

AN ORDINANCE MODIFYING POTTSVILLE CITY ZONING ORDINANCE 94-3

Whereas, the City of Pottsville, Arkansas has an interest in the protection of its citizens and the city's property; and,

Whereas, the City of Pottsville has a need to revise Pottsville City Ordinance 94-3 by revising certain sections within the ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL, OF THE CITY OF POTTSVILLE, POPE COUNTY, ARKANSAS:

1. Article I, Section 3: Add wording; These regulations shall be applicable to all lands within the corporate limits of the City of Pottsville, Arkansas and all lands outside the corporate limits within one mile of the corporate limits and, also either contiguous to said limits or served by Pottsville City Water or served by Pottsville City Sewer.
2. Article III, Table 1: Add wording; (or Assisted Living Center) to Nursing, Rest Home line.
3. Article III, Table 3: Add; Nursing, Rest home, or Assisted Living Center line with X's in permitted uses columns C-1, C-2, and C-3.
4. Table of contents: Article V; Add Section 18 – Destruction of Dilapidated Structures.
5. Article V: Add; Section 9, Automobile wrecking and junk yards

Automobile wrecking and junk yards should conform to the following guidelines:

- A. General:** Because of the nature and character of their operations, automobile wrecking and salvage yards, junk yards, and similar uses of land can have a detrimental effect upon surrounding properties, Salvage and wrecking yards tend to create problems of noise, dust, traffic, and health hazards, and may adversely affect property values by their general appearance. For the purpose of evaluating whether the proposed utilization of land for an automobile wrecking or junkyard properly minimizes its objectionable characteristics, the standards established in items sections;, A(1), A(2), and A(3).

A.(1) Location: Salvage yard location should adhere to the subsequent regulations:

- a) Because of the tendency of salvage yards to promote the breeding of vermin, no such operation shall be

permitted closer than 400 feet to any established residential district.

- b) Salvage and wrecking yards annexed to the City by popular vote after January 1, 2012, can continue in their present locations, Expansion must have prior approval of the City Council.

B. Screening: All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence or wall, except driveway area, from 8 to 12 feet in height. Storage between the street and such fence is expressly prohibited. Any fence or wall erected for screening purposes shall be properly painted or otherwise maintained in good condition.

C. Off-Street Parking: Off-street parking requirements are provided in Article VI.

6. Article V: Replace Visibility Triangle Diagram Page 29.

7. Article V: Add Section 4; **Swimming Pools**

Swimming Pools should be in compliance with the guidelines that follow:

A. Permitted Uses: Private swimming pools may be constructed as an accessory use, but shall be completely enclosed by permanent wall or fence 6 feet in height. A swimming pool shall not be constructed in front of the front building line; and no portion of the pool, equipment, walkway or other facilities related thereto, shall be located closer than 5 feet to the side or rear lot line. These requirements do not apply to above-ground pools with a depth less than or equal to 3.0 feet.

B. Procedure: Prior to constructing a private swimming pool, the owner thereof shall apply to the City for a permit for such construction. The application shall show the lot on which the pool is proposed for construction; the location of the pool and all equipment, walkways, fences and walls, or other facilities; and such other information as may be necessary to display adequately the owner's intent in constructing the swimming pool in compliance with this section of the Zoning Ordinance.

8. Article V: Section 11 (2): Add wording Or Motor home on line 2 and line 3.

9. Article X: **Definitions:** Add (68); Swimming Pool:

A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen (18) inches below the level of surrounding land, or an above-surface pool, having a depth of more than thirty five (35) inches designed, used and maintained for swimming.

Add (71); Zero Lot Line:

When a building is positioned so that it rests either on the lot's boundary line, or so close to the boundary line that there is minimal yard or space between the structure and adjacent structure.

10. Add: Appendix (a)


1. Requirements for building permit to be issued
2. Residential Building Permit Application
3. Building Permit Approval Check List Form
4. Manufactured Homes Requirements
5. Inspection Sheet
6. Commercial Building Permit Application
7. Electrical Permit Application
8. Application for Excavations and Alterations to City Streets, Alleys and Sidewalks
9. Mechanical Permit Application
10. Plumbing Permit Application
11. Special Use Permit Application
12. Petition for Variance Application
13. Procedures for Rezoning
14. Petition for Rezoning

11. **City of Pottsville, Arkansas Land Subdivision and Development Code:**

Article I Section 3; **Jurisdiction and Application line six;** Add wording; and all lands outside the corporate limits within one mile of the corporate limits and,, also either contiguous to said limits or served by Pottsville City Water or served by Pottsville City Sewer.

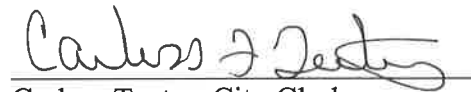
This ordinance is a modification and addition to Pottsville City Ordinance 94-3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

An emergency is hereby declared and this ordinance being necessary for the preservation of the public peace, health, and safety shall be in full force and effect from and after its passage and publication, this 26th day of March, 2012.


Jerry W. Williams, Mayor
City of Pottsville

ATTEST:

I, Carless Teeter, City Clerk of the City of Pottsville, Arkansas, hereby certify that the above and foregoing is a true and correct copy of modifications and additions to Ordinance No. 94-3, Passed by the City Council of the City of Pottsville, Pope County, Arkansas, on the 24 day of March, 2012.


Carless Teeter, City Clerk
City of Pottsville