

ORDINANCE NO. 2018-

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**AN ORDINANCE TO PROVIDE FOR THE REZONING OF CERTAIN  
LANDS IN PRAIRIE GROVE, ARKANSAS CURRENTLY OWNED BY THE  
DWIGHT A. BARTHOLOMEW REVOCABLE TRUST, MODIFICATION OF  
THE ZONING MAP, AND AMENDMENT OF THE ZONING ORDINANCE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE,  
ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the 2018 Bartholomew  
Rezoning Ordinance.

Section Two: Property Rezoned. From and after the effective date hereof, the  
following described real estate in the City of Prairie Grove, currently owned by  
the Dwight A. Bartholomew Revocable Trust, is hereby changed in zoning  
classification from A-1 (Agricultural) to R-1.5 (Residential):

Part of the Northeast Quarter (NE ¼) of Section 19, Township 15 North, Range 31 West, Washington County, Arkansas and being more particularly described as follows: commencing from the Northeast corner of the NE ¼ of said Section 19; thence along the North line of said NE ¼ N90°00'00"W 912.91 feet to the point of beginning; thence leaving said North line S00°00'00"W 1355.89 feet; thence N90°00'00"W 1727.00 feet; thence N00°00'00"E 548.49 feet; thence S90°00'00"E 16.00 feet; thence S00°00'00"W 251.80 feet; thence S90°00'00"E 403.50 feet; thence N00°00'00"E 311.80 feet; thence N90°00'00"W 298.50 feet; thence N00°00'00"E 105.00 feet; thence N90°00'00"W 105.00 feet to the East right-of-way line of S. Pittman Street; thence along said East right-of-way line N00°00'00"E 431.40 feet; thence leaving said East right-of-way line N90°00'00"E 511.00 feet; thence N00°00'00"E 211.00 feet to the South right-of-way line of Butler Street; thence along said South right-of-way line N90°00'00"E 1200.00 feet to the point of beginning, containing 2,084, 043.23 square feet or 47.84 acres, more or less, and subject to all rights-of-way, easements and restrictive covenants of record or fact.

Less and except the following: a part of the NE ¼ of the NE ¼ and part of the NW ¼ of the NE ¼ of Section 19, Township 15 North, Range 31 West and being more particularly described as follows: commencing at the Northwest corner of the NE ¼ of the NE ¼ of said Section 19 for the point of beginning and running thence East 27.58 feet; thence S00°07'37"W 180.00 feet to a set iron pin; thence West 130.00 feet to a set iron pin; thence N00°07'37"E 180.00 feet; thence East 102.42 feet to the point of beginning and containing 0.527 acres more or less, previously conveyed to Steven David Spencer and Keri Diane Spencer on September 16, 2005 via Deed No. 2005-00049996 on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.




Effective Date. This Ordinance shall become effective from and after 60 days of its posting.

Section Four: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.


Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 19th day of February 2018.

  
Charles (Sonny) Hudson, Mayor

(Attest)

  
Christine Kelly, Clerk

ORDINANCE NO. 2018-3

**AN ORDINANCE TO APPROVE THE PRELIMINARY PLAT OF THE  
BELLE MEADE SUBDIVISION PHASE 3.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE,  
ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the Belle Meade  
Subdivision Phase 3 Preliminary Plat Approval Ordinance

Section Two: Preliminary Plat Approved. The Preliminary Plat of the Belle  
Meade Subdivision Phase 3, as submitted by the developer and approved by the  
Prairie Grove Planning Commission, is hereby approved and the Mayor and Clerk  
are authorized to affix their names and the seal of the City thereto.

Section Three: Installation of Improvements Authorized. The developer is  
hereby authorized to begin installation of necessary improvements and prepare a  
final plat upon completion

Section Four: Effective Date. This Ordinance shall become effective from and  
after 60 days of its passage.

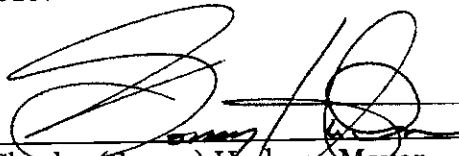
Section Five: Repealing Clause. Ordinances or parts thereof in force at the time  
that this ordinance shall take effect that are in conflict herewith, are hereby  
repealed.

Section Six: Saving Clause. Nothing herein shall be deemed to affect any rights  
or obligations existing at the time of the passage of this ordinance.

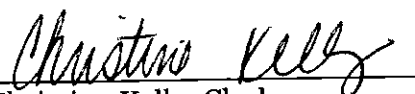
Section Seven: Severability Clause. In the event any portion of this  
ordinance is declared inoperative or invalid as a result of a statute or judicial  
decision, then only that portion expressly so declared to be inoperative or invalid

shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 19th day of March 2018.

