

AN ORDINANCE ADOPTING CERTAIN ZONING REGULATIONS AND THE ADOPTION OF CERTAIN ZONING MAPS OF THE CITY OF EAST CAMDEN FOR THE PROMOTION OF THE ORDERLY GROWTH AND EXPANSION OF THE CITY OF EAST CAMDEN; THE ESTABLISHMENT OF A BOARD OF ADJUSTMENT, AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF EAST CAMDEN, ARKANSAS, AS FOLLOWS:

SECTION ONE: PURPOSE, AUTHORITY AND JURISDICTION

1. Purpose

This ordinance is enacted to promote the orderly growth and expansion of the City of East Camden, Arkansas. It divides the City into zones and within those zones it prescribes the height, bulk, location and use of buildings, and it prescribes the use and character of land. These regulations are designed to achieve the following results:

- a. To stabilize and conserve the value of property.
- b. To prevent the overloading of schools, streets, utilities and other services by limiting population density.
- c. To provide locations for land uses that are properly related to utilities, transportation, and other land uses.
- d. To eliminate congestion by separating conflicting types of traffic and by requiring a parking and loading space off the streets.
- e. To improve living conditions, working conditions, and fire protection by requiring light, air and open space around buildings.

Such regulations are justified insofar as they promote the health, safety, convenience or general welfare of the community.

2. AUTHORITY

The authority to enact these regulations is granted by Act 186 of the 1957 of the Acts of Arkansas.

3. JURISDICTION

This ordinance applies to all land within the corporate limits of East Camden, Arkansas, as now or hereafter set.

SECTION TWO: DEFINITIONS

New Use-Any use of land or buildings different from the use of that land or building at the time of the effective date of this Ordinance.

Conforming Use-A use of land or buildings that conforms to the provisions of this Ordinance for the zone in which it is located.

Non Conforming Use-A use of land or buildings that does not conform to the provisions of this Ordinance for the zone in which it is located.

Structural Changes-Any change in the building that would require alternation or addition to the load bearing part of the structure.

Discontinued Use-A use of land or buildings where all equipment and furnishings for conduct of the use have been moved from the premises.

Commercial Vehicle-A vehicle other than a passenger automobile used in the conduct of a business or a passenger automobile that carries advertising.

Access-A permanently free and unobstructed means of entry and exit, at least 12 feet wide, from a piece of property to a public street.

Yards-The open space extending the full width of the lot between any lot line and the nearest part of a structure or building.

SECTION THREE: ZONING MAP AND ZONE REGULATIONS

1. ZONING MAP

- a. Zones: For the purpose of this Ordinance, the corporate limits of East Camden, Arkansas, are divided into the following zones:
 - R-1
 - R-2
 - C-1
 - C-2
 - C-3
 - M-1
 - M-2
 - M-3
- b. Boundaries: The boundaries of these zones are shown on a map entitled ZONING MAP OF EAST CAMDEN, ARKANSAS, which accompanies and is a part of this Ordinance.

Except where actual dimensions are shown on the Zoning Map, the district boundary lines are intended to follow lot lines, the center lines of streets or alleys.

2. ZONE REGULATIONS

The regulations for the use of land and for the height, bulk, location, and use of buildings within the various zones are shown on a chart entitled BULK AND AREA REGULATIONS, FOR EAST CAMDEN, ARKANSAS. This chart is attached to the Zoning Map and is a part of this Ordinance.

SECTION FOUR: GENERAL REGULATIONS

1. APPLICATION

Within the corporate limits of East Camden, Arkansas, all land shall be used and all buildings shall be built, altered, extended, moved and used in conformance with these regulations.

2. ANNEXED AREA

Land annexed after the adoption of this Ordinance shall be governed by the following temporary rules until the Zoning Map is amended to include the annexed land.

- a. All building permits issued by the enforcement officer shall be in conformance with the Land Use Plan for the area.

If an application is made to the enforcement officer for some use that does not conform to the Land Use Plan, he shall submit it to the City Planning Commission for review and recommendation to the City Council.

