

ORDINANCE NO. 87

**AN ORDINANCE AMENDING CITY OF GOSHEN
ZONING REGULATIONS ORIGINALLY ADOPTED
BY ORDINANCE NO. 35 AS AMENDED THEREAFTER**

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, 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, after due notice as required by law, the Goshen Planning Commission has heard all persons desiring to be heard regarding the amendments contained herein; and

WHEREAS, all comments, views, suggestions and recommendations have been considered and addressed, and minor changes made as deemed appropriate; and

WHEREAS, after conducting its public hearing in accordance with law, the Goshen Planning Commission reviewed the matters contained in the attached amendments and made certain recommendations regarding them to the City Council.

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, and 64, 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 Sec. 7 b. 5. g., entitled "Commercial Design Standards," of the City of Goshen Zoning Regulations adopted by reference through Ordinance 35, amended by Ordinances 49, 58, and 65, by deleting the last sentence, "All commercial buildings shall have operable fire sprinkler systems with fire apparatus connections on the outside of the buildings which are approved by the fire chief." It is the intent of the City Council that the issue of whether a building shall be

required to be equipped with any additional fire prevention equipment shall be governed by the building code, as adopted by the City of Goshen and the state fire code.

SECTION 3: Amend Sec. 7 b. 5. g., entitled "Commercial Design Standards," of the City of Goshen Zoning Regulations adopted by reference through Ordinance 35, amended by Ordinances 49, 58, and 65, by adding the following sentence: "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.

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.

PASSED AND APPROVED this 10th day of November, 2009.



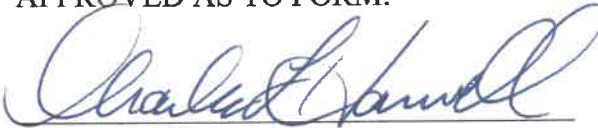
Joe Benson, Mayor

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

Paula Anderson
Andy Bethell
Brian Buell
J.J. Lockhart
Max Poye
Dick Seddon

Names Of Those Voting NAY

None

Absent

None