

ORDINANCE NO. 98-19

**AN ORDINANCE PROVIDING FOR THE ADOPTION BY REFERENCE OF
THE 1998 ZONING CODE, ~~AND DECLARING AN EMERGENCY.~~**

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

SECTION 1: That Ordinance 86-2, Section 1 be repealed and the following Technical Codes be
adopted by the City of Gravette, Arkansas:

1. The 1998 Zoning Code.

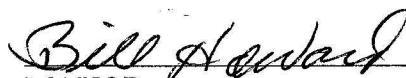
SECTION 2. That three (3) copies of the Code, or the pertinent parts thereof are filed in the
Office of the Recorder of the City of Gravette for inspection and view by the public prior to the
passage of the Ordinance.

SECTION 3: That the Municipality has given notice to the public by publication in a paper
of general circulation within the City of Gravette stating that copies of the code or the pertinent parts
thereof are open to public examination prior to the passage of this Ordinance.

~~**SECTION 4:** This Ordinance being necessary for the immediate health, safety and welfare
of citizens of Gravette, Arkansas, an emergency is declared to exist and this ordinance shall be in
full force and effect from and after the date of its passage.~~

PASSED AND APPROVED THIS 3rd DAY OF Sept 1998.

APPROVED:


MAYOR

ATTEST:


CITY RECORDER

Ordinance No. 98-19

City of Gravette, Arkansas

AN ORDINANCE REGULATING AND RESTRICTING THE USE OF LAND AND THE USE AND LOCATION OF BUILDINGS AND STRUCTURES; REGULATING THE BULK OF BUILDINGS AND STRUCTURES AND DETERMINING THE AREA OF YARDS, COURTS AND OTHER PLACES SURROUNDING THEM; REGULATING THE DENSITY OF USE; DIVIDING THE CITY OF GRAVETTE INTO DISTRICTS FOR SUCH PURPOSES; ADOPTING AN OFFICIAL ZONING MAP OF THE CITY SHOWING BOUNDARIES AND CLASSIFICATION OF EACH DISTRICT; ESTABLISHING A BOARD OF ADJUSTMENT AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

SECTION 1: AUTHORITY AND PURPOSE

The provision set forth in this ordinance have been prepared in accordance with the authority for zoning, granted by the Legislature of the State of Arkansas as provided by Act 186 of 1957, as amended.

The Zoning regulations set forth herein are enacted to promote the health, safety and general welfare of the citizens of Gravette; to prevent the scattering and indiscriminate mixing of uses within the city limits; to lessen traffic congestion; to reduce dangers from fire and other natural hazards; to avoid undue concentration of population; to facilitate adequate provisions of transportation, water sewerage, streets, schools, parks, and other public requirements; to stabilize property values; and to insure the orderly development of the community.

1. Jurisdiction.

The Jurisdiction of this ordinance shall include all land in the city limits of Gravette. This ordinance shall also apply to any land added to the city limits, for whatever reason, after the adoption of this ordinance.

2. Establishments of Districts.

The districts provided in Section 3 are hereby established for the City of Gravette.

3. Official Zoning Map.

The City hereby divided into zones, or districts, as shown on the Official Zoning Map, which together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this ordinance.

a. The Official Zoning Map shall be identified by the signature of the Mayor attested by the City Clerk, and bearing the seal of the City under the following words: "This is to certify that this is the Official Zoning Map referred to in Ordinance Number _____ of the City of Gravette," together with the date of the adoption of this ordinance.

b. No part of a yard, or other open spaces, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this ordinance, shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building.

c. No yard of lot existing at the time of passage of this ordinance shall be reduced in dimensions of area below the ~~minimum~~ requirement set for herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.

4. Interpretation of New or Omitted Uses.

a. When a new use is introduced or a use is found omitted from Section 4, the Planning Commission will hold a public hearing, determine which district(s) the use belongs in and recommend to the City Council an ordinance change.

5. Interpretation of Terms.

a. The word **shall** is mandatory, the word **may** is permissive.

b. The word **lot** includes the words **plot** or **parcel**.

c. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

SECTION 2: DEFINITIONS

1. Accessory Use of Structure.

A use of structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use of structure.

2. Alley.

A minor dedicated right of way affording a secondary means of access to the rear or side of abutting property.

3. Buildable Area.

The portion of a lot remaining after required yards have been reserved.

4. Club or Lodge.

A building or portion of a building used by an association for the promotion of some common objective, excepting clubs, the chief activity of which is a service customarily carried on by a business.

5. Conditional Use.

A use permitted in specific zoning districts subject to certain conditions which may be imposed by the Planning Commission.

6. Drive-In Restaurant.

Any place or premises used for sale, dispensing or serving of food, refreshments, or beverages in automobiles, including those establishments where customers may drive through or serve themselves and may eat or drink the food, refreshments or beverages on the premises.

7. Dwelling Unit.

A room or rooms arranged, designed or used as living quarters for one (1) family containing independent cooking, sleeping, bathing and human waste disposal facilities and constituting a separate independent housekeeping unit.

8. Dwelling, Single Family.

A detached residential dwelling unit other than a mobile home, designed for and occupied by one family only.

9. Dwelling, Mobile Home.

A manufactured relocatable living unit, specifically meaning a non-self propelled vehicle or similar portable structure used or so constructed as to permit its being transported upon the public streets or highways and duly licensable as such, and designed to be used with or without a permanent foundation, as a dwelling or for sleeping purposes.

