

ORDINANCE NO. 2016-5

**AN ORDINANCE TO WAIVE COMPETITIVE BIDDING FOR THE
PURCHASE OF BUNKER GEAR FOR THE FIRE DEPARTMENT**

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

Section One: Competitive Bidding Waived. Pursuant to A.C.A. § 14-58-303(b)(2)(B), the City Council hereby declares that competitive bidding in the purchase of replacement bunker gear for the fire department is neither feasible nor practical in that the Fire Department has bunker gear, and it is imperative that the replacement bunker gear be of the same type as the existing bunker gear, and the City has identified that entity that it feels is best suited to its needs.

Section Two: Purchase Authorized. The Mayor and Clerk are hereby authorized to purchase from Casco Industries of Bryant, Arkansas for the price of \$38,895.00, 15 sets of replacement bunker gear.

Section Three: Effective Date. This Ordinance shall become effective 60 days following its posting, unless an emergency clause is appended.

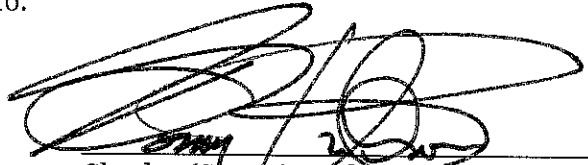
Section Four: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

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.

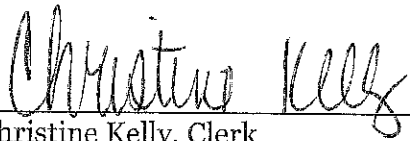
Section Seven: Emergency Clause. The City Council finds that the City needs to move forward with the purchase of replacement bunker gear for the safety of our firefighters and the residents of the City, whom they serve, and for these reasons, an emergency exists and this Ordinance shall take effect immediately.

Approved this 16th day of May 2016.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2016-6

AN ORDINANCE TO CREATE EXEMPTIONS FOR CERTAIN LOT SPLITS.

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 2016 Lot Split Amendment.

Section Two: Subdivision Ordinance Amended. From and after the effective date of this Ordinance, the Prairie Grove Subdivision Ordinance shall be amended as follows:

1) Section 2.18, the definition of Subdivision, shall be amended to read as follows:

2.18 Subdivision. A division of a lot, tract or parcel of land into two or more lots or other division of land for the purpose of transfer of ownership or development extension of utilities, dedication of easements or rights-of-way, whether immediate or future, including all changes in street or lot lines; provided, however, that where no new streets or easements of access are involved, the following shall not be included in this definition and may be processed as an informal plat:

Steven L. Parke	10/12/2012 11:45 AM
Comment [1]:	1 st Reading RSTO
2 nd Reading	[Date] RSW
3 rd Reading	[Date] RSW
Adopted	Y/N
Posted	[Date]

The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the original lot areas are not decreased below minimum lot sizes as prescribed by the Prairie Grove Zoning Regulations;

The division of land into parcels of five acres or more;

The subdivision or re-subdivision of land where public water supply, sewers and improved streets are available, and the resultant lots comply with the requirements of the zoning ordinance.

Lot-Splits or Lot Line Adjustments as described in Article 8.

- 2) Section 6.8.1 shall be amended to read as follows:

6.8.1 Variances allowed: Where lots are to be owned and maintained by family members as defined as spouses, mothers, fathers, brothers, sisters, sons, daughters, step siblings, step-parents, son in laws, daughter in laws, or legal dependants, the property owner may request a variance to be heard by the Prairie Grove Planning Commission to allow more than two lots accessed from a private drive or easement. The total number of lots shall not exceed 4 users, through the granting of such a variance.

- 3) Section 8.4 shall be amended to read as follows:

8.4 EXEMPT LOT SPLIT DEFINED

For the purposes of this Article 8.4, an Exempt Lot-Split subject to administrative approval is defined as:

- (a) the division of a lot, located within the planning area, but outside the city limits, in existence on January 1, 2012 into no more than four separate parcels, each a minimum of 5 acres in size; or
- (b) A family lot split, where the resulting lots meet the minimum size requirements for the applicable zoning district; where no more than four lots are created from any lot in existence on January 1, 2012; and where no extension of public utilities, public streets or public rights-of-way are needed. Only one lot may be transferred to any one family member. Family member means parents, siblings, children or grand-children; or
- (c) A deed correction where the changes are needed to correct legal errors; or
- (d) Court-ordered splits; or

(e) Lot splits for cemetery purposes; or

(f) a lot-line adjustment that results in no additional parcels, and where each final lot meets the minimum size requirements for the applicable zoning district.

