

**AN INTERIM ORDINANCE SETTING SITE DEVELOPMENT STANDARDS AND
CONSTRUCTION AND APPEARANCE DESIGN STANDARDS FOR COMMERCIAL
STRUCTURES AND FOR OTHER PURPOSES.**

FILED FOR RECORD
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TONTITOWN CO AR
BUSINESS

WHEREAS; the City Council of Tontitown Arkansas deems it necessary to have a uniform policy setting site development standards, and appearance and design standards for commercial structures within the city limits of Tontitown Arkansas, to protect and enhance Tontitown's appearance, identity, natural and economic vitality, and to protect and preserve the aesthetics and scenic resources of the City and;

WHEREAS; the Planning Commission held a public hearing on November 16, 1999 and at that hearing it was determined that an interim ordinance setting site development standards, and construction and appearance design standards for commercial structures is necessary and;

WHEREAS, the Tontitown Planning Commission has prepared an interim ordinance to be sent to the City Council for the purposes of setting site development standards, and appearance and design standards for commercial structures within the city limits of Tontitown Arkansas, and repealing areas of conflict within other City Ordinances.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF TONTITOWN ARKANSAS, IN REGULAR SESSION ASSEMBLED AS FOLLOWS:

SECTION 1. PURPOSES.

- A. To protect and enhance Tontitown's appearance, indentity, natural and economic vitality.
- B. To address environmental concerns, which include, but are not limited to, soil erosion, vegetation preservation, and drainage.
- C. To protect and preserve the scenic resources distributed throughout the city.
- D. To preserve the quality of life and integrate the different zones and uses in a compatible manner.
- E. To address the issues of traffic, safety and crime prevention.
- F. To preserve property values of surrounding property.
- G. To provide good civic design and arrangement.

SECTION 2. SITE DEVELOPMENT STANDARDS.

See Exhibit "A", Page 1.

SECTION 3. DESIGN ELEMENTS GUIDELINES FOR COMMERCIAL STRUCTURES.

See Exhibit "A", Page 2.

SECTION 4. DESIGN REVIEW.

See Exhibit "A", Page 3.

SECTION 5. VARIANCES.

See Exhibit "A", Page 4.

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SECTION 6. REPEALING CLAUSE.

All ordinances or part of ordinances of the City of Tontitown in conflict herewith are specifically repealed, to the extent of the conflict.

SECTION 7. SEVERABILITY.

Should any paragraph, sentence, phrase, clause, or part of this ordinance, for any reason, be held invalid, such determination of invalidity shall not affect the validity of the remaining provisions of this ordinance, and the application of those provisions to any person or circumstances shall not be affected thereby.

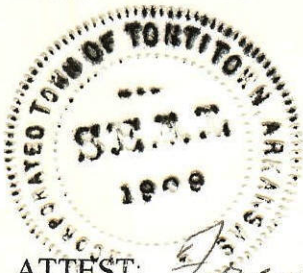
SECTION 8. VIOLATIONS AND PENALTIES.

Whenever it is found that any person is violating any of the provisions of the requirements set out in this Ordinance, a written notice stating the offense and setting time limit for the correction thereof shall be served upon the offender in person or by certified mail by the code enforcement officer. If the offending party is not the owner of record of the tract upon which the structure or structures are being constructed, a copy of such notice shall also be served on the owner of record. The offender shall within the time limit set in the notice served upon him forever cease all violations. Any person who shall continue to violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than twenty-five dollars (\$25.00) nor more than two hundred-fifty (\$250.00). Each day any such violation may continue shall constitute a separate offense.

SECTION 9. EMERGENCY CLAUSE.

The City Council hereby determines that this Ordinance is immediately required for the purposes of setting site development standards, and appearance and design standards for commercial structures within the city limits of Tontitown Arkansas, to protect and enhance Tontitown's appearance, identity, natural and economic vitality, and to protect and preserve the aesthetics and scenic resources of the City and to preserve property values of surrounding properties within the City of Tontitown, Arkansas; and that provision of this Ordinance is essential to protect the health, safety, 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 4th DAY OF January ~~1999~~ 2000



ATTEST: Frances Franco
RECORDER/TREASURER

Daniel R. Watson
MAYOR

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