10. **Dwelling, Modular Home.**

A factory constructed home of two or more sections, built to Building Official and Code Administration (B.O.C.A.) standards and regulations. Designed to permit its transportation upon the public streets or highways solely for the purpose of moving it to a permanent site. A modular home is not a manufactured (mobile) home.
11. **Dwelling, Two Family (Duplex).**

A detached residential building containing two dwelling units, designed for occupancy by not more than two families.
12. **Dwelling, Multiple Family.**

A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided.
13. **Family.**

One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage or adoption, no such family shall contain over four persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families.
14. **Front.**

Shortest dimension of a lot fronting on a street.
15. **House, Boarding.**

A dwelling other than a hotel where, for compensation and by pre-arrangement for definite periods of time, meals or lodging and meals are provided for three or more persons.
16. **Bed And Breakfast.**

A "Bed and Breakfast" shall be defined as an owner-occupied dwelling which offers overnight accommodations and a morning meal to transients.
17. **Lot.**

A parcel of land of at least sufficient size to meet the minimum zoning requirements for use, coverage and area, providing such yards and setbacks as are required herein, having frontage on a public street and being a single lot of record (platted or replatted) or an approved, designated tract of record.
18. **Lot Frontage.**

That portion of the lot which abuts a street.
19. **Lot Measurement.**
 - a. Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
 - b. Width of a lot shall be considered to be the distance between straight lines connecting front and rear to lines at each side of the lot, and measure across the rear of the required front yard, provided, however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80 percent of the required lot width except in the case of lots on the turning circle of a culs-de-sac, where a 50 percent requirement will apply.
20. **Lots of Record.**

A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

21. Corner Lots.

A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

22. Interior Lots.

A lot other than a corner lot with only one frontage on a street.

23. Mobile Home Park.

Any plot of ground on which there are located or intended to be located two or more mobile homes to be occupied for dwelling or sleeping purposes.

24. Mobile Home Space or Lot.

A plot of ground within a mobile home park designated for the placement of one mobile home excluding any street right-of-way or street surface.

25. Parking Space, Off-Street.

For the purpose of this ordinance, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides., together with properly related access to a public street or alley and maneuvering room.

26. Setback Lines.

Lines imposed on each parcel which are determined by the definition of front, side and rear yards and restrict the placement of structures. All setbacks where a street is involved shall be measured from the planned right-of-way as shown on the Master Street Plan.

27. Street.

A public or private right-of-way serving as a means of vehicular and pedestrian travel, furnishing the primary access to abutting property and providing space for utilities.

28. Street Line.

The right-of-way line of a street as set forth on the Master Street Plan.

29. Structure or Building.

Anything constructed or erected with a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, billboards and poster panels.

30. Townhouse.

Any multifamily structure so constructed that each single occupancy space extends from the foundation to the roof and between party walls or an exterior wall and a party wall so each dwelling unit can be identified on a plat of the property and sold as individual units in condominium ownership.

31. Travel Trailer.

A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight feet.

32. Variance.

A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of a structure or size of yards and open space; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district.

33. Veterinary and Outpatient Small Animal Clinic.

An office where small animals are treated, where no surgery or overnight boarding is permitted.

34. Yard.

A required open space other than a court unoccupied and unobstructed by a structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided, however, that fences, walls, poles, posts and other customary yard accessories, ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

35. Yard, Front.

A yard extending between side lot lines across that portion of a lot adjoining a public street line.

SECTION 3: ZONING DISTRICTS.

1. Classification of Districts.

For the purpose of this regulation, the following zoning districts are established:

- R-1** Single Family District
- R-2** Two Family District
- R-3** Multifamily District
- R-4** Mobile Home Housing District
- R-5** Modular Home District
- R-0** Residential Office District
- C-1** Central Commercial District
- C-2** Highway Commercial District
- C-3** Residential Commercial District
- C-4** Appropriate Businesses Within 300 Feet of Schools District
- C-5** Abutting Residential Zone District
- C-6** Abutting Industrial/Agricultural Zone District

2. R-1 Single Family District

a. This residential district is intended as an area of residences with permitted related uses as churches, schools, recreational facilities, and other public or semi-public uses. These single family dwellings shall be as described in Section 2 paragraph 8.

b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.

c. Area Requirements

1. Minimum Area Requirements.

Use	Lot Area*	Front Yard**	Side Yard**	Side Yard on Public Street**	Rear Yard**	Lot Width**
Single Family	7200	25	7	25	16	72
Church	43560	25	25	25	30	200
Parks	---	25	25	25	25	200
Schools	43560	30	50	50	50	200

* Square Feet

** Feet

2. Parking

See Section 5.

3. R-2 Two Family District (Duplex)

- a. The Two Family District is designed to permit and encourage the development of a greater variety of dwelling unit types at a little more density than the R-1 District. These two family dwellings shall be as described in Section 2 paragraph 11.
- b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.
- c. Area Requirements.

1. Minimum Area Requirements

Use	Lot Area*	Lot Area/ Dwelling Unit*	Front Yard **	Side Yard **	Side Yard On Public Street**	Rear Yard**	Lot Width**
Single Family	7200	7200	25	7	25	16	72
Duplex	12000	6000	25	7	25	16	100
Church	43560	---	25	25	25	30	200
Park	---	---	25	25	25	25	200
School	43560	---	30	30	30	50	200

* Square Feet

** Feet

2. Parking

See Section 5.

4. R-3 Multifamily District

- a. The Multifamily District is designed to permit and encourage the development of a greater variety of dwelling unit types at a little more density than the R-2 District. These multi-family dwellings shall be as described in Section 2 paragraph 12.
- b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.
- c. Area Requirements.

1. Minimum Area Requirements.

Use	Lot Area*	Lot Area/ Dwelling Unit*	Front Yard**	Side Yard**	Side Yard On Public Street**	Rear Yard**	Lot Width**
Single Family	7200	7200	25	7	25	16	72
Duplex	12000	6000	25	7	25	16	100
Multifamily	---	3000	25	10	25	25	---
Church	43560	---	25	25	25	30	200
Park	---	---	25	25	25	25	---
Nursing/ Convalescent Home	43560	---	30	30	25	30	200

* Square Feet

** Feet

2. Parking

See Section 5.

5. **R-4** Mobile Home District

a. The Mobile Home District is designed to permit and encourage the development of a greater variety of dwelling unit types and to permit the placement of mobile homes within the City of Gravette. These mobile homes shall be as described in Section 2 paragraph 9.

b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.

c. Area Requirements.

1. Minimum Area Requirements.

Use	Lot Area**	Lot Area/ Dwelling Unit**	Front Yard**	Side Yard**	Side Yard On Public Street**	Rear Yard**	Lot Width**
Mobile Home	4000	4000	25	7	25	16	44
Mobile Home Park	43560	4000	25	15	25	16	44

* Square Feet

** Feet

2. Parking

See Section 5.

