

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. 39 - 2023

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE TO AMEND ORDINANCE NO. 07-1963 (AS AMENDED) FOR THE PURPOSE OF DEFINING AND ADDING DOG KENNEL TO THE PERMITTED AND CONDITIONAL USE LEGEND WITHIN THE CITY OF VAN BUREN, ARKANSAS

WHEREAS, the City adopted Ordinance 07-1963 relating to the zoning laws of the city of Van Buren, providing definitions, general provision; provisions governing zoning districts, exceptions and modifications, enforcement, and a Board of Adjustment, as allowed by A.C.A. 14-56-401 *et. seq.*; and

WHEREAS, it has been determined by the City Council that there is a need to add a definition for Dog Kennel to the zoning ordinance and to add Dog Kennel to the permitted and conditional use legend; and

WHEREAS, notice of a Public Hearing was duly published, and a Public Hearing was conducted by the Van Buren Planning Commission on December 5, 2023, to consider these proposed amendments; and

WHEREAS, the proposed changes herein were recommended by a majority vote of the entire Planning Commission; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: Article II of Ordinance No. 7-1963 is amended to add the following definition:

Dog Kennel. An establishment wherein any person engages in the business of boarding, breeding, buying, grooming, and letting for hire, training for a fee, or selling dogs.

SECTION 2: The Permitted and Conditional Use Legend is amended as set forth in attachment "A" hereto.

SECTION 4: The various provisions and parts of this Ordinance are hereby declared to be severable, and, if any section or part of a section, or any provision or part of a provision herein, is declared to be unconstitutional, inappropriate, or invalid by any court of competent jurisdiction, such holding shall not invalidate or affect the remainder of this Ordinance and to that extent the provisions hereto are declared to be severable.

Van Buren
Permitted and Conditional Use Legend

X = Permitted Use C = Conditional Use (must be approved by planning commission)	Residential - 1	Residential - 2	Residential - 3	Residential - 4	Residential - 5	Commercial - 1	Commercial - 2	Industrial - 1	Industrial - 2	Historic District	Open – 0-1
Detached one family dwelling	X	X	X		X						X
Manufactured Homes (See Section 3-B)					X						
Two family dwellings		X	X								C
Multi-family dwellings			X								C
Churches	C	C	C			C	X	C	C	C	C
Schools offering a general education course	X	X	X		X	C	C	C	C	C	
Library	X	X	X			C	C	C	C	C	
General purpose farm, garden or nursery	X	X	X	C		C	C	C	C	C	X
Private club not conducted for profit	X	X	X			C	C	C	C	C	C
Municipal recreation or water supply use	X	X	X	C		C	C	C	C	C	C
Accessory structures and uses pertinent to the principal structure and use	X	X	X		X						X
Parks, playgrounds, etc.	C	X	X	C	X	C	C	C	C	C	X
Kindergartens (public or private), day care	C	X	X	C	X	C	C	C	C	C	C
Hospitals, nursing homes, doctor and dental clinics, etc.		C	C	C	C	X	X	X	X	X	
Mobile home parks				X							
Mobile home park accessory and service buildings				X							
Retail establishments providing goods and services such as grocery, drug, hardware, variety stores and similar uses, and hotels, motor hotels, restaurants						X	X	C	C	X	
Office and bank buildings and uses						X	X	C	C	X	
Processing and manufacturing that by reason of operation are not a nuisance in respect to noise, odor, dust, vibration, etc.						X	X	X	X	X	
Wholesaling and warehousing						X	X	X	X	X	
Bulk storage and non-combustible materials						X	X	X	X	X	
Automotive service, repair and storage, provided that wrecked or salvaged vehicles are stored inside a building or are enclosed by a solid fence and not visible to the public from the street or sidewalk						X	X	X	X	X	
The manufacturing, compounding, processing, packaging or assembling of those products that will require the smaller sized, cleaner and more quiet industries and will involve a minimum of noise, dust, odor, or vibrations							C	X	X	C	
The storage of bulk materials that will not endanger the health, safety and general welfare of the people						C	C	X	X	C	
Retail uses that are accessory to the operation and other essentially similar uses such as animal hospitals, repair shops, transportation terminals, wholesale outlets, farm machinery sales, lumber yards, restaurants, and service stations						C	C	X	X	C	
Single mobile homes on a lot where it may be advantageous to the industrial development of the area provided said lot is at least 40 feet by 90 feet								X	X		

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The manufacture of heavy, raw products and those operations that are generally objectionable to residential business uses; including animal and poultry slaughter, foundries, saw mills and junk yards								C	X		
Public facilities and utilities											X
Home based business	C	C	C	C							C
On-site real estate sales office	C	C	C	C							
Indoor Firing Range							C	C	C		
Single and two-family residences subject to restrictions										X	
Recreational Vehicle (RV) Parks				C	C		C				
Retail Pharmacy						X	X	X	X	X	
Homeless Shelter/Transitional dwelling							C	C	C		
Mini-Storage Facilities							C	X	X		
Commercial Communication Towers	C	C	C	C	C	C	X	X	X		
Hogs, Goats, Sheep, Cattle and Horses	C	C	C	C	C		C	C	C		C
Recycling center							C	C	C		
Salvage business							C	C	C		
Dog Kennel						C	X	X	X	C	

City of Van Buren, Arkansas

Municipal Complex

1003 Broadway • Van Buren, Arkansas 72956

VAN BUREN CITY COUNCIL MEMORANDUM

TO: MAYOR JOE HURST AND CITY COUNCIL
FROM: WALLY BAILEY, PLANNING DIRECTOR
SUBJECT: ZONING ORDINANCE AMENDMENT – DOG KENNELS
DATE: DECEMBER 8, 2023

The recently approved Ordinance No. 35-2023, concerning the proper keeping and control of dogs in the City includes a statement that dog kennels may be operated only within the zoning districts permitted by the zoning code of the city. Currently, the zoning code does not include dog kennels in its Permitted and Conditional Use Legend.

A public hearing was held by the Planning Commission at their December 5, 2023, meeting. The purpose of the hearing was to receive comments and discuss an amendment to the Zoning Ordinance that adds the definition for Dog Kennel from the “dog” ordinance and to add the Dog Kennel land use to the permitted and conditional use legend.

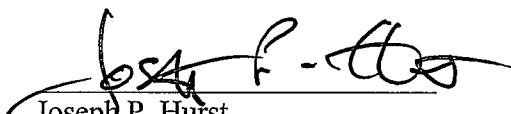
There were no public comments at the public hearing. Dog Kennel’s will be a permitted use in the C-2, I-1, and I-2 zoning districts and will require the Planning Commission to approve a conditional use in the C-1 and H-1 zoning districts. The Planning Commission voted unanimously to recommend the amendment to the City Council.

A copy of the Ordinance amending the zoning ordinance is attached with exhibit “A” which is the revised permitted and conditional use legend. Dog Kennel is the last row of page two of the legend.


Please let me know if you have any questions.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of 6 for and 0 against, the foregoing Ordinance at its regular meeting held on the 18th day of December 2023.





Joseph P. Hurst
Mayor

ATTESTED:


Shawnna Reynolds
City Clerk/Treasurer

APPROVED AS TO FORM:


Jacob Howell
City Attorney