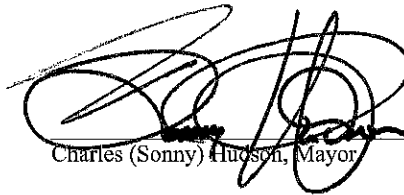
Section Three: Effective Date. This Ordinance shall become effective from and after 60 days of its posting.

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.

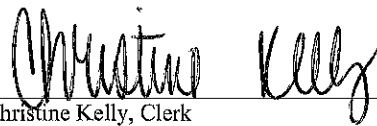
Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain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

Approved this 16 day of May 2016.



Charles (Sonny) Hudson, Mayor

(Attest)

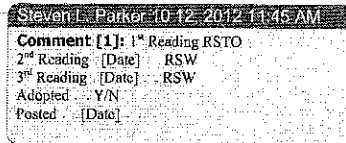


Christine Kelly, Clerk

ORDINANCE NO. 2016-7

AN ORDINANCE TO AMEND THE ZONING ORDINANCE CONCERNING AUTO REPAIR, AUTO SALVAGE AND TOWING/IMPOUND OPERATIONS.

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 2016 Automotive Business Amendment.

Section Two: Zoning Ordinance Amended. From and after the effective date of this Ordinance, the Prairie Grove Zoning Ordinance shall be amended as follows:

- 1) The following two definitions shall be added in alphabetical order:

Automobile/Motor Vehicle Repair Facility

Any business that works on motor vehicles to repair, alter, rebuild or modify them for a charge and any place where this type of work is done as an incident of a business of selling new or used motor vehicles or new or used motor vehicle parts.

Automobile/Motor Vehicle Towing and Impound Facility

Any business, which as part of its operation, tows disabled motor vehicles for a charge, or temporarily impounds vehicles and stores them for a charge.

- 2) Section 4.6 shall be amended to read as follows:

4.6 **Commercial Districts Permitted Uses:** ("P" indicates the use is permitted. "N" indicates the use is prohibited. "C" indicates the use requires a conditional use permit issued by the Planning Commission). All listed commercial uses and any residential or public uses are permitted in the CBD upon issuance of a conditional use permit.

<u>COMMERCIAL USES</u>	<u>CBD</u>	<u>B-1</u>	<u>B-2</u>	<u>O-1</u>	<u>O-2</u>
Apartments (residential) /R	C	N	C	C	N
Appliances (small) repair	P	P	C	N	C
Appliances (major) repair	P	P	C	N	N

Appliance Sales	P	P	P	N	N	
Automotive car wash	C	P	C	N	N	
Automotive service stations	C	P	C	N	N	
Automotive repairs	C	P	C	N	N	
Automotive Salvage	N	C	N	N	N	
Automotive/motorcycle sales (New and used)	C	P	C	N	N	
Banks, savings and loan, etc.	P	P	P	C	P	
Barber Shops	P	P	P	N	C	
Bars	N	C	C	N	N	
Beauty Salons / Shops	P	P	P	N	C	
Bed and Breakfast Inns	P	P	P	N	C	
Boat and marine sales and service	C	P	C	N	N	
Camera Sales and Supplies	P	P	P	N	C	
Carnival, circus or similar temporary amusement enterprise	C	P	C	N	C	
Catering (off premise)	P	P	C	C	C	
Chemical Sales	C	P	C	N	N	
Cleaning service (home and office)	P	P	P	C	P	
Commercial recreation, small sites less than 2 acres; bowling alleys, video game centers, arcades, pool halls, skating rinks, etc.	P	P	C	N	N	
Commercial recreation, large sites over 2 acres; drive in theatres, golf driving ranges, miniature golf, moto-cross, go-cart tracks, etc.	N	C	C	N	N	
Computer & Software sales and service	P	P	P	N	N	C
Construction Company (equip./storage)	N	P	C	N	N	N
Convenience Store (fuel and food sales)	P	P	C	N	N	N
Dept/Discount Store < 5001 sq. ft	P	P	P	N	N	
Dept/Discount Store > 5000 sq. ft.	C	P	C	N	N	
Drug Store	P	P	P	N	N	
Duplex (residential) ^R	C	N	C	C	N	
Duplicating, fax, quick printing	P	P	P	N	C	
Eating establishments (without drive-in)	P	P	P	N	N	C
Eating establishments (service in autos)	P	P	C	N	N	N
Farm equipment, sales and service	P	P	N	N	N	
Feed and fertilizer sales	P	P	C	N	N	
Flea Market (enclosed)	P	P	C	N	N	
Floor covering sales, retail	P	P	C	N	N	
Florist shop	P	P	P	N	N	
Florist Shop with Greenhouse	C	P	C	N	N	

