

**CITY OF LAKEVIEW
BAXTER COUNTY ARKANSAS
ORDINANCE 12-06**

AN ORDINANCE TO RECREATE THE ZONING REGULATIONS AS A STAND ALONE DOCUMENT FOR THE CITY OF LAKEVIEW, BAXTER COUNTY, ARKANSAS.

WHEREAS, zoning regulations have existed for the City of Lakeview since initially adopted in 1977 with the Comprehensive Development Plan under Ordinance 2, and

WHEREAS, said zoning regulations were reviewed and amended in 2005 with the Comprehensive Development Plan under Ordinance 05-03, and

WHEREAS, it is recognized and acknowledged that zoning regulations are distinct yet support and are supported by the long range development plan for the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakeview, Baxter County, Arkansas:

SECTION I – The zoning regulations adopted as part of the Comprehensive Development Plan under Ordinance 05-03 are herewith removed from said document, reprinted and recreated as a stand alone document. Within said reprint the following changes have been made.

- A. Chapter I, Authority and Chapter II, Definitions as originally adopted are combined into a new Chapter I, General.
- B. Chapters III through VII are recreated as Chapter II through VI respectively.
- C. Chapter VIII as originally adopted is removed in its entirety.
- D. Chapter II, Use Zones as originally adopted is repealed and recreated as Chapter II, Zoning Districts.

SECTION II- That Ordinances 32, 57, 00-01, 01-02 and 03-03 were enacted to amend zoning regulations adopted under Ordinance 2. In that Ordinance 2 was repealed by reference under Ordinance 05-03 acknowledging that changes enacted were included, it is herewith affirmed that Ordinances 32, 57, 00-01, 01-02 and 03-03 were and are repealed.

SECTION III- Ordinance 08-02 was adopted to define Modular vs. Manufactured Housing

- A. Definitions of modular and manufactured homes as defined in the above referenced ordinance are now included in the definition section of the zoning regulations.
- B. That modular homes as defined shall be a permitted use under R-1 zoning.
- C. It is reaffirmed that manufactured homes as defined shall be a permitted use under R-2 zoning and shall not be placed in R-1 zoning under any condition.
- D. With the inclusion of provisions enacted under Ordinance 08-02 within the zoning regulation, said ordinance is now repealed.

SECTION IV- Ordinance 08-06 was adopted to provide fence specifications and definitions

- A. Ordinance 08-06 was intended to modify the corresponding section within the zoning regulations and is herewith included within Chapter III, Section 7.
- B. With the inclusion of provisions enacted under Ordinance 08-06 within the zoning regulation, said ordinance is now repealed.

SECTION V- Ordinance 12-01 was adopted to define and limit the parking of commercial vehicles.

- A. Definition of commercial vehicle as defined in the above referenced ordinance is now included in the definition section of the zoning regulations.
- B. Amendments and additions made to the Chapter entitled "Other Restrictions" per the above referenced ordinance are also included in the zoning regulation.
- C. With the inclusion of provisions enacted under Ordinance 12-01 within the zoning regulation, said ordinance is now repealed.

SECTION VI – The amended copy of the Zoning Regulations, including Title Page, Table of Contents and Chapters I through VI are herewith attached and same shall represent the approved document.

SECTION VII - SEVERABILITY – The invalidity or unconstitutionality of the provisions of this Ordinance shall not affect any other section hereof, but same shall remain in full force and effect.

SECTION VIII- EMERGENCY CLAUSE- This ordinance being necessary to insure compliance with terms, an emergency is declared to exist and this ordinance shall be in full force and effect from the date of its passage.

PASSED, ADOPTED AND APPROVED this 21 day of August, 2012 by the Lakeview City Council comprised of Ken Fortier, Joe Gies, Wade Robson, Chuck Birnes, Bea Crites and Bill Svehla on motion by Bea Crites seconded by Ken Fortier with a roll call vote of 6 Yeas and 0 Nays.

Attest:



Rebecca Barton, Recorder/Treasurer



Dennis Behling, Mayor