

Zoning Ordinance and Map for West Memphis Acreage

ORDINANCE NO. 2474

AN ORDINANCE TO AMEND THE WEST MEMPHIS ZONING MAP AND ZONING ORDINANCE 1988, AS AMENDED, ARTICLE II; SECTION 1 - ZONING DISTRICTS ESTABLISHED, ADDING I-1-M LIMITED INDUSTRIAL MANUFACTURING DISTRICT; ARTICLE III; SECTION 3 - INDUSTRIAL DISTRICTS; PARAGRAPH A - GENERAL DESCRIPTION, ADDING #1.B. I-1-M LIMITED INDUSTRIAL MANUFACTURING; PARAGRAPH B - PERMITTED USES, AND PARAGRAPH C - LOT, YARD AND HEIGHT REGULATIONS.

WHEREAS, application was made to the City Planning Commission to amend the West Memphis Zoning Map and Zoning Ordinance, and after notice having been published for the time and in the manner as provided by Ordinance No. 1988, as amended, the matter was heard by the City Planning Commission on Wednesday, May 30, 2018, and the Planning Commission recommended to amend the West Memphis Zoning Map and Zoning Ordinance 1988, as amended, Article II; Section 1 - Zoning Districts Established, adding I-1-M Limited Industrial Manufacturing District; Article III; Section 3 - Industrial Districts; Paragraph A - General Description, Adding #1.b. I-1-M Limited Industrial Manufacturing; Paragraph B - Permitted Uses, AND Paragraph C - Lot, Yard and Height Regulations

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST MEMPHIS, ARKANSAS:

SECTION 1. That the West Memphis Zoning Map and Zoning Ordinance 1988, as amended be and the same, is hereby amended, as follows:

ZONING MAP (See attachment)

ARTICLE II- ESTABLISHMENT OF ZONING DISTRICTS AND BOUNDARIES
SECTION 1: ZONING DISTRICTS ESTABLISHED

I-1-M Limited Industrial Manufacturing District

ARTICLE III

SECTION 3: INDUSTRIAL DISTRICTS

A. General Description

The industrial zoning districts are intended to provide for the development of light to heavy industrial uses and their related facilities. Appropriate standards for the various districts are designed to assure compatibility with other similar uses and to ameliorate any conflicts with non-industrial uses located in close proximity to the industrial use. The Zoning Ordinance hereby establishes 5 industrial zoning districts to be known as the I-1, Industrial; I-1C, Container Storage Yard; I-1-M,

Limited Industrial, Manufacturing; I-2; I-2C, Container Storage Yard; and PBP, Planned Business Park.

1. **I-1, Limited Industrial** – As this industrial district is often located in proximity to residential districts, its principal purpose is to permit the operation of industries, trades, and services that can be operated in a relatively clean and quiet manner and which will not be obnoxious to adjacent residential or business districts. Thus, it is intended primarily for the conduct of light manufacturing, assembling, and fabrication and for warehousing, wholesaling, and service uses, conducted by operations which are primarily carried on within enclosed buildings having adequate land area for parking and landscaping.
- 1.a. **I-1-C Limited Industrial, Intermodal Container Storage Yard** – This district is sized and located to limit such uses within the City and provide access via a principal and/or minor arterial or industrial collector street as classified by the West Memphis-Marion Area Transportation Plan and/or by the West Memphis Planning Commission and approved by the City as a designated truck route for a particular approved site. It is created for the purpose of allowing the storage of shipping containers that have the capability of being stacked. The location such district(s) shall be based on considerations of public health, safety and welfare and shall conform to all other applicable City ordinances and regulations.
- 1.b. **I-1-M Limited Industrial, Manufacturing**- This district is geographically located in an area that has access to an Interstate or dedicated truck route. It is created for the purpose of allowing for the manufacturing of automobiles as well as associated industries. The location such district(s) shall be based on considerations of public health, safety and welfare and shall conform to all other applicable City ordinances and regulations.
2. **I-2, General Industrial** – This district allows for heavier or more intense industrial uses than permitted in the I-1, Limited Industrial District. The regulations for the I-2 District are the minimum required for mutual protection of the industrial users and for the safety and general welfare of the citizens of West Memphis and of surrounding districts.
- 2.a. **I-2-C General Industrial District – Intermodal Container Storage Yard** – This district shall permit all land uses allowed in a I-2 General Industrial District and will be sized and located to limit such uses within the City and provide access via principal and/or minor arterial or industrial collector street as classified by the West Memphis – Marion area Transportation Plan and /or by the West Memphis Planning Commission and approved by the City as a designated truck route for a particular approved site. It is created for the purpose of allowing the storage of

shipping containers that have the capability of being stacked. The location of such district(s) shall be based on considerations of public health, safety and welfare and shall conform to all other applicable city ordinances and regulations.