6. **R-5** Modular Home District

a. This residential district is intended as an area of single family residences with permitted related uses as churches, schools, recreational facilities, and other public or semi-public uses. These modular homes shall be as described in Section 2 paragraph 10.

b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.

c. Area Requirements

1. Minimum Area Requirements.

Use	Lot Area*	Front Yard**	Side Yard**	Side Yard on Public Street**	Rear Yard**	Lot Width**
Single Family	7200	25	7	25	16	72
Church	43560	25	25	25	30	200
Parks	---	25	25	25	25	200
Schools	43560	30	50	50	50	200

* Square Feet

** Feet

2. Parking

See Section 5.

7. **R-O Residential Office District**

- a. The Residential Office District is designed to provide areas in close proximity to residential uses for the development of offices or offices and residential uses in combination.
- b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.
- c. Area Requirements.

1. Minimum Area Requirements.

Use	Lot Area*	Lot Area/ Dwelling Unit*	Front Yard**	Side Yard**	Side Yard On Public Street**	Rear Yard**	Lot Width**
Office and Service	7200	---	25	7	25	16	72
Church	43560	---	25	25	25	30	200
Hospital	---	---	50	50	50	50	---
Multifamily	12000	3000	25	10	25	25	100
Single Family	7200	7200	25	10	25	16	72

* Square Feet

** Feet

2. Parking

See Section 5.

8. **C-1 Central Commercial District.**

- a. The Central Commercial District is intended for retail establishments and their related services in the downtown area.
- b. Single family attached apartments either above or behind buildings in the downtown Central Commercial District are allowable uses.
- c. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.
- d. Area Requirements.

1. Minimum Area Requirements

Use	Front Yard**	Side Yard on Public Street**	Rear Yard**
All Uses	6 Feet for Sidewalk	6 Feet for Sidewalk	---

** Feet

2. Parking

See Section 5.

9. C-2 Highway Commercial District

- a. The Highway Commercial District is intended for retail and related service establishments which may require large customer parking space. No overnight parking of tractor/trailers or trailer storage shall be allowed.
- b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.
- c. Area Requirements.

1. Minimum Area Requirements.

Use	Front Yard**	Side Yard**	Side Yard On Public Street**	Side Yard on Alley**	Rear Yard**
All Uses	25	7	25	7	16

** Feet

- 2. Parking
See Section 5.

10. C-3 Residential Commercial

- a. The Residential Commercial District is intended for retail and related service establishments requiring a minimum of customer parking and storage area. These businesses must blend into a residential setting. These businesses may be attached or on the same lot as the primary residence of the owner/operator.
- b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.
- c. Area Requirements.

1. Minimum Area Requirements.

Use	Front Yard**	Side Yard**	Side Yard On Public Street**	Side Yard On Alley**	Rear Yard**
All Uses	25	7	25	25	16

** Feet

- 2. Parking
See Section 5.

11. C-4 Appropriate Businesses Within 300 Feet of Schools District

- a. This District is intended for retail and related service establishments whose products and services would not be deemed inappropriate for viewing by school age children.
- b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.
- c. Area Requirements.

1. Minimum Area Requirements

Use	Front Setback**	Side Setback**	Side Setback On Public Street**	Side Setback on Alley**	Rear Setback**
All Uses	25	7	25	25	16

** Feet

- 2. Parking
See Section 5.

12. C-5 Abutting Residential Zone District.

- a. The Abutting Residential Zone District is intended for retail and service establishments engaging in light machining, assembly and packaging for redistribution of merchandise. These businesses may be allowed large storage and/or parking areas.
- b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.
- c. Area Requirements.

1. Minimum Area Requirements.

Use	Front Setback**	Side Setback**	Side Setback On Public Street**	Side Setback On Alley**	Rear Setback**
All Uses	25	7	25	7	16

** Feet

- 2. Parking
See Section 5.

13. C-6 Abutting Industrial Zone District

- a. The Abutting Industrial Zone District is for retail and service establishments with a high volume of heavy traffic that require large parking and storage areas and may involve light manufacturing.
- b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.
- c. Area Requirements.

1. Minimum Area Requirements

Use	Front Setback**	Side Setback**	Side Setback On Public Street**	Side Setback On Alley**	Rear Setback**
All Uses	25	25	25	25	25

** Feet

- 2. Parking
See Section 5.

14. I-1 Industrial District

- a. The Industrial District is intended to provide for the storage, assembly, processing and manufacturing of goods and related services.
- b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.
- c. Area Requirements.

1. Minimum Area Requirements

Use	Front Setback**	Side Setback**	Side Setback on Public Street**	Rear Setback**
All Uses	50	25	50	25

** Feet

- 2. Parking
See Section 5.

- 3. Coverage
All structures shall not cover more than 60 percent of the lot area.

5. A-1 Agricultural District

- a. The Agricultural District is intended to provide for a full range of agricultural activity, prevent the scattering of urban development and conserve rural open space.
- b. Uses not specifically defined in Appendix A may be appealed to the Planning Commission.
- c. Area Requirements.

1. Minimum Area Requirement.

Use	Lot Area***	Lot Area Per Dwelling Unit***	Front Yard**	Side Yard**	Side Yard On Public Street**	Rear Yard**	Lot Width**
All Uses	3	3	30	20	30	30	200

** Feet

*** Acres

SECTION 5: OFF-STREET PARKING STANDARDS

Industrial	1 space per each 2 employees on the largest shift
Recreation	
Amusement Commercial	1 per 40 square feet of floor area.
Public and Quasi-Public	1 per 40 square feet of floor area.
Residential	2 per dwelling unit.
Other Residential	
Nursing or Convalescent Home	1 per 1000 square feet of floor area
Rooming or Boarding House	1 per each bedroom.
Commercial	
Office	1 per 250 square feet of floor area.
Retail	1 per 300 square feet of floor area.
Service	1 per 400 square feet of floor area.
Hospital	1 per bed.
Hotel or Motel	1 per sleeping room
Lumber Yard	1 per 2 employees plus 1 per 400 square feet of retail floor space.
Private School	1 per 800 square feet of floor space.
Restaurant	1 per 4 seating capacity.
Non-Commercial	
Fire Station	2 per employee
Library	1 per 400 square feet of floor area.
Museum	1 per 400 square feet of floor area.
Police Station	1 per 500 square feet of floor area
Post Office	1 per each 2 employees plus 1 per each 400 square feet of floor area.
School K-9	1 per 1200 square feet of floor area
School 10-12	1 per 800 square feet of floor area

SECTION 6: GENERAL REGULATIONS

1. **Annexed Area**

a. Lands which are hereafter annexed to the City of Gravette shall come into the City as A-1 Agricultural District unless the ordinance annexing said lands specifies a zoning district other than the A-1 Agricultural District.