Food locker plant	P	P	N	N	N
Freight depot, rail or truck	P	P	N	N	N
Funeral home, mortuary	P	P	C	N	C
Furniture, repair	P	P	C	N	C
Furniture, used sales	P	P	C	N	N
Furniture, new sales	P	P	C	N	N
Garage/Parking lot, fee based	P	P	C	N	N
Gift, novelty store	P	P	P	N	N
Governmental offices, Police, Fire, Courts, Post Offices, Library, offices, Jails, Utility offices	P	P	P	C	C
Grocery store	P	P	C	N	N
Hardware store	P	P	C	N	N
Health Food / Nutrition Center	P	P	P	N	N
Health spa/tanning salon	P	P	P	N	N
Hobby shop	P	P	P	N	N
Home building supply	C	P	N	N	N
Hospitals, nursing homes	C	C	C	N	N
Hotels, motels	P	P	C	N	N
Ice cream, frozen dessert store	P	P	C	N	N
Ice vending establishment	P	P	P	N	N
Interior decorating, design shop	P	P	P	C	C
Jewelry sales and repair	P	P	P	N	C
Kennel	N	C	C	N	N
Laundry pickup station only	P	P	P	N	C
Laundry plant	C	P	C	N	N
Laundry, self service	P	P	P	N	N
Liquor sales, off premises only	P	P	P	N	N
Loan office	P	P	P	C	P
Locksmith, key shop	P	P	P	N	C
Manicure / Nail Care	P	P	P	N	N
Massage Parlor (Therapeutic)	C	P	P	N	C
Meat market/Produce market	P	P	C	N	N
Medical (hospital supply) rental	P	P	P	N	C
Metal or Scrap Salvage	N	C	N	N	N
Mini-storage rental units	C	P	C	N	N
Mobile home sales and service	N	P	C	N	N
*Mobile Eating Carts	C	C	C	N	N
*Mobile Commercial Sales/booths/tents	C	C	C	N	N
Monument sales	P	P	C	N	N
Motion picture theaters	P	P	C	N	N
Moving, storage, carting, express haul	C	P	C	N	N
Newspaper/magazine retail store	P	P	P	N	C

N

N

Newspaper office, print shop	P	P	P	N	C
Novelty store/gift/tobacco/ candy	P	P	P	N	N
Offices, professional, including doctors dentists, lawyers, realtors, engineers, architects, etc (w/3 or fewer top-level professionals)	P	P	P	N	P
Offices, professional, including doctors dentists, lawyers, realtors, engineers, architects, etc (w/4 or more top-level professionals)	C	P	C	N	C
Offices, other	P	P	C	C	P
Office equipment, sales	P	P	C	N	C
Office equipment, repair	P	P	C		C
Office supplies, sales	P	P	C	N	N
Paint and wallpaper store	P	P	C	N	C
Pawn shop	P	P	C	N	N
Pest/Environmental control	N	P	C	N	N
Pet shop	P	P	P	N	N
Places of public assembly	P	P	P	N	C
Plumbing/Mech. sales and service	P	P	C	N	N
Radio Communication Towers	C	C	C	N	N
Recycling and reclamation	P	P	C	N	N
Recreation or amusement center	P	P	C	N	N
Rental, tools and equipment (inside)	P	P	C	N	N
Rental, tools and equipment (outside)	C	P	C	N	N
Recreational Vehicle Park	N	C	C	N	N
Retail, General <5000 sq. ft	P	P	P	N	N
Retail, General >5000 sq. ft	C	P	C	N	N
School, commercial or trade	C	P	C	N	C
School, nursery or day care	P	P	P	N	C
Shoe sales and repair	P	P	P	N	N
Sign, advertising	P	P	C	N	C
Sign, business	C	P	C	N	N
Single Family Residential ^R	C	N	N	C	N
Specialty shops (gifts, tobacco, etc.)	P	P	P	N	N
Specialty food shops (meat, produce, etc.)	P	P	P	N	N
Sporting goods sales	P	P	C	N	N
Studio, photo, musical	P	P	P	C	C
Swimming pool, commercial	P	P	C	N	N
Swimming pool sales and supply	P	P	N	N	N
Tanning Salons	C	P	P	N	N
Tattoo Parlors/Body Piercing	C	C	C	N	N
Telephone, mail order sales	P	P	P	P	P