3. **PBP Planned Business Park District** – The purpose of the Planned Business Park District is to foster stability and growth in light industry, research and development similar industries that are enhanced by access to transportation networks and that provide desirable employment opportunities for the general welfare of the community. The Planned Business Park District targets relatively large contiguous land areas that can be developed according to a unified plan in a high quality, campuslike setting rather than on a lot-by-lot basis. The uses and standards in this district are intended to promote flexibility and innovation in site design and enhance the environmental quality and attractiveness of business parks in the community, engage the natural or scenic qualities of the environment and protect the public health and safety. The minimum areas for a “PBP” Planned Business Park Designation shall be 25 acres. In calculating the minimum area for a PBP District, the measurements shall include the area of all dedicated streets entirely within the boundary of the proposed PBP and one-half of the area of all boundary or perimeter streets.

B. Permitted Uses

The permitted uses in the industrial districts are set for the below. Where the letter “X” appears opposite a permitted use and underneath an industrial zoning district, the use is permitted in that district subject to (1) the providing of off-street parking in the amount required, (2) conformance to the development criteria applying to uses as set forth in this section, and (3) the providing of off-street loading in accordance with Article VI. Where letters “SP” appear instead of “X”, this use is permitted subject to acquiring a Special Use Permit as set forth in Article IV.

<u>ZONING DISTRICT</u>	<u>PERMITTED USES</u>					
<u>1. INDUSTRIAL USES:</u>	<u>I-1</u>	<u>I-1-C</u>	<u>I-1-M</u>	<u>I-2</u>	<u>I-2-C</u>	<u>PBP</u>
<u>(a) MANUFACTURING USES</u>						
Advertising Displays	X	X	X	X	X	X
Air Conditioning and Heating Equipment	X	X	X	X	X	X
Apparel or Other Textile Products Including Hats and Hosiery	X	X	X	X	X	X
Asphalt or Asphalt Products				X	X	
Automobiles, Trucks or Trailers, Mobile Homes			X	X	X	

Boats, Building or Repair			X	X	X	
Carpentry, Woodworking, or Furniture Working	X	X	X	X	X	X
Cement, Lime or Plaster-of-Paris				SP	SP	
Ceramic Products – Brick, Tile, Clay, Glass, Porcelain	SP	SP	SP	X	X	SP
Chemicals, Compounding or Packaging	SP	SP	SP	X	X	SP
Compounding or Packaging of Cosmetics, Toiletries, Drugs, and Pharmaceutical Products	X	X	X	X	X	X
Cotton Ginning or Processing				X	X	
Electrical Appliances, Equipment and Supplies	X	X	X	X	X	X
Fertilizers				SP	SP	
Food Products, including dairy products, bakery products, candy, fruit and vegetable processing and canning, packing and processing of meat and poultry, but not including and distilling of beverages, slaughtering of animals or poultry, or manufacture of vinegar or pickles	SP	SP	SP	X	X	
Food products, including slaughtering of animals and poultry or manufacture of vinegar or pickles				SP	SP	
Grain, Milling, or Processing				X	X	
Hair, Felt, Feather, or Leather Products				X	X	
Ice, Dry or Natural	X	X	X	X	X	X
Industrial Uses Not Listed	SP	SP	SP	SP	SP	SP
Jewelry	X	X	X	X	X	X
Machines, Machine Tools	X	X		X	X	SP
Mattresses, including rebuilding or renovating	X	X	X	X	X	X
Monument Works				X	X	
Orthopedic or Medical Supplies	X	X	X	X	X	X
Paint, Enamel, Lacquer, Turpentine, Varnish				X	X	
Paper Manufacturing or Processing	SP	SP	SP	X	X	SP
Plastic Products, including luggage, tableware, buttons, or similar products	X	X	X	X	X	SP

