

ORDINANCE 2006-12-296

AN ORDINANCE AMENDING CHAPTER 153 OF THE TONTITOWN CODE OF ORDINANCES (THE TONTITOWN ZONING ORDINANCE); AND DECLARING AN EMERGENCY

WHEREAS, after due notice as required by law, the Tontitown Planning Commission has conducted a public hearing regarding certain amendments to the city's zoning regulations, and has unanimously recommended said amendments for city council approval consideration; and

WHEREAS, it is the desire of the mayor and city council that said code amendment recommendations be approved and put into effect.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:

SECTION 1. That Section 153-045 of the Code is amended to read as follows: "**Classification of Annexed Lands.** All land annexed into the City of Tontitown shall upon the annexation's effective date, exist with a zoning classification of R-E, Estate Single-Family District. The planning commission shall, within sixty (60) days after annexation, conduct an analysis the annexed area and recommend to the city council the assignment of appropriate zoning classifications."

SECTION 2. That the last paragraph of Section 153-063 (a) of the Code is amended to read as follows: "The filing deadline for inclusion on the planning commission agenda shall be the 1st day of the month preceding the planning commission meeting, which is the 4th Tuesday of each month. Should the 1st fall on a weekend or holiday, the next following workday shall be the filing deadline."

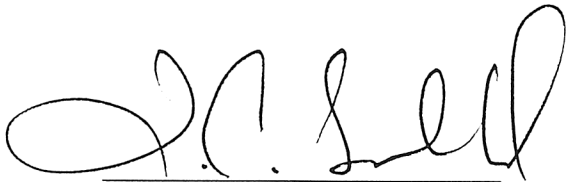
SECTION 3. That first paragraph of Section 153-125 of the Code is amended by adding the following sentence to the end thereof: "It is expressly understood that in exceptional circumstances, as may be determined by the city council, changes may be made by a majority vote of the city council as provided by A.C.A. 14-56-423."

SECTION 4. That Section 153-125 (2) (a) of the Code is amended to read as follows: "Application Submittal. A complete application for a change in a zoning district boundary (or map amendment), hereafter referred to as a rezoning, shall be submitted to the zoning official in a form established for that purpose, along with a non-refundable processing fee in the amount specified in the city code. Applications shall be filed by the 1st of the month in order to be placed on the planning commission agenda for their meeting, which is held on the 4th Tuesday of each month. No application shall be processed until the zoning official determines that the application is complete, and the required fee has been paid."

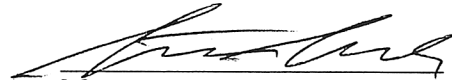
SECTION 5. That the third paragraph of Section 153-125 (2) (b) of the Code is amended to read as follows: "Individual property owners applying for changes to the official zoning map shall present evidence or an affidavit, at least ten (10) days prior to the required public hearing, that all property owners with two hundred feet (200') have been notified of the proposed zoning change and of the time, date, and place of the public hearing."

SECTION 6. Emergency Clause. The City Council hereby finds and determines that due to the urgent and immediate need to provide for orderly growth and development, and to insure consistency with enacted code revisions, these amendments should be made effective immediately; as such, an emergency is hereby declared to exist, and this ordinance being necessary for the preservation of the peace, health, safety, and general welfare, of the citizens of Tontitown, shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 5th DAY OF December, 2006.



Recorder-Treasurer



Mayor

ROLL CALL

SHALL THE ORDINANCE PASS:

| | Yea | Nay |
|---|------------|------------|
| Ward 1, Position 1 - Alderman Bradley Marveggio | ___ | ___ |
| Ward 1, Position 2 - Alderman Henry Piazza | <u>✓</u> | ___ |
| Ward 2, Position 1 - Alderman Arthur Penzo | <u>✓</u> | ___ |
| Ward 2, Position 2 - Alderman David Sbanotto | ___ | ___ |
| Ward 3, Position 1 - Alderman Beck Alston | <u>✓</u> | ___ |
| Ward 3, Position 2 - Alderman Ken Robertson | <u>✓</u> | ___ |
| Mayor - Steve Smith | ___ | ___ |

TOTALS:

4

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ROLL CALL

SHALL THE ORDINANCE BECOME EFFECTIVE IMMEDIATELY:

| | | |
|---|----------|-----|
| Ward 1, Position 1 - Alderman Bradley Marveggio | ___ | ___ |
| Ward 1, Position 2 - Alderman Henry Piazza | <u>✓</u> | ___ |
| Ward 2, Position 1 - Alderman Arthur Penzo | <u>✓</u> | ___ |
| Ward 2, Position 2 - Alderman David Sbanotto | ___ | ___ |
| Ward 3, Position 1 - Alderman Becky Alston | <u>✓</u> | ___ |
| Ward 3, Position 2 - Alderman Ken Robertson | <u>✓</u> | ___ |
| Mayor - Steve Smith | ___ | ___ |

TOTALS:

4

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