  
Charles (Sonny) Hudson, Mayor

(Attest)

  
Christine Kelly, Clerk

ORDINANCE NO. 2018-4

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE REGARDING  
THE REQUIRMENTS APPLICABLE TO BICYCLES AND OTHER UN-  
LICENSED VEHICLES.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE  
GROVE, ARKANSAS, THAT:**

Section One: Title. This Ordinance shall be known as the 2018 Bicycle  
Clarification Ordinance.

Section Two: Section 8.36.01 Amended. The Prairie Grove Municipal Code  
section 8.36.01 is amended to read as follows:

8.36.01 Certain traffic banned No person shall traverse upon any public street or  
alley while on a skateboard, roller skates, push scooter, sled, toy vehicle,  
including motorized toy vehicle, or any other vehicle not approved for travel upon  
a public street or roadway.

Section Three: Effective Date. This Ordinance shall become effective from  
and after 60 days of its posting, unless an Emergency Clause is affixed.

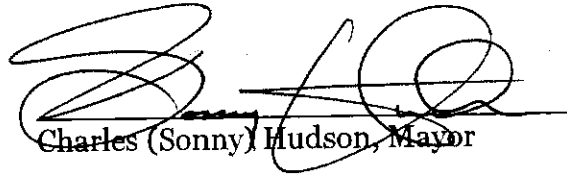
Section Four: Repealing Clause. Ordinances or parts thereof in force at the time  
that this ordinance shall take effect that are in conflict herewith, are hereby  
repealed.

Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights  
or obligations existing at the time of the passage of this ordinance.

Section Six: Severability Clause. In the event any portion of this ordinance is  
ordinance is declared inoperative or invalid as a result of a statute or judicial  
decision, then only that portion expressly so declared to be inoperative or invalid

shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 19 day of March 2018.

  
Charles (Sonny) Hudson, Mayor

(Attest)

  
Christine Kelly, City Clerk

#### Markup

8.36.01 Certain traffic banned No person shall traverse upon any public street or alley while on a skateboard, roller skates, push scooter, sled, toy vehicle, including motorized toy vehicle, or any other vehicle not licensed approved for driving travel upon a public street or roadway.

**ORDINANCE NO. 2018-5**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE  
REGARDING THE REQUIRMENTS APPLICABLE TO SINGLE FAMILY  
RESIDENTIAL STRUCTURES IN AN R-3 ZONE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE  
GROVE, ARKANSAS, THAT:**

Section One: Title. This Ordinance shall be known as the 2018 Zoning Ordinance Amendment.

Section Two: Table 4.4.1 of the Zoning Ordinance Amended. The Prairie Grove Zoning Ordinance Table 4.4.1 is amended to read as follows:

**4.4.1 Minimum lot area (in square feet)**

	<u>A-1</u>	<u>R-1</u>	<u>R-1.5</u>	<u>R1.75</u>	<u>R-2</u>	<u>R-3</u>
a. Single-family	40,000	10,000	7,500	5,000	5,000	5,000
b. Two-family dwelling	N/A	N/A	N/A	N/A	6,500	6500
c. Multi-family dwelling	N/A	N/A	N/A	N/A	N/A	1,800/unit

Section Three: Table 4.4.2 of the Zoning Ordinance Amended. The Prairie Grove Zoning Ordinance Table 4.4.2 is amended to read as follows:

**4.4.2 Minimum Yard, Single family (in feet).**

	<u>A-1</u>	<u>R-1</u>	<u>R-1.5</u>	<u>R1.75</u>	<u>R-2</u>	<u>R-3</u>
a. Front	35	25	25	25	25	25
b. Side (minimum)	15	10	8	5	5	5
c. Side (street)	25	25	25	25	25	25
d. Rear	10	10	10	10	10	10

Note: Portable accessory buildings meeting the size requirements hereinabove may encroach into the setback lines in all residential districts, subject to property owners agreement to move said structure at their own expense to allow utility easement access.



Section Four:      Table 4.4.5 of the Zoning Ordinance Amended. The Prairie

Grove Zoning Ordinance Table 4.4.5 is amended to read as follows:

4.4.5 Minimum lot width (at front building line in feet). .

	<u>A-1</u>	<u>R-1</u>	<u>R-1.5</u>	<u>R1.75</u>	<u>R-2</u>	<u>R-3</u>
a. Single-family dwelling	100	100	80	50	50	50
b. Two-family dwelling	N/A	N/A	N/A	N/A	50	None
c. Multi-family dwelling	N/A	N/A	N/A	N/A	75	75
Additional width for each dwelling unit over three					30	
d. Exemption for townhouse construction-where a townhouse is located on two lots with a common lot line parallel to a common wall, the minimum lot width shall be not less than 40 feet per unit in the structure.						

