

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1371

By: Representatives Fuller, Townsend and Kerr

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 14-56-413 TO LIMIT THE PLANNING AND ZONING AUTHORITY OF CITIES WITH PLANNING COMMISSIONS TO ONLY THOSE TERRITORIES WITHIN THEIR CITY LIMITS, EXCEPT FOR CITIES ALONG NAVIGABLE STREAMS; AND FOR OTHER PURPOSES."

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

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

"14-56-413. Territorial jurisdiction.

(a) The territorial jurisdiction of the legislative body of the city having a planning commission, for the purpose of this subchapter, shall extend only to land lying within the corporate limits of the city, except as provided for in subsection (b) of this section.

(b) (1) No city having a planning commission shall fix or prescribe, or attempt to fix or prescribe any zoning, directly or indirectly, over the use of lands lying outside the corporate limits of the city, except cities having a planning commission and lying on navigable streams.

(2) Cities having a planning commission and lying on navigable streams shall have planning and zoning jurisdiction over the territory outside the corporate limits lying along the stream for a distance of five (5) miles from the corporate limits, in either direction, and for a distance of two (2) miles laterally from the thread of the stream.

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

(2) A description of the boundaries of the area shall be filed with the city clerk and with the county recorder."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