- b. All new uses of land and buildings shall be in conformance with the Land Use Plan. Exceptions may be granted according to the procedure set forth in (a) of this section.

3. CONTINUATION OF EXISTING LAWFUL USES

Any use of building or land lawfully existing at the effective date of this ordinance may be continued subject to the following conditions:

- a. A use of land that does not conform to the permitted uses of this ordinance.
 - (1) shall not be changed unless it is changed to a conforming use.
 - (2) shall not be continued or reinstated by another lessee or owner after being terminated by the operator that leased or owned the land at the effective date of this ordinance and any new use shall conform to the ordinance.
- b. A use of structure that does not conform to the permitted uses of this ordinance.

- (1) may be continued subject to regulations for maintenance of premises and conditions of operations required for the protection of adjacent property.
- (2) may be changed to a use in the same zone classification as the original use if no structural changes are necessary.
- (3) once changed to a conforming use shall not be changed back to a non-conforming use.
- (4) that is discontinued for a period of 12 months or longer shall be deemed terminated and any use thereafter shall be in conformity with this ordinance.

c. A structure that does not conform to the bulk and area regulations of this ordinance.

- (1) may not be reconstructed if it is totally destroyed or considered a total loss for insurance purposes.
- (2) when partially destroyed, may be reconstructed under conditions set up by the Planning Commission to insure maximum compliance to yard requirements and parking and loading regulations.
- (3) used as a residence in a residential area may be altered or extended, if the addition conforms to the area requirements of this ordinance.

4. OCCUPATIONS IN RESIDENTIAL STRUCTURES IN RESIDENTIAL DISTRICTS

a. A business or profession may be carried on in a residential structure in a residential zone if it:

- (1) does not require the sale of articles that are not produced on the premises.
- (2) does not involve the use of commercial vehicles.
- (3) does not require the use of more than two rooms.
- (4) does not require the use of an accessory building, yard space, or activity outside the main structures not normally associated with residential area.
- (5) does not require a sign over three square feet in area on the premises to denote the business, occupation, or profession.
- (6) does not involve the outside display of goods and services.

b. A business or profession carried on in a residential structure or accessory building in a residential zone at the effective date of this ordinance must comply with the section 4-a within one year.

5. ACCESS

Each separate permitted use or lot shall have access to a public street.

6. AREAS NOT TO BE DIMINISHED

a. No lot or yard area shall be reduced in dimension or area below the minimum requirements of this ordinance.

b. No yard or open space required for a building or use under the provisions of this ordinance shall be included as a part of a yard or open space required by this ordinance for another building or use.

7. LAWFULLY EXISTING LOTS OF SUBSTANDARD SIZE

A single family building may be built on any lot that is smaller than required by this ordinance subject to the following requirements:

- a. The lot shall be in a residential zone.
- b. The lot shall be separately owned and of record on the effective date of this ordinance.
- c. The building shall comply with all bulk and area regulations except side yards which may be reduced to five feet.

8. VISION CLEARANCE

- a. On any corner lot on which a front yard is required by this ordinance, no wall, fence, or other structure shall be erected and no hedge, tree, shrub, or other growth shall be maintained between intersecting street lines and a line joining points on the street lines 15 feet from their intersection so as to cause danger to traffic by obstructing the view of drivers or pedestrians.

- b. Trees and large shrubs shall not be planted within the right-of-way of public streets and alleys.

SECTION FIVE: BOARD OF ADJUSTMENT

1. ORGANIZATION

- a. A Board of Adjustment is hereby established to consist of 3 members nominated by the Planning Commission and confirmed by the City Council. One member shall be a member of the Planning Commission and two members shall be citizens at large. One member shall be appointed for one year, one member for two years, and one member for three years and thereafter all members shall be appointed for three years each.
- b. Upon appointment and annually thereafter the Board shall meet, elect a chairman and secretary and organize for the coming year or until their successors qualify.

2. MEETINGS AND HEARINGS

The Board shall establish procedures and by-laws for meetings, hearings, records, quorum, public notices, etc., according to Section 5b of Act 186 of 1957.