Towing or Impound	N	C	N	N	N
Travel agency	P	P	P	N	C
Trucking Offices	C	P	C	N	N
Truck (commercial), construction equipment sales/parts/service	N	P	N	N	N
Variety store < 5000 sq. ft	P	P	P	N	N
Variety Store> 5000 sq. ft	C	P	C	N	N
Veterinarian clinics	P	P	C	N	N
Video cassette sales and rental	P	P	P	N	N
Warehousing, inside storage only	P	P	N	N	N
Wholesale establishment	P	P	C	N	C

*All Mobile eating carts, sales tents, stands, that are not permanent in nature shall have the written approval of the property owner who's land they will be placed on prior to requesting approval from the planning commission. Mobile businesses must contain and hold any wastewater, trash, or other waste product produced by that mobile business and dispose of them in a safe, legal, and sanitary manner.

/R Residential uses, as part of a mixed use plan in business districts, are allowable as conditional uses where the applicant demonstrates design and functional features that minimize noise/nuisance opportunities i.e. Business downstairs / Residential unit upstairs.

3) A new Section 4.8.1.5 shall be added to read as follows:

4.8.1.5 No person in charge of or in control of an automobile/motor vehicle repair shop or an automobile/motor vehicle towing/impound service; whether as owner, lessee, tenant, occupant or otherwise, shall allow any partially dismantled, non-operable, or wrecked automobile/motor vehicle to be stored on the premises longer than 10 days, unless said motor vehicle is stored in an enclosed building or is stored behind a 6-foot fence constructed of such material that the vehicle is not readily visible by motorists or pedestrians. A six-foot view-obstructing fence must be constructed out of materials manufactured for the construction of fences and may not be constructed out of salvaged sheet iron, or other recycled or reused products not intended for use as a fence. Any partially dismantled, non-operable, or wrecked automobile/motor vehicle shall not be located in the front 1/3 of any property or within 25 feet of any street right-of-way.

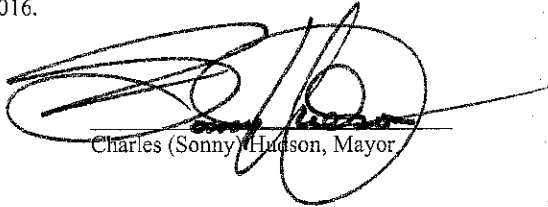
Section Three: Effective Date. This Ordinance shall become effective from and after 60 days of its posting.

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.

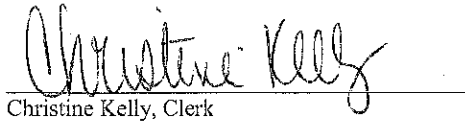
Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain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

Approved this ___ day of ____, 2016.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2016-8

AN ORDINANCE TO AMEND THE MUNICIPAL CODE REGARDING FENCE
REQUIREMENTS AND FOR OTHER PURPOSES.

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 Fence Ordinance of
2010.

Section Two: The Prairie Grove Municipal Code Section 11.44.01 (D)(2) is
amended to read as follows:

11.44.01 Applicability

(D) Fence Location

(2) Front Yards – Sight restricting fences are prohibited in front yards,
and cannot be constructed within the front setback of the lot; defined as
the area of a lot defined in the zoning ordinance as front setback in
Sections 4.4.3 and 4.4.4; with the exception of retaining walls or fences not
more than 36” in height. The purpose is to restrict sight-restricting fences
where back-to-back lots exist and a back yard extends to a street behind
the house. A non-sight restricting fence (e.g. chain link) that does not
restrict visibility or line of sight may be no more than 48” high when
located in a front yard.

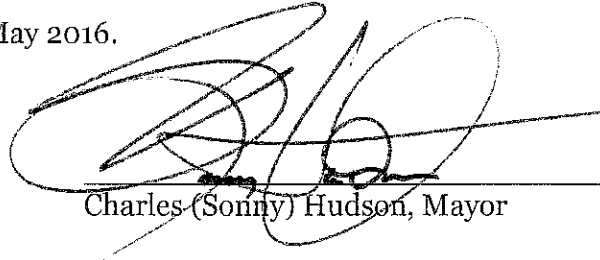
Section Three: Effective Date. This Ordinance shall become effective from
and after 60 days of its posting.

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.