Section Five: Section 4.4.8 of the Zoning Ordinance Deleted. The Prairie Grove

Zoning Ordinance Section 4.4.8 is deleted and replaced to read as follows:

4.4.8 Deleted by Ordinance 2018-\_\_\_\_\_.

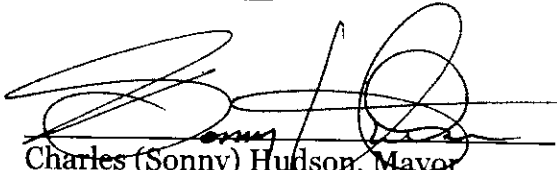
Section Six: Effective Date. This Ordinance shall become effective from and after 60 days of its posting, unless an Emergency Clause is affixed.

Section Seven:      Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

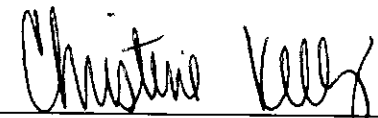
Section Eight:      Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Nine:Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 19 day of March 2018.

  
Charles (Sonny) Hudson, Mayor

(Attest)

  
Christine Kelly, City Clerk

### MARKUP SHOWING CHANGES

#### 4.4.1 Minimum lot area (in square feet). ~~No minimums for R-3~~

	A-1	R-1	R-1.5	R1.75	R-2	R-3	
a. Single-family	40,000	10,000	7,500	5,000	5,000	5,000	N/A
b. Two-family dwelling	N/A	N/A	N/A	N/A	6,500	6500	
c. Multi-family dwelling	N/A	N/A	N/A	N/A	N/A	1,800/unit	

#### 4.4.2 Minimum Yard, Single family (in feet).

	A-1	R-1	R-1.5	R1.75	R-2	R-3
a. Front	35	25	25	25	25	25
b. Side (minimum)	15	10	8	5	5	5
c. Side (street)	25	25	25	25	25	25
d. Rear	10	10	10	10	10	10

Note: Portable accessory buildings meeting the size requirements hereinabove may encroach into the setback lines in all residential districts, subject to property owners agreement to move said structure at their own expense to allow utility easement access.

#### 4.4.5 Minimum lot width (at front building line in feet). .

	A-1	R-1	R-1.5	R1.75	R-2	R-3
a. Single-family dwelling	100	100	80	50	50	50N/A
b. Two-family dwelling	N/A	N/A	N/A	N/A	50	None
c. Multi-family dwelling	N/A	N/A	N/A	N/A	75	75
Additional width for each dwelling unit over three					30	

d. Exemption for townhouse construction-where a townhouse is located on two lots with a common lot line parallel to a common wall, the minimum lot width shall be not less than 40 feet per unit in the structure.

4.4.8 Deleted by Ordinance 2018-\_\_\_\_\_.

~~Permitted Signs (square feet) See also PG 2002 ....~~

a.	<del>Private use (advertise sale or rent of premises)</del>	<del>6</del>	<del>6</del>
b.	<del>Community use (e.g. church, lodge, hospital)</del>	<del>N/A</del>	<del>12</del>
e.	<del>Commercial use<sup>6</sup> (advertisement, billboards)</del>	<del>N/A</del>	<del>_____</del>
d.	<del>Home occupations (attached to building)</del>	<del>N/A</del>	<del>6</del>

~~<sup>6/</sup> Commercial use signs may be permitted by approval of the Planning Commission.~~

ORDINANCE NO. 2018- 10

**AN ORDINANCE TO CLARIFY/CORRECT ORDINANCE 2000-9**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS, THAT:**

Section One: Title. This Ordinance shall be known as the Neal Street Right-of-Way Correction Ordinance.

Section Two: Ordinance 2000-9 Corrected. Ordinance 2000-9, that vacated a portion of the right-of-way of Neal Street/Frisco Avenue, stated it was vacating 20-feet along both the East and West sides of Neal Street/Frisco Avenue between Blocks 2 and 7 of the Bryght's Addition. The intent was to vacate such right-of-way between Boston Street and Commercial Street.

Section Three: Street Closed. The City Council of the City of Prairie Grove hereby finds that a strip of 20-feet of uniform width from both the East and West sides of the dedicated right-of-way of Neal Street/Frisco Avenue should be vacated from Commercial Street south to Boston Street; between Block 2 of the Bryght's Addition on the West and Blocks 1 and 7 of Bryght's Addition on the East. Therefore, the City Council hereby vacates and abandons such portion of the right-of-way as described herein.

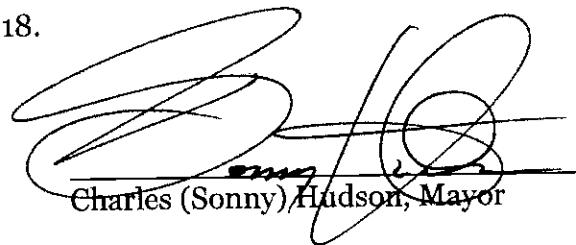
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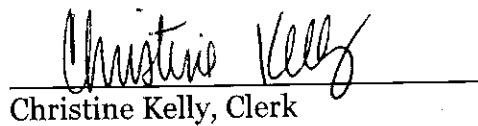
Section Seven: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 19th day of March 2018.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk