

ORDINANCE NO. 80

**AN ORDINANCE TO AMEND BETHEL HEIGHTS ZONING ORDINANCE #53,
FOR THE INCOPRORATED TOWN OF BETHEL HEIGHTS, ARKANSAS**

WHEREAS, The Town of Bethel Heights, Arkansas has previously enacted Ordinance #53, NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND THE CITY COUNCIL OF THE INCORPORATED TOWN OF BETHEL HEIGHTS, ARKANSAS.

SECTION 1: ORDINANCE #80 ADOPTED BY REFERENCE. There is hereby adopted by reference Ordinance #80 for the Town of Bethel Heights, Arkansas. A copy of the referenced ordinance shall be filed in the office of the city clerk and shall be available for inspection and copying by any person during normal office hours. The ordinance shall include:

ARTICLE 1. Page and Section changes.

ARTICLE 2. Permitted Uses and Conditional Uses in Zoning Districts.

ARTICLE 3. Schedule of Uses page 3, Advertising Agency - Cemetery/Mausoleum
Schedule of Uses page 4, China Shop - Farm Crops
Schedule of Uses page 5, Farms With Livestock - Job Printing,
Lithographing, or Blueprinting
Schedule of Uses page 6, Key Shop - Photography Studio
Schedule of Uses page 7, Picture Framing - Sidewalk
Schedule of Uses page 8, Single Family - Zoo

ARTICLE 4. Changes in Page numbers will change through the end of document starting with page #16. AND

ARTICLE 5. The following sections will change to the following:

Section 5: General Regulations

Section 6: Board of Adjustment

Section 7: Enforcement

Section 8: Definitions

Section 9: Severability

Section 10: Legal Status

Section 11: Effective Date

SECTION 2: THEREFORE, That the remainder of Ordinance #53, shall remain in full force and effect.

SECTION 3: This Ordinance is necessary for the preservation of the health, safety, and welfare of the citizens of Bethel Heights and shall take effect and be in force from and after the date of its passage and approval.

PASSED AND APPROVED THIS 21st DAY OF January 1997.

APPROVED:

Bonnie K. Ramsey
MAYOR

ATTEST:

H. E. Lee
CLERK/RECORDER/TREASURER

ORDINANCE NO. 80

AN ORDINANCE TO AMEND BETHEL HEIGHTS ZONING ORDINANCE #53, FOR THE INCORPORATED TOWN OF BETHEL HEIGHTS, ARKANSAS

WHEREAS, The Town of Bethel Heights, Arkansas has previously enacted Ordinance #53, NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND THE CITY COUNCIL OF THE INCORPORATED TOWN OF BETHEL HEIGHTS, ARKANSAS.

SECTION 1: From and after the effective date of this Ordinance, Ordinance #53 shall be amended to change and include the following:

PAGE 3, Section 3, (1) R-1 Low Density Residential

- a. Permitted Uses: See Section 4: Schedule of Uses for a list of permitted, conditional, and prohibited uses.
- b. Uses by Appeal to the Planning Commission: See Section 4: Schedule of Uses for a list of permitted, conditional, and prohibited uses.

PAGE 4, Section 3, (2) R-2 Multi-Family Residential

- a. Permitted Uses: See Section 4: Schedule of Uses for a list of permitted, conditional, and prohibited uses.
- b. Uses by appeal to the Planning Commission: See Section 4: Schedule of Uses for a list of permitted, conditional, and prohibited uses.

PAGE 5, Section 3, (3) R-MH Residential Mobile Homes

- a. Permitted Uses: See Section 4: Schedule of Uses for a list of permitted, conditional, and prohibited uses.
- b. Uses by Appeal to the Planning Commission: See Section 4: Schedule of Uses for a list of permitted, conditional, and prohibited uses.

PAGE 7, Section 3, (4) C- General Commercial

- a. Permitted Uses: The uses listed in Section 4: Schedule of Uses are the permitted uses in the C-District, however, it is not intended that the district be limited to just these uses (See Section 2, (2), c).
- b. Uses by Appeal to the Planning Commission: See Section 4: Schedule of Uses for a list of permitted, conditional, and prohibited uses.