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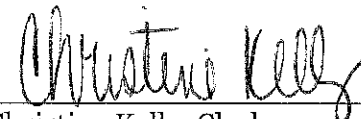
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Approved this 16th day of May 2016.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2016-9

**AN ORDINANCE TO PROVIDE FOR THE REZONING OF CERTAIN
LANDS IN PRAIRIE GROVE, ARKANSAS CURRENTLY OWNED BY MSSJ
PROPERTIES, LLC, MODIFICATION OF THE ZONING MAP, AMENDMENT
OF THE ZONING ORDINANCE AND FOR OTHER PURPOSES.**

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 2016 MSSJ 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 MSSJ Properties, LLC, is hereby changed in zoning classification from A-1 (Agricultural) to B-2 (Quiet Business):

Lot Numbered One (1) of the Final Plat of Doug Smith, a subdivision to Washington County, Arkansas as per plat thereof filed for record in Plat Book 14 at Page 46 in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, said Lot Numbered One (1) being more particularly described as part of the NW ¼ of the SW ¼ of Section 4, Township 15 North, Range 31 West, being more particularly described as follows: beginning at a point S88°33'22"E 747.38 feet and S30°27'41"W 621.44 feet from the Northwest corner of the NW ¼ of the SW ¼ of said Section 4; running thence S57°23'14"E 241.84 feet to the West right-of-way line of U.S. Highway 62; thence Southwesterly along said right-of-way line S35°31'53"W 532.96 feet; thence leaving said right-of-way N61°35'11"W 194.73 feet; thence N30°27'41"E 546.93 feet to the point of beginning, containing 2.70 acres, more or less. LESS AND EXCEPT part of the NW ¼ of the SW ¼ of Section 4, Township 15 North, Range 31 West, Washington County, Arkansas, more particularly described as follows: beginning at a point S88°33'22"E 747.38 feet and S30°27'41"W 952.88 feet from the Northwest corner of the NW ¼ of the SW ¼ of said Section 4, and running thence S61°35'11"E 213.89 feet to the West right-of-way line of U.S. Highway 62; thence Southwesterly along said right-of-way S35°31'55"W 217.03 feet; thence leaving said right-of-

way N61°35'11"W 194.73 feet; thence N30°27'41"E 215.49 feet to the point of beginning, containing 1.00 acre, more or less. Also shown to be Lot 2 on a plat of survey dated September 21, 1995, by Jenkins Surveying, Inc. drawing numbered 95-117/2, recorded in Plat Book 14 at page 46 among the land records of Washington County, Arkansas. ALSO LESS AND EXCEPT part of the NW ¼ of the SW ¼ of Section 4, Township 15 North, Range 31 West, Washington County, Arkansas, more particularly described as follows: starting at a "PK" Nail being used as the quarter corner of Sections 4 and 5; thence S86°57'32"E along the North line of the NW ¼ of the SW ¼ of Section 4 a distance of 1102.82 feet to a point on the Westerly right-of-way line of U.S. Highway 62 as established by AHTD Job 412; thence S36°32'51"W along said right-of-way line a distance of 805.31 feet for the point of beginning; thence continue S36°32'51"W along said right-of-way line a distance of 314.20 feet to a point; thence N60°20'08"W a distance of 36.35 feet to a point on the Westerly right-of-way line of U.S. Highway 62 as established by AHTD Job R40082; thence N34°21'46"E along said right-of-way line a distance of 78.92 feet to a point; thence N73°24'41"E along said right-of-way line a distance of 25.00 feet to a point; then N36°32'29"E along said right-of-way line a distance of 218.72 feet to a point; thence S55°46'21"E a distance of 24.14 feet to the point of beginning and containing 0.20 acres or 8,802 square feet more or less as shown on plans prepared by the AHTD referenced as Job R40082. RA 7/11/03.

Currently shown as Parcel No. 805-20334-500.

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

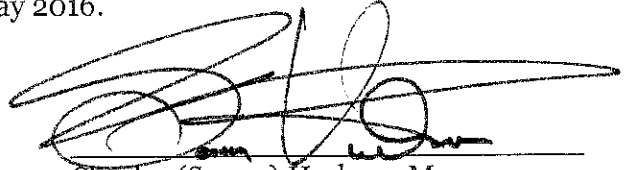
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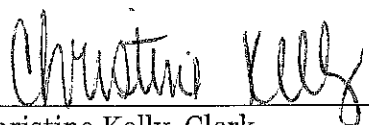
affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 16th day of May 2016.

A handwritten signature in black ink, appearing to be "Charles (Sonny) Hudson", written over a horizontal line.

