

**ORDINANCE NO. 2023-\_\_\_\_**

**CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS**

**AN ORDINANCE TO REZONE APPROXIMATELY 12.48 ACRES LOCATED AT HWY 412 AND POZZA LANE, MORE PARTICULARLY DESCRIBED AS PARCEL #830-37669-000 FROM RESIDENTIAL (R-3) TO GENERAL COMMERCIAL (C-2) IN THE CITY OF TONTITOWN, ARKANSAS.**

**WHEREAS**, a Public Hearing was held before the Planning Commission for the City of Tontitown, Arkansas on April 25<sup>th</sup>, 2023 at 6:00 p.m. to hear public input to the question of an application to rezone lands located at Highway 412 and Pozza Lane, more particularly described as Parcel #830-37669-000, in Tontitown, Arkansas from Residential (R-3) to General Commercial (C-2); and,

**WHEREAS**, after due notice as required by law, the Tontitown Planning Commission has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the rezoning requested should be approved and has recommended approval to the Tontitown City Council; and,

**WHEREAS**, the Tontitown City Council has determined that the public interest and welfare is best served by approving the requested rezoning.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Tontitown, Arkansas:

**Section 1.** The City of Tontitown hereby changes the zone classification from Residential (R-3) to General Commercial (C-2) for certain real property located at Highway 412 and Pozza Lane, more particularly described as Parcel #830-37669-000 and in the attached Exhibit "A".

**Section 2.** Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

**Section 3.** In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a Court of Law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not have an effect on the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

**Section 4.** The official zoning map of the City of Tontitown, Arkansas is hereby amended to reflect the zoning change provided in Section 1 hereof.

**PASSED and APPROVED** this \_\_\_\_ day of May 2023.

APPROVED:

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Angela Russell, Mayor

ATTEST:

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Rhonda Ardemagni, City Clerk-Treasurer  
(SEAL)