3. POWERS AND DUTIES

- a. The Board shall hear appeals from the decisions of the enforcement officer concerning the interpretations of the Zoning Map and Regulations.
- b. Where the strict application of such regulations to lots of peculiar shape or topography would cause hardship or confiscation of property, the Board may grant a variance provided that the intent and purpose of the Zoning Ordinance is not impaired. The Board may impose conditions on the variance to protect the public health, safety and general welfare.

SECTION SIX: AMENDMENTS TO THE ZONING ORDINANCE

1. INITIATION OF CHANGES

The City Council or the Planning Commission may initiate changes to the Zoning Regulations and the Zoning Map. Changes to the Zoning Map may be initiated by one or more persons who own property within the area of the proposed change.

2. PROCEDURE FOR AMENDMENTS

- a. The Planning Commission shall set hearing on all proposed changes to the Zoning Map at its regular monthly meeting in June and January or specially called meeting requested by the Mayor. Applications for changes to the Zoning Map shall be submitted to the Planning Commission at least 15 days prior to the meeting to set the hearing.
- b. The Planning Commission shall notify all persons that lease or own property within 200 feet of proposed zone changes of the nature of the change and of the time and place of the public hearing on the proposed change.
- c. The Planning Commission shall give 15 days notice of the public hearing in a newspaper of general circulation in the city.
- d. Within 45 days after receiving the application for a change in the Zoning Ordinance, the Planning Commission shall hold a public hearing and make recommendations to the City Council stating reasons. A copy of these recommendations shall be submitted to the applicant at the same time.
- e. No application for a change of the Zoning Ordinance may be resubmitted within 12 months from the date of action by the City Council unless the Planning Commission finds that a substantial change in conditions has occurred.

SECTION SEVEN: ADMINISTRATION AND ENFORCEMENT

1. ADMINISTRATION

The Provisions of this ordinance shall be administered by the Building Inspector.

2. PROCEDURE

- a. An application for a building permit shall be accompanied by a plat plan in duplicate showing the dimensions and location of the lot, the dimensions and location of the existing buildings and the dimensions and location of the proposed building.
- b. Building permits shall be issued only after the plat plan has been approved by the Planning Commission or its authorized representative as conforming to the Zoning Ordinance.

3. PENALTY FOR VIOLATION

- a. Any person, firm, or corporation, who uses, builds, alters, or moves a building or uses land in violation of this ordinance shall be guilty of a misdemeanor and he shall be fined not less than \$10.00 and not more than \$300.00.
- b. Each day that such a violation continues past the date that it is ordered discontinued by the Planning Commission shall be deemed a separate offense.

4. VALIDITY

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

SECTION EIGHT: RESERVATION

1. The City Council reserves the right at any time to adjust or change any provision of this ordinance at any time where such adjustment or change would appear to be to the best interest of the City of East Camden, Arkansas.

April 20, 1991
Dated

Attested:

Virginia Glass
City Clerk/Recorder

Cecil Smith
Mayor

BULK AND AREA

REGULATIONS FOR ZONING DISTRICTS

R-1

DESCRIPTION OF DISTRICT:

A quiet, low-density residential area protected from commercial and industrial activity.

PERMITTED USES:

Single family, two-family, churches, schools, parks, playgrounds, hospitals, public buildings, utility substations (unmanned), home occupations, other uses deemed by the Planning Commission to be in character with the zone.

ACCESSORY USES:

Uses deemed by the Planning Commission to be accessory to the permitted uses but not detrimental to the character of the zone.

MINIMUM LOT AREA:

Single-family - 8,250 square feet
Two-Family - 12,000 square feet

MINIMUM LOT WIDTH:

75 feet

MINIMUM LOT DEPTH:

100 feet

MINIMUM FRONT YARD:

30 feet from front property line

MINIMUM SIDE YARD:

~~10~~⁵ feet from side lot lines

MINIMUM REAR YARD:

25 feet from rear lot lines

ALLOWABLE HEIGHT OF BUILDINGS:

10 feet plus amount of height for each foot of setback from side - lot lines.

