch. 43, § 7.104.2; Ord. No. 15,247, § 1, 2-17-87; Ord. No. 15,553, § 1i, w, oo, 9-20-88; Ord. No. 15,703, § 1h, 7-5-89;
4 Ord. No. 16,116, § 1(e), (ii), (nn), 11-19-91; Ord. No. 16,157, § 1, 1-21-92; Ord. No. 16,437, § 3, 6-9-93; Ord. No. 16,441, § 2, 7-6-
5 93; Ord. No. 16,861, § 1(e), (n), (aa), (gg), 3-21-95; Ord. No. 17,305, § 1(g), (h), (z), (ff), (bbb), 11-7-96; Ord. No. 18,324, § 1(p),
6 (hh), (pp), (tt), (uu), 8-1-00; Ord. No. 19,438, §§ 1(l), 1(m), 11-15-05; Ord. No. 20,894, § 10, 6-17-14)

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