

**ORDINANCE NO. 143**

**AN ORDINANCE AMENDING CITY OF GOSHEN  
ZONING REGULATIONS ORIGINALLY ADOPTED  
BY ORDINANCE NO. 35 AS AMENDED THEREAFTER  
AND TO DECLARE AN EMERGENCY  
AND FOR OTHER PURPOSES**

WHEREAS, the City Council of Goshen, by Ordinance No. 35, did adopt, by reference, zoning regulations; and

WHEREAS, the City Council of Goshen, by Ordinance No. 49, did amend Ordinance 35 and the Zoning Regulations; and

WHEREAS, the City Council of Goshen, by Ordinance No. 58 did adopt changes to the zoning regulations and did adopt the document known as the “City of Goshen Amended Zoning Regulations”; and

WHEREAS, the City Council of Goshen, by Ordinance Nos. 87, 117, 126 and 141 did amend the zoning regulations; and

WHEREAS, the City Council of Goshen finds it necessary to amend the Zoning Regulations once again so as to amend those portions of the Zoning Regulations regarding the parking requirements and commercial design standards within its B-2 General Commercial zone; and

WHEREAS, pursuant to Ark. Code Ann. § 14-56-423 and Section 11 b of the Goshen Zoning Regulations, the City Council has the power by majority vote to change the Zoning Regulations; and

WHEREAS, the City Council finds that there is a critical need to change those portions of the Zoning Regulations regarding the parking requirements and commercial design standards within its B-2 General Commercial zone, so as not to impede the creation of new businesses and otherwise insure the planned growth of the City and that these circumstances constitute an emergency.

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

SECTION 1: That the document entitled: “City of Goshen Zoning Regulations,” adopted by Ordinance 35 on June 10, 2003 and subsequently amended by Ordinances 49, 58, 64, 87, 117, 126 and 141 is hereby amended as reflected in Sections 2 and 3 hereof. All changes to said ordinances and regulations are incorporated in the previously adopted “City of Goshen Zoning Regulations.”

SECTION 2: Amend Section 7, Subsection b. 5. g, by **deleting** the language of that subsection and **substituting** the following language in its place:

g. Commercial Design Standards

Any metal or concrete block (except architectural block) building constructed in a commercial zone within one quarter mile of the center line of Highway 45, shall be required to have a front facade, as viewed from the road, as well as the first 20 % of the side walls, of either brick, stone, or wood. All parking lots and driveways for any building constructed in a commercial zone shall be either asphalt or concrete and shall have curbs. Owners of existing structures shall not be required to meet these standards, even if the use of such structure is changed, so long as any modification of the structure does not increase its square footage by more than thirty percent or the cost of the modifications to the structure are demonstrated by the owner, to the satisfaction of the Building Official, not to exceed fifty percent of the value of the existing structure. For each 2000 square feet of gross floor area or portion thereof, the owner shall plant a tree, native to the area, at least 3 inches in diameter.

SECTION 3: Amend Section 10, Subsection b. 1. d. 2., by **deleting** the language of that subsection and **substituting** the following language in its place:

2. Retail Sales & Convenience Stores – 3 spaces/1,000 square feet of gross floor area

SECTION 4: That the City Attorney and Recorder are directed to include the above referenced amendments into the current zoning regulations and create a document which shall be known as the “City of Goshen Zoning Regulations” and shall also reflect the original effective date and the dates of any amendments.

SECTION 5: That all regulations and ordinances adopted and in effect prior to the effective date of this Ordinance, are amended as necessary to give effect to this ordinance.

SECTION 6: EMERGENCY CLAUSE: Because of the need to change those portions of the Zoning Regulations regarding the parking requirements and commercial design standards within its B-2 General Commercial zone, so as not to impede the creation of new businesses and otherwise insure the planned growth of the City, this matter is such pressing business that 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, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 18<sup>th</sup> day of December, 2017.

  
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Max Poye, Mayor

ATTEST:

  
\_\_\_\_\_  
Sharon Baggett, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Charles L. Harwell, City Attorney

**ROLL CALL VOTE ADOPTING THE ORDINANCE**

Names Of Those Voting YEA

Names Of Those Voting NAY

Paula Anderson  
Andy Bethell  
Brian Buell  
Cathy Oliver  
Lanny Samuels  
Dick Seddon

**ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE**

Names Of Those Voting YEA

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Paula Anderson  
Brian Buell  
Cathy Oliver  
Lanny Samuels

Andy Bethell  
Dick Seddon