Charles (Sonny) Hudson, Mayor

(Attest)

A handwritten signature in black ink, appearing to be "Christine Kelly", written over a horizontal line.
Christine Kelly, Clerk

ORDINANCE NO. 2016-10

**AN ORDINANCE TO PROVIDE FOR THE REZONING OF CERTAIN
LANDS IN PRAIRIE GROVE, ARKANSAS CURRENTLY OWNED BY LARRY
AND NORMA STEPHENS, MODIFICATION OF THE ZONING MAP,
AMENDMENT OF THE ZONING ORDINANCE AND FOR OTHER
PURPOSES.**

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 2016 Stephens
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
Larry and Norma Stephens, is hereby changed in zoning classification from A-1
(Agricultural) to B-2 (Quiet Business):

Part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Township 15 North, Range 31 West and
being more particularly described as beginning at a point 883.8 feet north
of the Southwest corner of said 40 acre tract, thence Northeasterly along
the East line of U.S. Highway 62 200.00 feet for the point of beginning;
thence Northeasterly along the East line of U.S. Highway 62 322.5 feet;
thence East to the gravel road, thence South 273 feet, thence West 203.8
feet, thence in a Northwesterly direction to the point of beginning.

Currently shown as Parcel No. 805-20332-800


Section Three: 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 16th day of May 2016.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2016-11

AN ORDINANCE TO PROVIDE FOR THE REZONING OF CERTAIN LANDS IN PRAIRIE GROVE, ARKANSAS CURRENTLY OWNED BY LJ HOLDINGS, LLC, MODIFICATION OF THE ZONING MAP, AMENDMENT OF THE ZONING ORDINANCE AND FOR OTHER PURPOSES.

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 2016 LJ Holdings 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 LJ Holdings, LLC, is hereby changed in zoning classification from A-1 (Agricultural) to B-2 (Quiet Business):

Part of the SE ¼ of the NE ¼ of Section 33, Township 16 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows, beginning at a point which is N89°30'47"E 309.25 feet from the Northwest corner of said 40 acre tract and running thence N89°30'47"E 293.28 feet to a found rebar, thence S00°27'47"E 123.60 feet to a found rebar, thence S80°11'06"E 251.75 feet to the Westerly right-of-way of U.S. Highway 62, thence along said right-of-way the following: S27°08'13"W 159.96 feet to an existing right-of-way monument, S10°43'26"W 31.42 feet to an existing right-of-way monument, thence leaving said right-of-way N88°57'25"W 418.08 feet to a found rebar, thence N07°51'44"W 332.76 feet to the point of beginning, containing 3.00 acres, more or less.

Currently shown as Parcel No. 805-20326-551

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

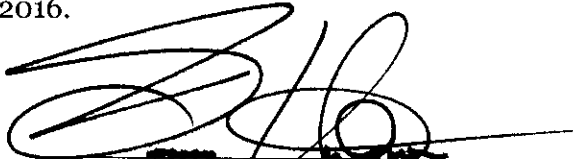
Section Four: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby

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.

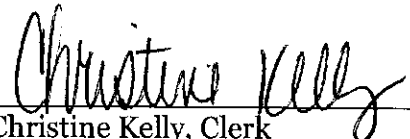
Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain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

Approved this 16th day of May 2016.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2016-12

AN ORDINANCE TO AMEND THE MUNICIPAL CODE REGARDING FENCE REQUIREMENTS AND FOR OTHER PURPOSES.

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 Fence Ordinance of 2010.

Section Two: The Prairie Grove Municipal Code Section 11.4401 (D)(2) is amended to read as follows:

11.44.01 Applicability

(D) Fence Location

(2) Front Yards – Sight restricting fences are prohibited in front yards, and cannot be constructed within the front setback of the lot; defined as the area of a lot defined in the zoning ordinance as front setback in Sections 4.4.3 and 4.4.4; with the exception of retaining walls or fences not more than 36” in height. The purpose is to restrict sight-restricting fences where back-to-back lots exist and a back yard extends to a street behind the house. A non-sight restricting fence (e.g. chain link) that does not restrict visibility or line of sight may be no more than 48” high when located in a front yard.


Section Three: 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.

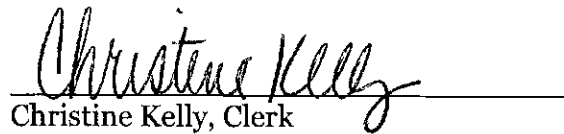
Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain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

Approved this 16th day of May 2016.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk