ORDINANCE NO. __________

AN ORDINANCE WAIVING THE RIGHT-OF-WAY DEDICATION PROVISIONS OF SECTION 1 OF THE MASTER STREET PLAN OF THE CITY OF LITTLE ROCK, ARKANSAS, FOR THE PROPERTY LOCATED AT #1 MALLARD POINTE COVE, IN CONNECTION WITH A CONDITIONAL USE PERMIT FOR AN ACCESSORY DWELLING; AND FOR OTHER PURPOSES (Z-9114-A).

WHEREAS, On March 16, 2016, the Little Rock Planning Commission approved a Conditional Use Permit to allow for the construction of an accessory dwelling on the property located at #1 Mallard Pointe Cove; and,

WHEREAS, that approval included the condition that the applicant dedicate right-of-way for the Edswood Road Extension per Section 1 of the Master Street Plan of the City of Little Rock, Arkansas; and

WHEREAS, the applicant subsequently determined he did not desire to dedicate the right-of-way and returned to the Planning Commission seeking a waiver of that requirement; and,

WHEREAS, at its June 2, 2016, meeting, the Little Rock Planning Commission voted to not recommend approval of a waiver of the requirement to dedicate right-of-way per the Master Street Plan by a vote of 5 ayes, 5 nays and 1 absent; and

WHEREAS, the Board of Directors has determined it is appropriate to not require the dedication of right-of-way in connection with the approval of a Conditional Use Permit to allow for the construction of an accessory dwelling at #1 Mallard Pointe Cove.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS.

SECTION 1. The provisions of Section 1 of the Master Street Plan of the City of Little Rock, Arkansas requiring the dedication of right-of-way in connection with a conditional use permit to allow for construction of an accessory dwelling on the property located at #1 Mallard Pointe Cove are hereby waived and the dedication of right-of-way for the Edswood Road Extension is not required.

SECTION 2. Severability. In the event any section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this ordinance, as if such invalid or unconstitutional provision were not originally a part of this ordinance.
SECTION 3. Repealer. All ordinances, resolutions, bylaws, and other matters inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

PASSED: July 19, 2016

ATTEST:                      APPROVED:

_____________________________________  ______________________________________
Susan Langley, City Clerk      Mark Stodola, Mayor

APPROVED AS TO LEGAL FORM:

_____________________________________
Thomas M. Carpenter, City Attorney