

ORDINANCE NO. 2017-1

AN ORDINANCE TO AMEND ORDINANCE NO. 7.1 TO DESIGNATE ZONING DISTRICTS FOR ON-PREMISE AND OFF-PREMISE SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF FARMINGTON

WHEREAS, the City Council of the City of Farmington, pursuant to authority granted by the Arkansas General Assembly in Title 14, Chapter 56, Subchapter 4 of the Arkansas Code of 1987 Annotated, as amended, has adopted zoning regulations to provide for orderly growth and development of Farmington, for protection of the character and stability of residential and commercial properties, and for other purposes; and

WHEREAS, the results of the City of Farmington Special Election on November 8, 2016 for the sale and manufacture of intoxicating liquors was certified by the Washington County Election Commission on November 21, 2016; and

WHEREAS, the Farmington Planning Commission, after careful consideration, has determined that on-premise and off-premise sale of alcoholic beverages should be limited to C-1 and C-2 Commercial zoning districts and R-O Residential Office zoning district; and

WHEREAS, a public hearing was held on January 23, 2017, at which time the Farmington Planning Commission voted unanimously to adopt modifications to the zoning regulations for the city council's consideration.

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

Section 1: That the zoning regulations should be and are hereby amended to allow the on-premise consumption of alcoholic beverages in dine-in restaurants, but not fast

food and drive-in style restaurants, in C-1 and C-2 Commercial zoning districts and the R-O Residential Office zoning district. The off-premise sale of alcoholic beverages shall be allowed in retail grocery stores, liquor stores and convenience stores in the C-2 zoning district and as a conditional use in the C-1 zoning district.

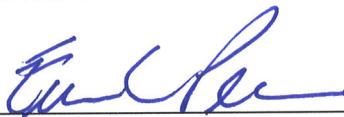
Section 2: Repealing Clause. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3: Severability Clause. In the event any part of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

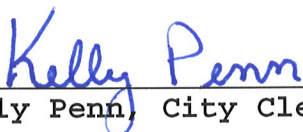
Section 4: Emergency Clause. That the City Council of the City of Farmington, Arkansas further determines that it is necessary to enact this ordinance without delay due to the number of applications being submitted and currently pending before the Alcoholic Beverage Control Board; therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 13th day of February, 2017.

APPROVED:

By: 
Ernie Penn, Mayor

ATTEST:

By: 
Kelly Penn, City Clerk