PAGE 8, Section 3, (5) I - Industrial

- a. Permitted uses: The following uses are the permitted uses in the I-District, however, it is not intended that the District be limited to just these uses (See Section 2, (2), c). Any use involving manufacturing, compounding, processing, packaging, assembling out products, storage of broke materials, agricultural processing, and open storage yards.

b. Uses by Appeal to the Planning Commission: Residential and Public Facilities, and Salvage Yards, conditioned upon appropriate screening and buffering from neighboring uses.

PAGE 8, (6) Agricultural

a. Permitted Uses: The growing of any crops, the raising of livestock, agricultural related buildings, single-family dwellings, and accessory buildings along with and uses indicated in Section 4: Schedule of Uses.

b. Uses on Appeal to Planning Commission: See Section 4: Schedule of Uses.

PAGE 9, Section 4: Permitted Uses and Conditional Uses

Permitted uses are indicated by an "X" and conditional uses are indicated by a "C" on the following schedule of uses. The zoning districts are indicated by their abbreviations on the schedule. A use indicated as a permitted use in a zoning district requires no additional approval. A use indicated as a conditional use in a district requires review and approval by the Planning Commission. A use listed on the schedule and not indicated as either permitted or conditional in a particular zoning district is prohibited in that zoning district. A use not listed on the schedule requires review and approval by the Planning Commission. Additionally, a prohibited use may be reviewed and revised at the Planning Commission's discretion.

Schedule of Uses

Districts	R-1	R-2	R-MH	C	A
Advertising Agency				X	
Agricultural Products Processing					X
Air Conditioning & Heating Contractor & Retail Sales				X	
Animal Boarding Kennel (Commercial)				C	
Animal Farms for Show, Breeding, Raising and Training					X
Animal Kennel				X	X
Antique Shop with/out Refinishing				X	
Appliances, Sales & Service				X	
Arboretum	C	C			X
Artists Supplies				X	
Athletic Club	C	C		X	
Auction House				C	C
Auditorium				C	
Auto Auction				C	
Auto Glass, Muffler Shop, Upholstery				X	
Automobile Sales & Service				X	
Auto Paint or Body Rebuilding Shop				X	
Auto Parts & Accessories				X	
Auto Rental Agency				X	
Auto Repair Garage				X	
Bait Shop				X	
Bakery or Confectionary Shop				X	
Barber or Beauty Shop	C	C		X	C
Bed and Breakfast Facilities	C	C		X	C
Bicycle Shop	C	C		X	C
Billard & Pool Parlor				C	
Boats & Accessories				X	
Book & Stationery Store				X	C
Bowling Alley				X	
Broadcasting Studio				X	
Business Machines & Repair				X	
Cafe	C	C		X	C
Camera Shop				X	
Campground	C	C	C	C	C
Carnival, Circus & Tent Revival	C	C	C	C	C
Carpentry Contracting				X	
Carpeting Sales				X	
Car Wash				X	
Catering Service	C	C		X	C
Cemetery/Mausoleum	C	C	C	C	C