2. **Completion of Existing Building.**

b. Nothing herein contained shall require any change in plans, construction or designated use of a building actually under construction at the time of the effective date of these regulations. Under construction shall mean that a building permit has been issued and the permit is still a valid permit.

3. **Occupation Permitted in Residential Structures Utilized for Residential Purpose in the Residential Districts.**

An occupation may be carried on in a residential structure in the residential district only when it:

- a. Does not require the use of more than twenty-five (25) percent of the space normally considered as living space.
- b. Does not require the use of an accessory building or yard space or an activity outside the main structure not normally associated with residential uses.
- c. Does not have a sign in excess of four square feet to denote the business, occupation, or profession, and such sign must be attached to the structure.
- d. Does not involve the display of goods or services.

4. **Lot Area.**

a. On any lot in the residential district for which there is a plat of record or recorded deed at the time of passage of this ordinance, a one-family structure may be erected, even though the lot be of less area or width than required by the regulations of the residential area in which the lot is located, provided the lot width is not less than fifty (50) feet and all other area requirements are met or are varied by the Board of Adjustment.

5. Non-Conforming Uses.

- a. Uses of land, uses of structures or uses of land and structures which were lawful prior to the passage of this ordinance but became unlawful because of the requirements of this ordinance shall be considered non-conforming uses.
- b. A non-conforming use of land and/or structures may be continued so long as it remains otherwise lawful.
- c. Once a non-conforming use is changed to a permitted use in the district, the non-conforming use shall no be reestablished.
- d. Any use of a structure or land not permitted or any structure not intended for uses permitted may not be rebuilt or reestablished if damaged in excess of three-fourths of its fair sales value immediately prior to damage.
- e. A non-conforming use which is vacant or ceases operation for a period of one year shall not be reestablished and future use of the land or structure shall conform to the requirements of this ordinance.

6. Height.

- a. There is hereby established a fifty (30) foot height limitation in all districts.

7. Access.

- a. All lots shall have access to a public street and that access shall be the frontage required by this ordinance immediately abutting the public street.

8. Additional Uses.

- a. The Planning Commission may make a determination as to whether a use not specifically listed in Section 4 charts is a similar or related use to any of the uses therein indicated and the zone into which said uses should be permitted. Upon such a determination being made, the minutes shall so reflect such a decision, and the use shall be included in the list in Section 4.

SECTION 7: BOARD OF ZONING ADJUSTMENT

1. Designation and Organization of Board of Zoning Adjustment.

- a. The Board of Zoning Adjustment, hereafter referred to as the Board, shall consist of the members of the Planning Commission
- b. The Board shall upon its creation, meet, organize and elect its own chairman who shall serve for one year or until the successor duly qualifies. The chairman may appoint a secretary who is not a member of the Board, who shall hold office until relieved by the Board.

2. Meetings.

- a. Meetings of the Board shall be held at such times and at such place or places as the Board may designate, and may meet at any time on call or the chairman. The Board shall maintain minutes of its proceedings, which minutes shall be public record.
- b. The presence of four members shall be necessary to constitute a quorum and the concurring vote of four members of the board shall be necessary to reverse any order, requirement, decisions or determination of a building inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under the zoning ordinance, or to authorize a variance from the zoning regulations.

3. Appeals from Decisions of Enforcement Officer.

- a. The Board shall hear appeals from an administrative decision of the enforcement officer who shall be designated by the City Council concerning interpretation of the zoning regulations and shall decide whether such interpretation was in error or not.

4. Variances.

- a. The board shall hear requests for variances from the literal provisions of this ordinance in instances where strict enforcement of this ordinance would cause undue hardship due to the circumstances unique to the individual property under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of this ordinance.
- b. The Board shall not permit, as a variance, any use in a zone that is not permitted under this ordinance.
- c. The Board may impose conditions in the granting of a variance to ensure compliance and to protect adjacent property.

5. Appeal from Decision of Board.

- a. Appeal from the decision of the Board of Adjustment shall be to a court having jurisdiction.

6. Notice and Fees.

- a. Whenever an appeal or application for a variance is made to the Board, the Board shall cause to have published at the expense of the appellant or applicant a notice of the time and place of the public hearing upon such appeal or application, which notice shall be published at least once not less than seven (7) days preceding the date of such hearing in an official paper or a paper of general circulation, said notice to designate the particular location with which the appeal or application consists of. The Board shall also give or cause to be given such additional notice of such hearing to interested persons and organizations as it shall deem feasible and practicable.

SECTION 8: AMENDMENTS

1. Amendment.

- a. This ordinance shall be amended in conformance with the requirements of Act 186 of the 1957 General Assembly as initially adopted and as they subsequently may be amended.
- b. The Planning Commission shall establish the procedures for processing requests for revisions in the regulations.

c. No application for change of zoning for a given property may be resubmitted within twelve (12) months from the date of action by the Planning Commission or legislative body, whichever is later, unless the Planning Commission finds that a substantial reason exists for waiving this limitation.

d. An applicant for a change of zoning shall be required to reimburse the City of Gravette for costs of public notices and the conduct of the public hearing.