PERMITTED SIGNS:

Professional nameplate not over 1 square foot in area. Church Bulletin Board not over 20 square feet in area. Real Estate Signs not over 12 square feet in area.

OFF STREET PARKING:

Residential - 1 space per dwelling unit. Places of public assembly - 1 space for each 4 seats.

OFF STREET LOADING:

None.

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R-2

DESCRIPTION OF DISTRICT:

A quiet residential area for low cost homes on lots small enough to insure low development cost and economy of streets and utilities.

PERMITTED USES:

Single family, two-family, multi-family, rooming houses, churches, schools, parks, playgrounds, hospitals, public buildings, utility substations (unmanned), home occupations, other uses deemed by the Planning Commission to be in character with the zone.

ACCESSORY USES:

Uses deemed by the Planning Commission to be accessory to the permitted uses but not detrimental to the character of the zone.

MINIMUM LOT AREA:

Single family - 6,000 square feet
Two-Family
Multi-Family

MINIMUM LOT WIDTH:

60 feet

MINIMUM LOT DEPTH:

100 feet

MINIMUM FRONT YARD:

30 feet from ^{front} side lot lines

MINIMUM SIDE YARD:

7½ feet from side lot lines

MINIMUM REAR YARD:

25 feet from rear lot lines

ALLOWABLE HEIGHT OF BUILDING:

Same as R-1

PERMITTED SIGNS:

Same as R-1

OFF STREET PARKING:

Same as R-1

OFF STREET LOADING:

None.

C-1

DESCRIPTION OF DISTRICT:

The central shopping district, banking offices, retail stores, government offices, commercial recreation, hotels, and restaurants.

PERMITTED USES:

Offices, banks, general retail stores, personal services, commercial recreation, service stations, government offices, hotels, restaurants, department stores, other uses deemed by the planning Commission to be in character with the zone.

ACCESSORY USES:

Uses deemed by the Planning Commission to be accessory to the permitted uses but not detrimental to the character of the zone.

MINIMUM LOT AREA:

None.

MINIMUM LOT WIDTH:

None.

MINIMUM LOT DEPTH:

None.

MINIMUM FRONT YARD:

None.

MINIMUM SIDE YARD:

None.

MINIMUM REAR YARD:

None.

ALLOWABLE HEIGHT OF BUILDINGS:

None.

PERMITTED SIGNS:

1 space per employee

OFF STREET PARKING:

1 space per employee

OFF STREET LOADING:

None.

DESCRIPTION OF DISTRICT:

A zone for businesses that serve highway traffic.

PERMITTED USES:

Trailer courts, service stations, hotels, drive-in cafes, drive-in theaters, auto laundry, same as C-1, auto sales and service, building supplies, contractors office and equipment, other uses deemed by the Planning Commission to be in character with the zone.

ACCESSORY USES:

Uses deemed by the Planning Commission to be accessory to the permitted uses but not detrimental to the character of the zone.

MINIMUM LOT AREA:

Minimum area of a new zone - 2 acres

MINIMUM LOT WIDTH:

None.

MINIMUM LOT DEPTH:

100 feet

MINIMUM FRONT YARD:

With parking in front - 40 feet
Without parking in front - 25 feet.

MINIMUM SIDE YARD:

10 feet from residential zone lines

MINIMUM REAR YARD:

15 feet

ALLOWABLE HEIGHT OF BUILDING:

One foot of height for each foot of setback from the front lot line or from residential uses along the side lot lines.

PERMITTED SIGNS:

OFF STREET PARKING:

All parking for customers, employers and visitors must be off public right-of-way.

OFF STREET LOADING:

Trucks must be off the public right-of-way while standing, loading or unloading.

DESCRIPTION OF DISTRICT:

A small shopping center to provide convenience goods to the surrounding residential areas without damaging the residential character of the area.

PERMITTED USES:

Grocery stores, drug stores, auto service, laundry pickups, offices and clinics, barber and beauty shops, restaurants (no curb service), other uses deemed by the Planning Commission to be in character with the zone.