Schedule of Uses

Districts	R-1	R-2	R-MH	C	A
China Shop				X	
Christmas Tree Stands	C	C	C	C	C
Church	C	C	C	C	C
City or County Jail	C	C	C	C	C
Clinic (Medical, Dental or Optical)	C	C		X	
Clothing Store				X	
Communication & Utility Transmission					
Line Right of Way	X	X	X	X	X
Community Center	C	C		C	C
Community Welfare or Health Center	C	C		C	C
Construction Facility/Maintenance Yard	C	C	C	C	C
Convent or Monastery	C	C		C	C
Convenience Food Store Dispensing Fuel	C	C		X	C
Copy Shop				X	
Cosmetics Sales				X	
Costume Rental				X	
Country Club, Private Membership	C	C		C	C
Courts of Law	C	C		C	C
Curtain Sales				X	
Cutlery Engraving				X	
Dance Hall				C	
Day Camp	C	C		C	C
Day Nursery or Child Care Center	C	C		C	C
Dental Supplies				X	
Department Store				X	
Detective Agency				X	
Detention Home	C	C		C	C
Disinfecting & Exterminating Service				X	
Drafting Agency				X	
Drug Store or Pharmacy				X	
Dry Cleaning/ Laundromat				X	
Duplexes		X		X	C
Egg Production					
Electrical Contracting & Retail Sales				X	
Electrical & Gas Appliances Sales				X	
Electric Regulating Station	C	C	C	C	C
Employment Agency				X	
Establishment of a Religious or Charitable Organization	C	C		X	C
Establishment for Care of Alcoholics, Narcotic, or Psychiatric Patients	C	C		C	C
Fairgrounds				C	C
Farm Crops					X

Schedule of Uses

Districts	R-1	R-2	R-MH	C	A
Farms With Livestock					X
Feed Store				X	
Fencing Sales				X	
Financial Institution				X	
Fire Alarm Box	X	X	X	X	X
Fire Hydrant	X	X	X	X	X
Fire Station	C	C	C	C	C
Floor Covering Sales				X	
Florist Shop				X	
Food Specialties Store				X	
Frozen Food Locker				C	
Furnace/Chimney Cleaning Service				X	
Furniture Repair/Reupholstery				X	
Furniture Store				X	
Garden Supplies				X	
General Merchandise Store				X	
Golf Courses	C	C		C	C
Golf Range	C	C		C	C
Governmental Agencies & Offices				X	
Grocery Store				X	
Guest House/Servant's Quarters	C			C	C
Guns & Related Equipment Sales				C	
Gunsmith				C	
Hair Styling/ Hair Products Sales				X	
Handicraft, Ceramics, Sculpture or Similar Artwork				X	
Hardware or Sporting Goods Store				X	
Hay Baling					X
Health Food Store				X	
Health Studio or Spa				X	
Hearing Aids Sales				X	
Home Occupations	C	C	C	C	C
Hospital	C	C	C	C	C
Hotel or Motel				X	
Indoor Theater				X	
Interior Decorating				X	
Janitorial				X	
Jewelry Store or Repair				X	
Job Printing, Lithographer or Blueprinting				C	

Schedule of Uses

Districts	R-1	R-2	R-MH	C	A
Key Shop				X	
Leather Goods & Luggage Sales				X	
Library, Art Gallery, Museum or Other Similar Public Use	C	C		X	C
Livestock Raising					C
Livestock Sale Barn					C
Locksmith				X	
Machine or Welding Shop				X	
Machinery Sales and Service				X	
Masonry Contracting				X	
Medical Appliance Fittings & Sales				X	
Medical Supplies				X	
Metal Working Shop				C	
Millwork Products				C	
Miniature Golf	C	C		C	C
Mini Warehouse				C	
Mobile Home			X		
Mobile Home Parks			C		
Mobile Home Sales				C	
Monument Sales				C	
Mortuary or Funeral Home				C	C
Multi-Family		X			
Municipal Facilities/Utilities	X	X	X	X	X
Music Instruments				X	
News & Magazine Stands				X	
Nursing or Convalescent Home	C	C		C	C
Office Furnishings Sales				X	
Office (General or Professional)				X	
Optical Shop				X	
Optical Supplies				X	
Orphanage	C	C	X	C	C
Paint & Wallpaper Store				X	
Painting Contractor & Retail Sales				X	
Park	X	X	X	X	X
Parking, Commercial Lot or Garage				X	
Parkway	X	X	X	X	X
Pawn Shop				X	
Penny Arcade				C	
Pet Shop				X	
Photo Copying				X	
Photography Studio				X	

