

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

HOUSE BILL 1663

4 **By: Representatives Riabie, Stalnaker, Wallace, Molinaro, Fletcher and Mitchell**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 14-56-413 TO
9 REQUIRE THE APPROVAL OF EXTRA-TERRITORIAL ZONING
10 ORDINANCES PASSED BY CITIES WITH A POPULATION OF ONE
11 HUNDRED FIFTY THOUSAND (150,000) OR MORE BY *THE QUORUM*
12 *COURT*; AND FOR OTHER PURPOSES."

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Subtitle

15 "AN ACT TO REQUIRE THE APPROVAL OF EXTRA-TERRITORIAL
16 ZONING ORDINANCES PASSED BY CITIES WITH A POPULATION OF
17 150,000 OR MORE BY *THE QUORUM COURT*."

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code Annotated 14-56-413 is amended to read as
22 follows:

23 "14-56-413. Territorial jurisdiction.

24 (a) (1) (A) The territorial jurisdiction of the legislative body of the
25 city having a planning commission, for the purpose of this subchapter, shall
26 be exclusive and shall include all land lying within *three (3) miles* of the
27 corporate limits.

28 (B) If the corporate limits of two (2) or more
29 municipalities of the first or second class are less than ten (10) miles
30 apart, the limits of their respective territorial jurisdictions shall be a
31 line equidistant between them, or as agreed on by the respective
32 municipalities.

33 (2) (A) Cities now having eight thousand (8,000) population or
34 more and situated on navigable streams shall have the authority to administer
35 and enforce planning and zoning ordinances outside their corporate limits as

1 follows:

2 (i) For cities of eight thousand (8,000) to fifty
3 thousand (50,000) population, the jurisdictional area will be one (1) mile
4 beyond the corporate limits;

5 (ii) For cities of fifty thousand (50,000) to one
6 hundred fifty thousand (150,000) population, the jurisdictional area will be
7 two (2) miles beyond the corporate limits;

8 (iii) (a) For cities of one hundred fifty thousand
9 (150,000) population and over, the jurisdictional area will be three (3) miles
10 beyond the corporate limits.

11 (b) No city with a population in excess of one
12 hundred fifty thousand (150,000) persons and which is situated on a navigable
13 stream shall exercise any zoning authority *more than two (2) miles* inside the
14 boundaries of the county wherein it is located without the approval of the
15 quorum court of said county *nor* outside the boundaries of the county wherein
16 it is located without the approval of the quorum court of the county wherein
17 the city is not located and the approval of the governing bodies of all other
18 cities having zoning authority over the area.

19 (B) The city populations will be based on the latest
20 available United States census data.

21 (C) The provisions of this subdivision (a) (2) shall not
22 restrict the powers of any city currently exercising the authority authorized
23 under this subdivision.

24 (b) (1) The planning commission shall designate the area within the
25 territorial jurisdiction for which it will prepare plans, ordinances, and
26 regulations.

27 (2) A description of the boundaries of the area shall be filed
28 with the city clerk and with the county recorder."
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30 SECTION 2. All provisions of this act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.

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34 SECTION 3. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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5 SECTION 4. All laws and parts of laws in conflict with this act are
6 hereby repealed.

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/s/M. Riable, et al

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As Engrossed: 2/23/93 3/1/93

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