

ORDINANCE NO. 117

WASHINGTON CO AR
K. HARNISS

AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING BUILDING LINES, AND SETTING DISTANCES FOR BUILDING SETBACKS WITHIN THE GENERAL COMMERCIAL ZONING DISTRICT IN THE CITY OF TONTITOWN, ARKANSAS, AND FOR OTHER PURPOSES."

WHEREAS, the City Council of Tontitown, Arkansas deems it necessary to establish building lines and set distances for building setbacks to keep pace with growing traffic and parking demands, to provide for the safe movement of vehicles and pedestrians, to regulate the area of open spaces surrounding buildings, to limit congestion in the public streets by providing for the off-street parking and loading and unloading of vehicles, to insure quality development for it's growing population, and for the purposes of promoting the health, safety, and general welfare of the citizens of Tontitown, Arkansas; and

WHEREAS, the Tontitown City Council has prepared an ordinance which incorporates desired standards for the location of buildings and structures on lots in the General Commercial (C) zone.

NOW THEREFORE BE IT ORDAINED by the City Council of Tontitown, Arkansas, in regular session assembled, as follows:

SECTION 1. No lot or yard shall be established or reduced in dimension or area in the General Commercial (C) district that does not meet the minimum requirements set forth below. No building or structure shall be erected or enlarged that will cause the maximum lot coverage to be exceeded for such district.

- 1. FRONT YARD Fifty (50) feet.
- 2. REAR YARD Twenty five (25) feet.
- 3. REAR YARD Sixty (60) feet, when abutting residential property.
- 3. SIDE YARD Ten (10) feet.
- 4. SIDE YARD Twenty five (25) feet, when abutting residential property.
- 5. EXTERIOR CORNER
 - Side Fifty (50) feet.
 - Rear Twenty five (25) feet.
 - Front Fifty (50) feet.

SECTION 2. All building setbacks for front yards or exterior corner yards, shall be measured from the street right-of-way line as determined by the master street plan. When the existing right-of-way is greater than the planned right-of-way, the existing right-of-way line shall be used. All side and rear yard spaces shall be measured from the property line to the main building or any projection thereof. Exceptions may be made under certain conditions on appeal.

SECTION 3. If any paragraph, sentence or clause of this ordinance shall be declared invalid by a court of competent jurisdiction, such determination of invalidity shall not affect the remaining portion of this ordinance.

SECTION 4. All ordinances or parts of ordinances of the City of Tontitown in conflict with this ordinance are hereby rescinded to the extent of the conflict.

SECTION 5. It has been found and is hereby declared by the City Council of the City of Tontitown, Arkansas, in regular session assembled, that this ordinance is immediately required in order to lessen congestion in the streets; to secure safety from fire and other dangers; to provide adequate light and air; to prevent the overcrowding of land; and to insure the orderly development of the community for the general welfare of the citizens; and that provision of this ordinance is essential to protect the health and welfare of the public; and that the immediate passage of this ordinance is necessary to adequately accomplish these purposes. Therefore, an emergency is hereby declared to exist and this ordinance being necessary for the public welfare shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 1st day of April, 1997.



Freddie B. Jacobs
MAYOR

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CITY CLERK

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