Schedule of Uses

Districts	R-1	R-2	R-MH	C	A
Picture Framing				X	
Planned Unit Development	C	C	C	C	C
Plant Nursery				X	C
Playfield & Playground	C	C	C	C	C
Plumbing Contracting and Retail Sales				X	
Police Alarm Box	X	X	X	X	X
Police Station	C	C	C	C	C
Post Office				X	
Private Club or Lodge (No Bar Service)				C	
Private School, Kindergarten or Institution for Special Education	C	C	C	C	C
Public Facilities	C	C	C	C	C
Public Utility Maintenance Building				C	C
Radio Station				X	
Railroad Right of Way	C	C	C	C	C
Real Estate Sales Office (Located in Undeveloped or Partially Developed Subdivision Operated for Purpose of Developing Said Subdivision)	C	C		C	C
Record & Tape Shop				X	
Reservoir Open	C	C	C	C	C
Restaurant with Dancing				X	
Restaurant with Drive-In Service				X	
Restaurant without Dancing				X	
Restaurant without Drive-In Service				X	
Retail Stores				X	
Riding and Boarding Stables				C	X
Rifle Range				C	C
Rodeo Grounds				C	C
Roofing Sales and Service				X	
Rooming or Boarding	C	C	C	X	C
Rug Cleaning and Repair Service				X	
School, Commercial Trade or Craft				X	
School, Public or Demoninational	C	C		C	C
Scientific Instruments Sales				X	
Second-Hand Store, Used Furniture or Rummage Shop				X	
Septic Tank Cleaning/Installation Service				C	
Service Station				X	
Shipping of Livestock					C
Shoe Repair				X	
Shoe Store				X	
Sidewalk	X	X	X	X	X

Schedule of Uses

Districts	R-1	R-2	R-MH	C	A
Single Family	X	X	X	C	X
Skating Rink				C	
Sporting Goods Sales				C	
Stable, Commercial				C	X
Street, Highway & Other Thoroughfare					
Street Signs, Traffic Signs & Signals	X	X	X	X	X
Studio (Art, Drama, Speech or Similar Skills)					
Studio, Broadcasting or Recording				X	
Swimming Pool	X	X	X	X	X
Swimming Pool Sales & Supply				X	
Tailor				X	
Taxidermist				X	
Television Station				X	
Tennis Courts	C	C	C	C	C
Theatre, Drive-In Type				C	
Tile Setting Service				C	
Tobacco Store				X	
Tool & Equipment Rental				X	
Toy Store				X	
Trailer-Camping, Hauling, Travel Sales				X	
Training of Horses				C	X
Transmitting Station or Tower for Radio, Telegraph, Telephone, or Commercial Television					
Travel Agency				X	
Truck Farming					X
Truck or Tractor Sales or Repair				C	
Truck Sales & Service				C	
Utility Main Line, Local Transformer & Station & Similar Facilities					
Customarily Located in Public ROW	X	X	X	X	X
Vacuum Cleaner Sales & Service				X	
Vending Machines Sales & Maintenance				C	
Veterinarians/Veterinary Clinic				X	C
Video Sales and Rental Store				X	
Watch Repair				X	
Water Pipeline Rights of Way	X	X	X	X	X
Water Treatment Plant/Storage Facility	C	C	C	C	C
Window Cleaning Service				X	
Zoo				C	

SECTION 2: The Page numbers will change through the end of document starting with page #16. AND

SECTION 3: The following sections will change to the following:

Section 5: General Regulations

Section 6: Board of Adjustment

Section 7: Enforcement

Section 8: Definitions

Section 9: Severability

Section 10: Legal Status

Section 11: Effective Date

SECTION 4: THEREFORE, That the remainder of Ordinance #53, shall remain in full force and effect.

SECTION 5: This Ordinance is necessary for the preservation of the health, safety and welfare of the citizens of Bethel Heights and shall take effect and be in force from and after the date of its passage and approval.

PASSED AND APPROVED THIS 21st DAY OF January 1997.

APPROVED: Bonnie K. Ramsey
MAYOR

ATTEST: [Signature]
CLERK/RECORDER/ TREASURER