

ORDINANCE NO. 0-95-78

AN ORDINANCE AMENDING THE CITY OF CONWAY ZONING ORDINANCE ADOPTED BY ORDINANCE 0-94-54 TO MAKE DRIVE-IN RESTAURANTS A CONDITIONAL USE IN C-2 ZONES AND CHANGE THE DESIGNATION OF OTHER DRIVE-IN ACTIVITIES TO DRIVE-THROUGH ACTIVITIES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS: It has been determined that it would be appropriate for a Drive-In Restaurant to be a conditional use rather than a permitted use in a C-2 Neighborhood Commercial District; and

WHEREAS: The current difference between a Drive-In Restaurant and other drive-in uses, while correctly defined, could be confusing to users of the Conway Zoning Ordinance;

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

Section 1: That Article 301 of the City of Conway Zoning Ordinance adopted by Ordinance 0-94-54 be amended to remove "Drive-In Restaurant" from the list of uses under the definition of "Retail - Restricted" and add "Drive-In Restaurant" to the list of uses under the definition of "Retail - General".

Section 2: That **ADDENDUM A TO THE CONWAY ZONING ORDINANCE** be amended to change "Drive-In Restaurant" to a conditional use in a C-2 zoning district.

Section 3: That except where used in the term "Drive-In Restaurant" and in reference to drive-in theaters, all references in the City of Conway Zoning Ordinance to "Drive-In" be changed to "Drive-Through".

Section 4: That all ordinances in conflict herewith are repealed to the extent of the conflict.

Section 5: That this ordinance is necessary for the protection of the public peace, health and safety and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 24th day of October, 1995.

APPROVED:

William A. Jolley
Mayor

ATTEST:

Martha L. Lister
City Clerk