Printing and Publishing, including Engraving or Photoengraving	X	X	X	X	X	X
Rubber Products, Natural or Synthetic			X	X	X	
Steel Products, Fabrication and Assembly				X	X	
Stone and Gravel Processing or Products				X	X	
Tar or Tar Products, Creosoting, or Similar Processes				X	X	
Wood or Lumber Processing, including the manufacture of paper pulp, furniture, or similar products				X	X	
(2) <u>NON-MANUFACTURING USES</u>	<u>I-1</u>	<u>I-1-C</u>	<u>I-1-M</u>	<u>I-2</u>	<u>I-2-C</u>	<u>PBP</u>
Animal Hospital, Kennel, Pound or Shelter	SP	SP	SP	X	X	
Appliance Repair	X	X	X	X	X	X
Automobile Wrecking, Salvage, or Junkyard				SP	SP	
Auto Wrecker Service, subject to Article V	SP	SP	SP	SP	SP	
Batching or Mixing Plant, Asphalt or Portland Cement, Concrete, Mortar or Plaster				SP	SP	
Construction Sites Without Heavy Equipment or Material Storage	X	X	X	X	X	X
Construction Office/Building, Equipment Repair, Sales, or Contractor Storage Yard	X	X	X	X	X	
Extraction of Clay, Gravel, Quarrying of Rock				X	X	
Gases or Liquids, Flammable, Storage				X	X	
Grain Elevator				X	X	
Laboratory, Research or Testing	X	X	X	X	X	X
Light Fabrication and Assembly Process	X	X	X	X	X	X
(2) <u>NON-MANUFACTURING USES</u> <u>CONT'D</u>	<u>I-1</u>	<u>I-1-C</u>	<u>I-1-M</u>	<u>I-2</u>	<u>I-2-C</u>	<u>PBP</u>

Livestock Auction Sales Barn and Pens				X	X	
Machine or Welding Shop	X	X	X	X	X	
Petroleum Products Storage				X	X	
Plumbing, Electrical, Air Conditioning and Heating Shop	X	X	X	X	X	X
School, Commercial or Trade	X	X	X	X	X	X
Sheet Metal Shop	X	X	X	X	X	
Truck Stop and Travel Center, or Truck Parking	SP	SP	SP	SP	SP	
(3) COMMERCIAL USES	<u>I-1</u>	<u>I-1-C</u>	<u>I-1-M</u>	<u>I-2</u>	<u>I-2-C</u>	<u>PBP</u>
Auction Room, Auctioneer	X	X	X	X	X	X
Automobile Accessory and Supply Store	X	X	X	X	X	X
Automobile Bus or Truck-Painting, Repair, Service or Body Shop	X	X	X	X	X	
Automobile Sales, New and Used	X	X	X	X	X	SP
Banks or Similar Financial Institutions	X	X	X	X	X	X
Beauty, or Barber Shop	X	X	X			
Building Materials and Supplies, Including Sales of Lumber	X	X	X	X	X	SP
Boats, Repair	X	X	X	X	X	
Cold Storage	X	X	X	X	X	X
Day Care Center, Subject to Article V, Section 5	X	X	X			X
Eating Place	X	X	X	X	X	X
Farm Equipment Sales, Service, Repairs	X	X	X	X	X	
Feed and Fertilizer Sales	X	X	X	X	X	X
Freight Depot, Railroad, Truck or Barge	X	X	X	X	X	X
Hardware						X
Hardware, Industrial Sales	X	X	X	X	X	SP
Hotel or Motel	X	X	X			SP
Laundry Plant	X	X	X	X	X	X
Offices, Medical and Professional	X	X	X			X
Office Warehouse	X	X	X	X	X	X
Mobile Homes, Sales and Service	X	X	X	X	X	X

Personal Service Establishments including Health and Fitness centers, primarily intended to serve businesses in the I-1 and PBP Districts	X	X	X			X
Race Track	SP	SP	SP	SP	SP	
Sexually Oriented Business/Adult Entertainment (Footnotes)				X		
(3) COMMERCIAL USES CONT'D	<u>I-1</u>	<u>I-1-C</u>	<u>I-1-M</u>	<u>I-2</u>	<u>I-2-C</u>	<u>PBP</u>
Small Tool and Equipment Rental	X	X	X	X	X	X
Tire Recapping Shop	X	X	X	X	X	
Tool and Equipment Rental	X	X	X	X	X	
Warehousing and Storage	X	X	X	X	X	
Wholesale Establishment	X	X	X	X	X	X
(4) COMMUNITY FACILITIES AND PUBLIC UTILITIES	<u>I-1</u>	<u>I-1-C</u>	<u>I-1-M</u>	<u>I-2</u>	<u>I-2-C</u>	<u>PBP</u>
Club or Lodge	X	X	X	X	X	X
Community Building	X	X	X	X	X	X
Electrical Substation	X	X	X	X	X	X
Gas Regulator Station	X	X	X	X	X	X
Golf Course, including commercially operated driving range or miniature golf course	X	X	X	X	X	X
Hospital, Health Center, Institution for Aged or Children, Assisted Care Facility	SP		SP			
Post Office	X	X	X			X
State Garage, Yard or Similar Facility	SP	SP	SP	X	X	
Telephone Exchange, Shop, or Garage	SP	SP	SP	X	X	SP
(5) AGRICULTURAL USES	<u>I-1</u>	<u>I-1-C</u>	<u>I-1-M</u>	<u>I-2</u>	<u>I-2-C</u>	<u>PBP</u>
Animal and Poultry Husbandry, Dairying or Pasturage	X	X	X	X	X	
Field Crops, Floriculture, Greenhouse, Horticulture, Nursery, Truck Gardening	X	X	X	X	X	X