ACCESSORY USES:

Uses deemed by the Planning Commission to be accessory to the permitted uses but not detrimental to the character of the zone.

MINIMUM LOT AREA:

Minimum area of a new zone - 2 acres.

MINIMUM LOT WIDTH:

None.

MINIMUM LOT DEPTH:

100 feet.

MINIMUM FRONT YARD:

With parking front - 40 feet
Without parking in front - 25 feet

MINIMUM SIDE YARD:

10 feet from residential zone lines.

MINIMUM REAR YARD:

15 feet

ALLOWABLE HEIGHT OF BUILDINGS:

Same as C-2.

PERMITTED SIGNS:

All signs must conform to building setbacks. Signs may be unlighted or indirectly light. Free standing or projecting signs may not exceed 80 square feet.

OFF STREET PARKING:

2 square feet for parking for each square foot of building.

OFF STREET LOADING:

Same as C-2.

M-1

DESCRIPTION OF DISTRICT:

An unrestricted district for industries that process raw materials and create hazard and nuisance.

PERMITTED USES:

Lumber mills, bulk oil storage, flooring mills, animal slaughter, factories, cotton gin and storage, stock yards, other uses deemed by the Planning Commission to be in character with the zone.

ACCESSORY USES:

Uses deemed by the Planning Commission to be accessory to the permitted uses but not detrimental to the character of the zone.

MINIMUM LOT AREA:

20 acres.

MINIMUM LOT WIDTH:

None.

MINIMUM LOT DEPTH:

None.

MINIMUM FRONT YARD:

200 feet.

MINIMUM SIDE YARD:

100 feet.

MINIMUM REAR YARD:

200 feet.

ALLOWABLE HEIGHT OF BUILDINGS:

None.

PERMITTED SIGNS:

unrestricted.

OFF STREET PARKING:

1 space for each 2 employees on the largest shift.

OFF STREET LOADING:

Same as C-2.

M-2

DESCRIPTION OF DISTRICT:

A district for wholesaling, warehousing, fabrication and packaging near the central business district.

PERMITTED USES:

Printing plant, equipment yards for contractors and utility companies, laundry and dry cleaning, plants, wholesale, storing warehouses, auto sales and service, lumber yards, frozen food lockers, farm machinery sales and service, auto repair and garage, produce market, bus and truck terminals, machine and metal shops, restaurants, paint shop, cabinet shop, bakeries, other uses deemed by the Planning Commission to be in character with the zone.

ACCESSORY USES:

Uses deemed by the Planning Commission to be accessory to the permitted uses but not detrimental to the character of the zone.

MINIMUM LOT AREA:

None.

MINIMUM LOT WIDTH:

None.

MINIMUM LOT DEPTH:

100 feet.

MINIMUM FRONT YARD:

MINIMUM SIDE YARD:

MINIMUM REAR YARD:

ALLOWABLE HEIGHT OF BUILDINGS:

None.

PERMITTED SIGNS:

Unrestricted.

OFF STREET PARKING:

Same as M-1.

OFF STREET LOADING:

Same as C-2.

M-3

DESCRIPTION OF DISTRICT:

A general manufacturing zone for industries that work with processed materials and do not create excessive nuisance.

PERMITTED USES:

Warehousing, truck terminals, fabrication plants, packaging plants, restaurants, auto service stations, auto repair, other uses deemed by the Planning Commission to be in character with the zone.

ACCESSORY USES:

Uses deemed by the Planning Commission to be accessory to the permitted uses but not detrimental to the character of the zone.

MINIMUM LOT AREA:

5 acres.

MINIMUM LOT WIDTH:

300 feet.

MINIMUM LOT DEPTH:

MINIMUM FRONT YARD:

100 feet.

MINIMUM SIDE YARD:

50 feet.

MINIMUM REAR YARD:

100 feet.

ALLOWABLE HEIGHT OF BUILDINGS:

None.

PERMITTED SIGNS:

Unrestricted.

OFF STREET PARKING:

Same as M-1.

OFF STREET LOADING:

Same as C-2.