SECTION 9: ENFORCEMENT-PENALTY FOR VIOLATION-SEVERIBILITY-LEGAL STATUS

1. Enforcement.

a. The provisions of this ordinance shall be administered by an enforcement officer designated by the City Council.

b. A building permit will be issued only when the application has been approved by the enforcement officer as meeting requirements of this ordinance. All applications for building permits shall be accompanied by a plan in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected and its location on the lot, and such other information as may be necessary to provide for the enforcement of this ordinance. A record of such application and plats shall be kept in the office of the enforcement officer.

2. Penalty for Violation.

a. Any person or corporation who shall violate any of the provisions of this ordinance or fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder, shall be guilty of a misdemeanor and shall be liable to a fine of not more than five hundred (\$500.00) dollars. Each day such violation is permitted to exist shall constitute a separate offense and is subject to a fine of not more than two hundred fifty (\$250.00) dollars per each day. Each repetition of such offense shall be subject to a fine of not more than one thousand (\$1,000.00) dollars. The owner or owners of any building or premises or part thereof, where anything in violation of this ordinance shall be placed, or shall exist and any architect, builder, contractor, agent, person, or corporation employed in connection therewith and who may have assisted in the commission of any such violation shall be guilty of a separate offense and upon conviction thereof shall be fined as herein before provided.

3. Severability.

a. The provisions of this ordinance are hereby declared to be severable. If any section, paragraph, sentence, or clause of this ordinance shall be held invalid, the invalidity of such section, paragraph, sentence, or clause shall not affect the validity of the remainder of the said ordinance.

4. Legal Status.

a. All ordinances or parts of ordinances of the City of Gravette in conflict herewith are hereby repealed.

b. This ordinance being necessary for the preservation of the public peace, health, comfort, convenience, safety and welfare of the City of Gravette, an emergency is declared to exist and this ordinance shall be in full force from the date of its approval.

PASSED AND APPROVED THIS 3rd DAY OF Sept, 19 98

Bill Hawcutt
MAYOR

ATTEST:
Annis D Raby
CITY CLERK

Permitted Uses in Zoning Districts

Appendix A

	A1-Agricultural District	I1-Industrial District	C6-Abutting Industrial/Agri. District	C5-Abutting Residential District	C4-School Appropriate District	C3-Residential Commercial District	C2-Highway Commercial District	C1-Central Commercial District	RO-Residential Office District	R5- Manufactured Housing District	R4-Mobile Home District	R3-Multi-Family District	R2-Two Family District	R1-Single Family District
1 Acetylene Manufacturing		X												
2 Acid Manufacturing		X												
3 Advertising Agency					X	X	X	X						
4 Agricultural Products Processing														
5 Air Conditioning & Cooling Apparatus Mfg.														
6 Air Conditioning & Heating Retail Sales			X											
7 Airport or Landing Field														X
8 Animal Boarding Kennel			X	X										
9 Animal Farms														X
10 Antique Refinishing			X	X										
11 Antique Shop				X	X		X	X						
12 Appliance Store				X	X		X	X						
13 Arcade				X	X	X	X	X						
14 Architects Supplies				X	X		X	X						
15 Armature Rewinding														X
16 Armored Car Service				X	X									X
17 Art Gallery				X	X	X	X	X						
18 Artists Studio				X	X		X	X						
19 Artists Supplies				X	X		X	X						
20 Arts & Crafts Shop				X	X		X	X						
21 Auction House														X
22 Auditorium					X	X	X	X						X
23 Auto Auction				X	X									X
24 Auto Glass				X	X									
25 Auto Paint or Body Shop				X	X									
26 Auto Parts and Accessories				X	X									
27 Auto Rental Agency				X	X									
28 Auto Repair Garage				X	X									
29 Automobile or Truck Assembly														X
30 Automobile Sales or Service							X	X						X
31 Bait Shop				X	X									
32 Bakery Equipment Manufacturing														X
33 Bakery or Confectionery Shop				X	X		X	X						
34 Bakery Wholesale				X	X									

Permitted Uses in Zoning Districts

Appendix A

	A1-Agricultural District	I1-Industrial District	C6-Abutting Industrial/Agri. District	C5-Abutting Residential District	C4-School Appropriate District	C3-Residential Commercial District	C2-Highway Commercial District	C1-Central Commercial District	RO-Residential Office District	R5-Manufactured Housing District	R4-Mobile Home District	R3-Multi-Family District	R2-Two Family District	R1-Single Family District
35 Barber Shop or Beauty Salon			X	X										
36 Bicycle Shop			X	X	X		X	X						
37 Billiard or Pool Parlor			X	X	X		X	X						
38 Bindery			X	X	X		X	X						
39 Bleaching, Cleaning and Drying Plant		X												
40 Boats and Accessories			X	X			X							
41 Book Store			X	X	X		X	X						
42 Bottled Gas		X												
43 Bowling Alley			X	X	X		X	X						
44 Brick, Pottery, Tile or Terra Cotta Mfg.		X												
45 Broadcasting Studio			X	X	X	X	X	X	X					
46 Building Materials General			X	X	X		X							
47 Bulk Fuel Station		X												
48 Bulk Storage for Highly Flammable Materials		X												
49 Bus Station			X	X	X		X							
50 Business Machines Sales and Repair			X	X	X	X	X	X						
51 Cabinet or Woodwork Shop			X	X	X		X							
52 Camera Shop			X	X	X	X	X	X						
53 Campground			X	X	X									
54 Candy Manufacturing		X												
55 Candy Store			X	X	X		X	X						
56 Canning		X												
57 Car Wash			X	X	X		X							
58 Carbon Black Manufacturing		X												
59 Catalog Sales			X	X	X	X	X	X						
60 Catering Service			X	X	X	X	X	X	X					
61 Cemetery or Mausoleum			X	X	X	X	X	X						
62 China Shop			X	X	X	X	X	X						
63 Church	X	X	X	X	X	X	X	X	X	X	X	X	X	X
64 City or County Jail			X	X	X									
65 Clay Products Mfg.			X											
66 Clinic			X	X	X		X							
67 Clothing Manufacturing			X											
68 Clothing Store			X	X	X	X	X	X						
69 Cold Storage Plants			X	X										