(6). <u>OTHER USES</u>	<u>I-1</u>	<u>I-1-C</u>	<u>I-1-M</u>	<u>I-2</u>	<u>I-2-C</u>	<u>PBP</u>
All accessory uses as defined in Article X that are accessory to any permitted use in these districts	X	X	X	X	X	X
Dwelling for Resident Security Guard or Caretakers employed on the premises	X	X	X	X	X	X

FOOTNOTES: (1.) Sexually Oriented Business/Adult Entertainment enterprises shall be at least 1000 feet from any school, church, hospital, park, governmental building open to the public, or residence. The spacing requirement will be measured from the nearest part of the premises where a Sexually Oriented Business is conducted to:

- (a.) The nearest property line of the premises of any school, church, hospital, park, or government building open to the public;
- (b.) The nearest point of any residential structure.

C. Lot, Yard and Height Regulations

No lot or yard shall be established or reduced in dimension or area in any industrial district that does not meet the minimum requirements set forth in the following tables. No building or structure shall be erected or enlarged that will cause the maximum lot coverage to be exceeded for such district.

YARD REGULATIONS**ZONING DISTRICT**

	<u>I-1</u>	<u>I-1-C</u>	<u>I-1-M</u>	<u>I-2</u>	<u>I-2-C</u>	<u>PBP</u>
Minimum Lot Area (Square Feet)	10,000	10,000	10,000	10,000	10,000	1 acre
Minimum Lot Width at Building Line (Feet)	100	100	100	100	100	100
Maximum Lot Coverage (Percent)	50	50	50	50	50	50
<u>YARD REGULATIONS (in Feet)</u>						
Abutting a Street Right-of-Way	30	30	50	50	50	30
Across street from residential district	30	30	50	50	50	30
Across from nonresidential district	30	30	30	30	30	30
	<u>I-1</u>	<u>I-1-C</u>	<u>I-1-M</u>	<u>I-2</u>	<u>I-2-C</u>	<u>PBP</u>
<u>Abutting Other Property Lines (1)</u>						
Abutting a residential district	30	30	40	40	40	30
Abutting a nonresidential district	12	12	12	12	12	12
<u>HEIGHT REGULATIONS (2)</u>						
Maximum Number of Feet	36	36	75	75	75	36
Maximum Number of Stories	3	3	6 ½	6 ½	6 ½	3

(NOTE:)(a) Where property abuts a railroad where siding facilities are utilized, structures may be built up to railroad property lines.

(b) A building or structure may exceed the maximum heights shown provided each of its front, side, and rear yards are increased an addition foot for each foot such building exceeds the maximum height.

(c) Container Yards: Containers shall not be stacked in excess of 36 feet.

All I-1 and I-2 Districts

- a. Any lighting visible from outside the site shall be designed to reflect away from adjacent residential districts. No noise, odor, or vibration shall be emitted so that it constitutes a nuisance which substantially exceeds the general level of noise, odor or vibration emitted by uses adjacent to or immediately surrounding the site. Such comparisons shall be made at the boundaries of the site.
- b. Outdoor storage of trash receptacles shall be at the sides or rear of the site and shall be totally encircled or screened by a site-proof fence, planting or other suitable visual barrier.
- c. A permanent opaque screening fence or wall shall be constructed along any side or rear property line which abuts property zoned for residential purposes. The height of this screen or wall shall be not less than 6 feet and

shall be constructed of wood, masonry or other durable opaque material, and finished in a manner appropriate to the appearance and use of the property.

- d. No loading or storage of material shall be permitted in the required front yard.

2. Additional Criteria in I-1 Industrial District

a. Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be screened by a permanent opaque screening fence or wall so that it cannot be seen from an adjoining lot. The following screening and display criteria shall apply to uses located in the "I-1" Industrial District:

- 1) The height of any opaque screening fence or wall shall not be less than 6 feet.
- 2) Automobile, bus, truck, tractor, mobile home, boat or motorcycle, and wheeled and/or tracked industrial vehicle storage areas are not required to screen fully assembled merchandise which is ready for sale.
- 3) Other business uses shall be permitted open display of merchandise commonly sold by such operations as long as the area of said display is not larger than an area equal to one-half of the facade area of the front of the building.

