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Fee Amt: \$25.00 Page 1 of 3
Washington County, AR
Kyle Sylvester Circuit Clerk

ORDINANCE NO. 2023-06-1053

File **2023-00017324** TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE TO AMEND SECTION 153.060 ZONING DISTRICTS ESTABLISHED AND SECTION 153.080 AGRICULTURE AND RESIDENTIAL DISTRICTS; GENERAL DESCRIPTION OF THE TONTITOWN MUNICIPAL CODE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the City of Tontitown has adopted regulations to establish and describe zoning districts codified in Section 153.060: Zoning Districts Established and Section 153.080: Agriculture and Residential Districts; General Description of the Tontitown Municipal Code; and

WHEREAS, the City Council of Tontitown has determined that it is necessary to amend Section 153.060: Zoning Districts Established and Section 153.080: Agriculture and Residential Districts; General Description in order to provide updated regulations for the Single Family Residential – 8,000 square foot minimum lot size (R-4) zoning district in the City of Tontitown; and

WHEREAS, after thorough review of the proposed amendments, the City Council has determined that it is necessary and in the best interest and benefit of the community to amend Section 153.060: Zoning Districts Established and Section 153.080: Agriculture and Residential Districts; General Description, as set forth in the attached Exhibit “A”.

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

Section 1. Section 153.060: Zoning Districts Established and Section 153.080: Agriculture and Residential Districts; General Description of the Tontitown Municipal Code is hereby amended, as set forth in the attached Exhibit “A”.

Section 2. The rest and remainder of the Tontitown Municipal Code not specifically amended herein remains in full force and effect.

Section 3. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

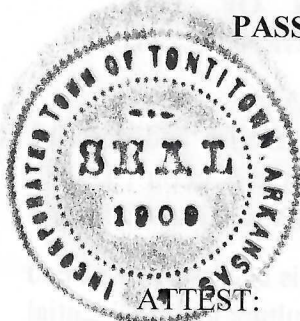
Section 4. Declaration of Emergency. It is hereby found and determined that Section 153.060: Zoning Districts Established and Section 153.080: Agriculture and Residential Districts; General Description, of the Tontitown Municipal Code should be immediately amended in order to provide updated regulations for the Single Family Residential – 8,000 square foot minimum lot size (R-4) zoning district within the City of Tontitown. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and protection of the public

peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor. If the Ordinance is neither approved nor vetoed by the Mayor, it shall become effective on the expiration of the period of time during which the Mayor may veto this Ordinance. If the Ordinance is vetoed by the Mayor and the veto is overridden by the City Council, it shall become effective on the date the City Council overrides the veto.

PASSED AND APPROVED this 20 day of June 2023.

APPROVED:

Angela Russell
Angela Russell, Mayor



ATTEST:

Rhonda Ardemagni
Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)

§ 153.060 ZONING DISTRICTS ESTABLISHED.

The following zoning districts, which may be referred to by their abbreviations, are hereby established

(A) Base zoning districts:

- A Agriculture
- R-E Estate Single-Family Residential - two acre minimum lot size
- R-1 Single-Family Residential - one acre minimum lot size
- R-2 Single-Family Residential - one-half acre minimum lot size
- R-3 Single-Family Residential - 9,600 square foot minimum lot size; provided density shall not exceed three units/acres
- R-3L Single-Family Residential - 14,520 square foot minimum lot size one-third acre
- R-4 Single-Family Residential - 8,000 square foot minimum lot size; provided the density shall not exceed four units/acre (*R-4 is not an available zoning district classification for assignment)
- R-MF-16 Multi-Family Residential - 16 units/acre maximum
- R-MH Residential-Mobile Homes
- N-C Neighborhood Commercial
- C-1 Light Commercial/Office
- C-2 General Commercial
- C-T Trades and Services
- L-I Light Industrial
- I Industrial
- EU-L Exclusive Use-Landfill

§ 153.080 AGRICULTURE AND RESIDENTIAL DISTRICTS; GENERAL DESCRIPTION.

(H) *R-4, Single-Family Residential.* This district is characterized by single-family or duplex residential development on medium sized lots of at least 8,000 square feet, with density not exceeding four units/acre. As with other residential zones, this district also serves as a buffer in providing for a step-down in intensity from higher to lower density residential and other types of development. It is the intent and desire of the city that R-4 zoned areas, which typically have smaller sized lots, be served by municipal water and sanitary sewer service. The R-4, Single-Family Residential is not an available residential zoning district classification for assignment and is only available for current properties that are assigned to the R-4 zoning district.



§ 182.050 ZONING DISTRICTS ESTABLISHED.

The following zoning districts, which may be referred to by their abbreviations, are hereby established:

(A) Base zoning districts:

A	Agriculture
R-E	Ecate Single-Family Residential - two acre minimum lot size
R-1	Single-Family Residential - one acre minimum lot size
R-2	Single-Family Residential - one-half acre minimum lot size
R-3	Single-Family Residential - 0.500 square foot minimum lot size, provided density shall not exceed three units/acre
R-3L	Single-Family Residential - 14,520 square foot minimum lot size one-third acre
R-4	Single-Family Residential - 5,000 square foot minimum lot size, provided the density shall not exceed four units/acre (R-4 is not an available zoning district classification for assignment)
R-MF-16	Multi-Family Residential - 16 units/acre maximum
R-MH	Residential-Medium Density
N-C	Neighborhood Commercial
C-1	Light Commercial/Office
C-2	General Commercial
C-T	Taxi and Services
I-1	Light Industrial
I	Industrial
I-1L	Exclusive Light Industrial

§ 182.050 AGRICULTURE AND RESIDENTIAL DISTRICTS; GENERAL DESCRIPTION.

(H) R-4 Single-Family Residential: This district is characterized by single-family or duplex residential development on medium sized lots of at least 5,000 square feet with density not exceeding four units/acre. As with other residential zones, this district also serves as a buffer in providing for a step-down in intensity from higher to lower density residential and other types of development. It is the intent and desire of the city that R-4 zoned areas, which typically have smaller sized lots, be served by municipal water and sanitary sewer service. The R-4 Single-Family Residential is not an available residential zoning district classification for assignment and is only available for current properties that are assigned to the R-4 zoning district.

Washington County, AR

I certify this instrument was filed on

07/07/2023 09:20:14 AM

and recorded in Real Estate

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Kyle Sylvester - Circuit Clerk

by