Permitted Uses in Zoning Districts

Appendix A

		R1-Single Family District	R2-Two Family District	R3-Multi-Family District	R4-Mobile Home District	R5-Manufactured Housing District	RO-Residential Office District	C1-Central Commercial District	C2-Highway Commercial District	C3-Residential Commercial District	C4-School Appropriate District	C5-Abutting Residential District	C6-Abutting Industrial/Agri. District	I1-Industrial District	A1-Agricultural District
70	Commercial Parking Lot							X	X			X	X		
71	Community Center								X	X	X	X	X		
72	Community Welfare or Health Center								X	X	X	X	X		
73	Computer Sales and Service							X	X			X	X		
74	Concrete and Cement Manufacturing													X	
75	Confinement Livestock & Poultry													X	X
76	Contractor's or Maintenance Yard													X	
77	Convenience Food Store with Gas Pumps								X			X	X		
78	Cooperage Works Manufacturing													X	
79	Copy Shop						X	X	X	X	X	X	X		
80	Cosmetics Manufacturing													X	
81	Cosmetics Sales						X	X	X	X	X	X	X		
82	Costume Rental							X	X						
83	Country Club											X	X		
84	Crematory												X	X	
85	Curing, Smoking and Packing													X	
86	Custom Sewing						X	X	X	X	X	X	X		
87	Dairy Products Retail							X	X	X	X	X	X		
88	Data Proc. Machines Sales and Repair							X	X	X	X	X	X		
89	Day Camp											X	X		
90	Day Nursery or Child Care Center						X		X	X	X	X	X		
91	Dental Supplies							X	X	X	X	X	X		
92	Department Store							X	X			X	X		
93	Desktop Publishing						X	X	X	X	X	X	X		
94	Detective Service						X	X	X	X	X	X	X		
95	Detergents Manufacturing													X	
96	Dextrin, Starch or Glucose Manufacturing													X	
97	Disinfectant or Insecticide Manufacturing													X	
98	Disinfecting or Exterminating												X	X	
99	Dominos Parlor							X	X	X	X	X	X		
100	Drafting Service						X	X	X	X	X	X	X		
101	Draperies, Custom							X	X	X	X	X	X		
102	Drive-in Theater											X	X	X	
103	Drug or Alcohol Rehabilitation Center											X	X		
104	Drug Store or Pharmacy							X	X			X	X		

Permitted Uses in Zoning Districts

Appendix A

	R1-Single Family District	R2-Two Family District	R3-Multi-Family District	R4-Mobile Home District	R5-Manufactured Housing District	RO-Residential Office District	C1-Central Commercial District	C2-Highway Commercial District	C3-Residential Commercial District	C4-School Appropriate District	C5-Abutting Residential District	C6-Abutting Industrial/Agri. District	I1-Industrial District	A1-Agricultural District
105							X	X			X	X		
106		X												
107													X	X
108													X	
109											X	X	X	
110													X	
111						X	X	X	X	X	X	X		
112													X	
113							X	X	X	X	X	X		
114													X	
115													X	
116													X	
117													X	
118													X	
119												X	X	X
120														X
121											X	X	X	
122								X			X	X	X	
123														X
124								X			X	X	X	
125													X	
126								X			X	X	X	
127													X	
128													X	
129												X	X	
130													X	
131								X			X	X	X	
132							X	X	X	X	X	X		
133													X	
134													X	
135							X	X	X	X	X	X		
136													X	
137											X	X	X	
138							X	X	X	X	X	X		
139													X	

Permitted Uses in Zoning Districts

Appendix A

		R1-Single Family District	R2-Two Family District	R3-Multi-Family District	R4-Mobile Home District	R5- Manufactured Housing District	RO-Residential Office District	C1-Central Commercial District	C2-Highway Commercial District	C3-Residential Commercial District	C4-School Appropriate District	C5-Abutting Residential District	C6-Abutting Industrial/Agri. District	I1-Industrial District	A1-Agricultural District
140	Furniture Repair Store											X	X	X	
141	Furniture Reupholster											X	X	X	
142	Furniture Store							X	X			X	X		
143	Gelatin Manufacturing														X
144	Glass Manufacturing														X
145	Glass Products Manufacturing														X
146	Glassware Sales							X	X	X	X	X	X		
147	Glue Manufacturing														X
148	Go-cart Track											X	X		
149	Golf Course											X	X		
150	Golf Range											X	X		
151	Governmental Agencies or Offices						X	X	X	X	X	X	X		
152	Grain Drying														X
153	Grain Elevator or Feed Mill, Storage														X
154	Grocery Store							X	X			X	X		
155	Guest Ranch														X
156	Gum Manufacturing														X
157	Guns and Related Equip. Manufacturing														X
158	Gunsmith											X	X	X	
159	Hair and Hair Products Manufacturing														X
160	Hardware							X	X			X	X		
161	Hauling and Storage Company												X	X	
162	Health Food Store							X	X		X	X	X		
163	Hearing Aids							X	X	X	X	X	X		
164	Heating Equipment Manufacturing														X
165	Heavy Construction Equip. Sales & Serv.												X	X	
166	Heavy Machinery Manufacturing														X
167	Home Occupations						X								
168	Hospital							X	X		X	X	X	X	X
169	Hotel/Motel								X			X			
170	Ice Plant														X
171	Incinerator														X
172	Indoor Theater								X			X	X		
173	Industrial Cleaning Plant												X	X	
174	Industrial Leather Belting Manufacturing													X	