PASSED AND APPROVED THIS 21 DAY OF June, 2018.


WILLIAM H. JOHNSON, MAYOR

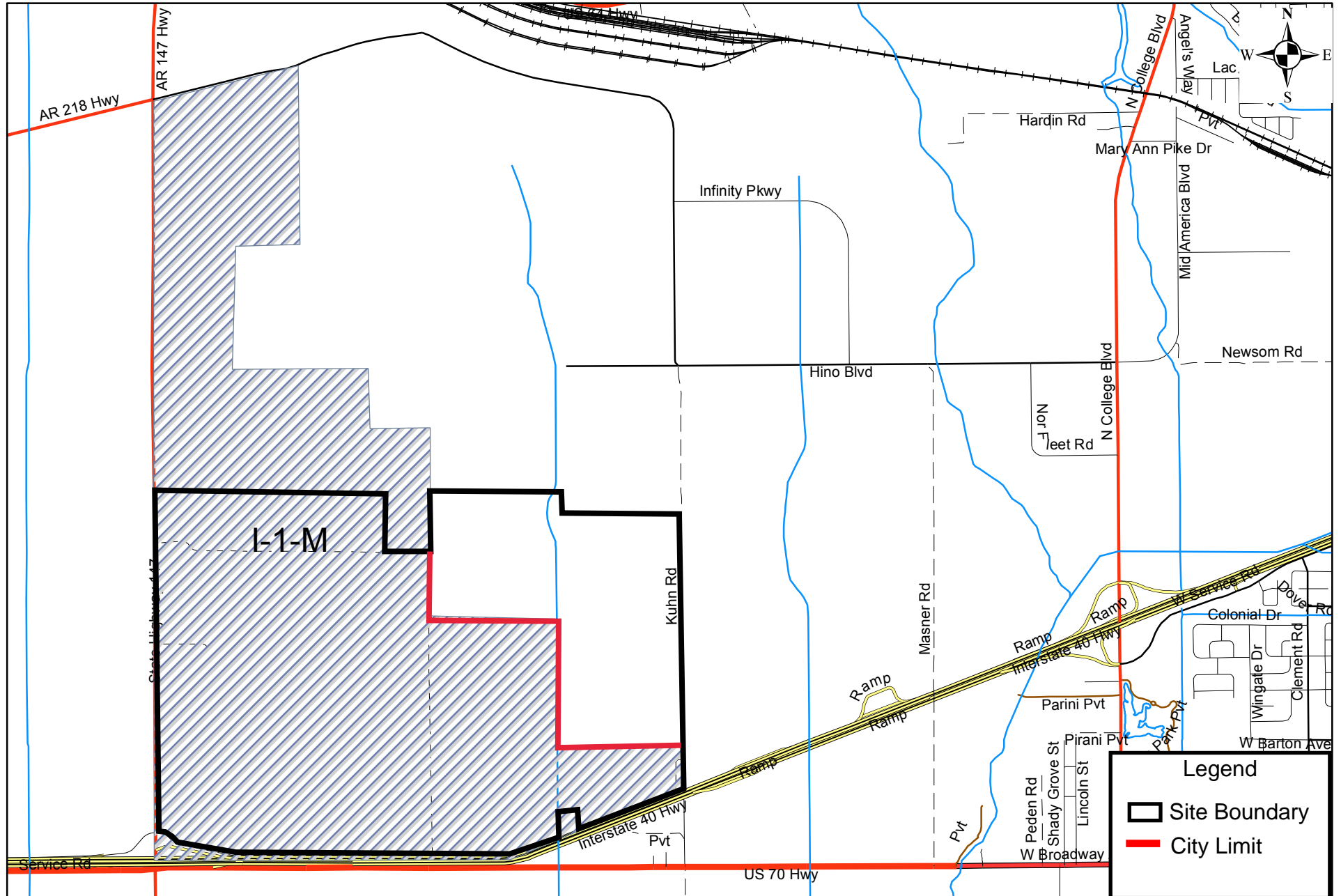
ATTEST:


Phillip Para, City Clerk

SPONSOR:

RECEIVED
City Clerk's Office
Date/Time 6-4-18
By Copplewood

City of West Memphis Zoning Map: I-1-M District



MAP DATE 04/13/2018

PREPARED BY CITY OF WEST MEMPHIS PLANNING AND DEVELOPMENT DEPARTMENT