Permitted Uses in Zoning Districts

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		R1-Single Family District	R2-Two Family District	R3-Multi-Family District	R4-Mobile Home District	R5-Manufactured Housing District	RO-Residential Office District	C1-Central Commercial District	C2-Highway Commercial District	C3-Residential Commercial District	C4-School Appropriate District	C5-Abutting Residential District	C6-Abutting Industrial/Agri. District	I1-Industrial District	A1-Agricultural District
175	Interior Decorating							X	X			X	X		
176	Janitorial											X	X	X	
177	Jet Engine Manufacturing or Testing													X	
178	Jewelry Store and Repair							X	X	X	X	X	X		
179	Job Printing, Lithographer or Blueprinting							X	X			X	X		
180	Junk or Salvage Yard													X	
181	Key Shop							X	X	X	X	X	X		
182	Laundromat								X			X	X		
183	Leather Goods and Luggage							X	X			X	X		
184	Leather Tanning													X	
185	Legitimate Theater								X		X	X	X		
186	Lime or Lime Products Manufacturing													X	
187	Linen Supply and Industrial Laundry												X	X	
188	Linoleum, Oil Cloth or Oiled Products Mfg.													X	
189	Livestock and Poultry Prep. and Packing													X	
190	Livestock Sale Barn													X	X
191	Locksmith							X	X	X	X	X	X		
192	Lumber Yard												X	X	
193	Machine Shop											X	X	X	
194	Machinery Manufacturing													X	
195	Machinery Sales and Service											X	X	X	
196	Manufactured Housing/Modular					X									
197	Match Manufacturing													X	
198	Meat Packing												X	X	X
199	Medical Appliance Fitting and Sales							X	X	X	X	X	X		
200	Medical Supplies							X	X	X	X	X	X		
201	Metal Working Shop												X	X	
202	Millinery							X	X	X	X	X	X		
203	Millwork Products												X	X	
204	Mini Warehouse											X	X	X	
205	Miniature Golf											X	X		
206	Mobile Home				X										
207	Mobile Home Park				X										
208	Mobile Home Sales								X			X	X	X	
209	Monument Sales								X			X	X	X	

Permitted Uses in Zoning Districts

Appendix A

		R1-Single Family District	R2-Two Family District	R3-Multi-Family District	R4-Mobile Home District	R5-Manufactured Housing District	RO-Residential Office District	C1-Central Commercial District	C2-Highway Commercial District	C3-Residential Commercial District	C4-School Appropriate District	C5-Abutting Residential District	C6-Abutting Industrial/Agri. District	I1-Industrial District	A1-Agricultural District
210	Mortuary or Funeral Home								X			X	X		
211	Motor Freight Terminal											X	X	X	
212	Muffler Shop								X			X	X		
213	Multi-Family			X											
214	Musical Instruments							X	X	X	X	X	X		
215	Nursing or Convalescent Home			X					X	X	X	X	X		
216	Office Furniture							X	X			X	X		
217	Oil Well Drilling and Cleaning												X	X	
218	Oil Well Drilling Products Manufacturing													X	
219	Optical Shop							X	X	X	X	X	X		
220	Optical Supplies							X	X	X	X	X	X		
221	Orphanage			X					X	X	X	X	X		
222	Paint and Wallpaper Store								X			X	X		
223	Paints Manufacturing													X	
224	Paper and Pulp Manufacturing													X	
225	Pawn Shop							X	X			X	X		
226	Perfume Manufacturing													X	
227	Pet Shop							X	X			X	X		
228	Pharmaceutical Products Manufacturing													X	
229	Philanthropic Organization						X	X	X	X	X	X	X		
230	Phonograph Manufacturing													X	
231	Photography Studio							X	X	X	X	X	X		
232	Pickle, Sauerkraut, Vinegar or Yeast Proc.													X	
233	Picture Framing							X	X	X	X	X	X		
234	Plant Nursery								X			X	X	X	
235	Plaster Manufacturing													X	
236	Plumbing Equipment Manufacturing													X	
237	Plywood Manufacturing													X	
238	Pottery Manufacturing													X	
239	Poultry Slaughter House													X	
240	Precision Instruments Manufacturing													X	
241	Prefabricated Structural Wood Mfg.													X	
242	Printing Ink Manufacturing													X	
243	Private School								X		X	X	X		
244	Public Animal Pound											X	X	X	

Permitted Uses in Zoning Districts

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	R1-Single Family District	R2-Two Family District	R3-Multi-Family District	R4-Mobile Home District	R5- Manufactured Housing District	RO-Residential Office District	C1-Central Commercial District	C2-Highway Commercial District	C3-Residential Commercial District	C4-School Appropriate District	C5-Abutting Residential District	C6-Abutting Industrial/Agri. District	I1-Industrial District	A1-Agricultural District
245 Race Track														
246 Radium Extraction												X		
247 Reading Room														
248 Real Estate Sales Office														
249 Record and Tape Shop														
250 Recycling and Reclamation														
251 Reducing Salon														
252 Restaurant with Dancing														
253 Restaurant with Drive-up Service														
254 Restaurant without Dancing														
255 Restaurant without Drive-up Service														
256 Rifle Range														
257 Rodeo Grounds														
258 Rooming and Boarding														
259 Rug Cleaning and Repair														
260 Sand, Gravel or Earth Sales and Service														
261 Sandblasting or Cutting														
262 Sawmill														
263 School, Commercial Trade or Craft														
264 Scientific Instruments Manufacture														
265 Second Hand Store														
266 Septic Tank Cleaning														
267 Service Station														
268 Sheet Metal Manufacturing														
269 Shipping of Livestock														
270 Shoe Repair														
271 Shoe Store														
272 Sign Painting														
273 Silverware Manufacturing														
274 Single Family														
275 Skating Rink														
276 Slot Car Track														
277 Small Animal Kennels and Boarding														
278 Sorting and Packing Fruits and Vegetables														
279 Sporting Goods														

Permitted Uses in Zoning Districts

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		R1-Single Family District	R2-Two Family District	R3-Multi-Family District	R4-Mobile Home District	R5-Manufactured Housing District	RO-Residential Office District	C1-Central Commercial District	C2-Highway Commercial District	C3-Residential Commercial District	C4-School Appropriate District	C5-Abutting Residential District	C6-Abutting Industrial/Agri. District	I1-Industrial District	A1-Agricultural District
280	Stable, Commercial											X	X	X	X
281	Stationery Store							X	X		X	X	X		
282	Stone Works													X	
283	Stove Polish Manufacturing													X	
284	Studio, Art, Drama, Speech, etc.							X	X		X	X	X		
285	Swimming Pool Sales and Supplies								X			X	X		
286	Tailor						X	X	X	X	X	X	X		
287	Tanks Manufacturing													X	
288	Tanning or Rendering													X	
289	Taxicab Station								X			X	X	X	
290	Taxidermist							X	X			X	X		
291	Television Manufacturing													X	
292	Textile Products Manufacturing													X	
293	Throphies and Awards							X	X			X	X		
294	Ticket Office							X	X	X	X	X	X		
295	Tile Setting							X	X		X	X	X		
296	Toiletries Manufacturing													X	
297	Tool and Equipment Rental											X	X	X	
298	Townhouse Development			X											
299	Toy Manufacturing													X	
300	Toy Store							X	X			X	X		
301	Trailers, Campers Sales											X	X	X	
302	Training for Horses											X	X	X	X
303	Transportation Equipment Manufacturing													X	
304	Travel Agency						X	X	X	X	X	X	X		
305	Truck Farming														X
306	Truck or Tractor Sales and Service								X			X	X	X	
307	Trucking Company											X	X	X	
308	Upholstery								X			X	X		
309	Used Furniture							X	X			X	X		
310	Vacuum Cleaner Sales and Service							X	X			X	X		
311	Vending Machine Service								X			X	X		
312	Veterinarian with Boarding											X	X	X	
313	Veterinary Small Animal Outpatient Clinic											X	X	X	
314	Video Store							X	X			X	X		

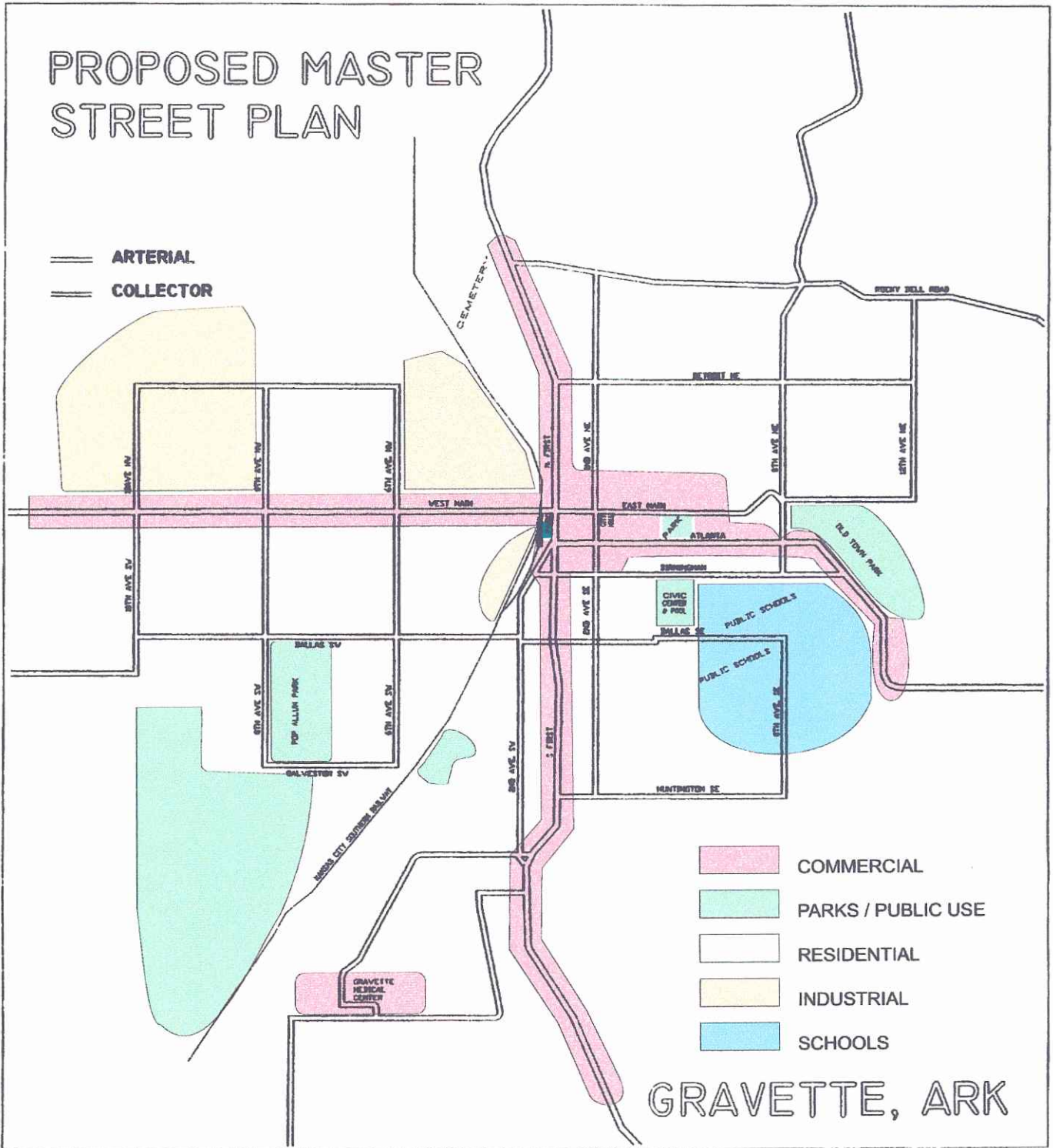
Permitted Uses in Zoning Districts



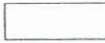

Appendix A

	A1-Agricultural District	I1-Industrial District	C6-Abutting Industrial/Agri. District	C5-Abutting Residential District	C4-School Appropriate District	C3-Residential Commercial District	C2-Highway Commercial District	C1-Central Commercial District	RO-Residential Office District	R5- Manufactured Housing District	R4-Mobile Home District	R3-Multi-Family District	R2-Two Family District	R1-Single Family District
315		X												
316		X												
317		X	X											
318			X											
319			X											
320			X	X										
321			X	X										
322		X												
323		X												
324														
325														
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333														
334														

PROPOSED MASTER STREET PLAN

 **ARTERIAL**
 **COLLECTOR**



 **COMMERCIAL**
 **PARKS / PUBLIC USE**
 **RESIDENTIAL**
 **INDUSTRIAL**
 **SCHOOLS**

GRAVETTE, ARK

PROPOSED MASTER LAND USE PLAN