

**TITLE 14**

**ZONING**

Chapters:

- 14.04 Zoning Adopted
- 14.08 Amendments to Zoning Ordinance
- 14.12 Flood Damage Prevention
- 14.16 Guidelines for Annexation
- 14.20 Annexing, Vacating and Re-Zoning Property

**CHAPTER 14.04**

**ZONING ADOPTED**

Sections:

- 14.04.01 Ordinance adopted by reference

14.04.01 Ordinance adopted by reference

It is hereby adopted by the city of Mountain Home, Arkansas, for the purpose of establishing rules and regulations with regard to zoning within the city of Mountain Home a zoning code prepared by the City Council and Planning Commission, captioned "Zoning Ordinance, Mountain Home, Arkansas 1998." The same is hereby adopted and incorporated as fully as if set out at length herein, word for word and from the date on which this ordinance shall take effect the provisions thereof shall be controlling in the matters regulated thereby within the corporate limits of the city of Mountain Home, Arkansas. (Ord. No. 98-21, Sec. 1.)

That properties currently owned by Baxter County Regional Hospital, shall be permitted in Residential R-2 until December 31, 2007 and grandfather thereafter. (Ord. No. 98-21)

**CHAPTER 14.08****AMENDMENTS TO ZONING ORDINANCE****Sections:**

14.08.01 Amendments

14.08.01 Amendments

**New Classification M-1R (Manufactured Home Residential)**

- A. The M-1R zoning is established to permit and encourage the development of single-family manufactured home subdivisions, or the placement of manufactured homes on individual lots in a suitable environment.
- B. Area requirements
1. Minimum lot area: 7,500 sq. ft.
  2. Minimum lot width: (at front yard building line) 75 feet
  3. Front yard: minimum of 30 feet from property line.
  4. Side yard (each): minimum of 10 feet from each property line.
  5. Side yard street: minimum of 25 feet from property line.
  6. Rear yard: minimum of 25 feet from rear property line or center of alley if one exists.
- C. All manufactured homes shall have the tongue removed.  
(Ord. No. 03-30, Sec. 1.)

**Additional requirements for all residential zonings**

- A. All units shall have a minimum dimension on all sides of 20 feet.
- B. All units shall be constructed on a slab or have continuous masonry underpinning.
- C. new units constructed shall have siding materials compatible with other units within 200 feet. Unless specifically approved by the Planning Commission.

- D. All units shall have the front door oriented toward the front yard.
- E. All units shall have a covered front landing of at least six feet by six feet and oriented to the front yard.
- F. All units shall have shingle roofs. Unless specifically approved by the Planning Commission. (Ord. No. 2003-30, Sec. 2.)

### **Façade ordinance**

**Section 1** Article 3-2.A.4, Article 3-3.A.4, Article 3-4.A.7, Article 3-5.A.4, and Article 3-6.A.6, of the Zoning Ordinance No. 98-021 of the city of Mountain Home, Arkansas, is hereby deleted and replaced with the following:

- A. Façade requirements should be based on the zoning of a particular building all commercially zoned buildings must maintain a façade covering 100% of the entry way side (front-side) of the building. Those sides not considered an "entryway" side, but are street-side, must maintain a façade matching that of the front-side façade extending a minimum height of three (3) feet above first floor level. Any metal façade cannot extend lower than three (3) feet above the first floor level on street-side walls.
- B. Types of façade Exterior façade material can include stone, brick, brick veneer, glass, cultured stone, architectural precast (panels or detailing), stucco, wood, Dryvit, concrete siding or decorative concrete block. Vinyl siding and standard concrete blocks (pained or natural) are not to be considered façade materials.
- C. Retrofitting or remodeling projects Any remodeling of a commercial building that requires a building permit would require compliance with the current façade ordinance.
- D. Occupancy permits Occupancy permits, including temporary permits, would not be issued without completion of façade requirements.
- E. Building maintenance. No observable paint peel, material deterioration, mold, or rusted metal should be allowed. All visible sides of a commercial building should remain free of weeds and vines at all times.
- F. Trash receptacles and enclosures Any areas where trash or recyclables are stored outside a building must be screened; construction shall be out of one of the materials listed above under "Types of Façade." All lift dumpsters shall be required to have a trash enclosure built to eliminate receptacle visibility from a public street.

- G. Architectural Review Committee The Architectural Review Committee shall be required to approve any commercial building permit issued under the provisions of this ordinance. The Mountain Home Planning Commission shall be designated as the Architectural Review Committee for the purpose of insuring compliance with this ordinance. The Architectural Review Committee shall review colored rendered drawings, provided by the owner or builder, of all exterior faces of the building for approval. (Ord. No. 2007-20, Sec. 1.)

**Section 2** A Building Permit for the purpose of triggering this the Façade Ordinance shall be required when:

- A. The roof line is to be changed; or
- B. The square footage of the enclosed portion of the improvement is to be increased or decreased; or
- C. Making a new entrance or moving an existing entrance; or
- D. Making interior alterations, when the reasonable value of such alterations is estimated by the Building Inspector to exceed 25% of the existing county appraised value of the altered structure.

The Building Inspector may at his/her discretion refer this question to the Architectural Review Committee for a decision or, if the owner is unhappy with the Building Inspector's decision, then the owner may appeal the Building Inspector's decision to the Architectural Review Committee. (Ord. No. 2007-20, Sec. 2.)

### **Board of Zoning Adjustment**

**Chapter 8, Art. 8-1** This section of the Mountain Home, Arkansas Zoning Ordinance shall be and hereby is deleted and shall be replaced with the following:

**Article 8-1 Organization of Board of Zoning Adjustment** The Mountain Home Planning Commission, as a whole, shall sit as the Board of Zoning Adjustment. (Ord. No. 2007-43, Sec. 1.)

## **CHAPTER 14.12**

### **FLOOD DAMAGE PREVENTION**

Sections:

- 14.12.01 Ordinance adopted by reference
- 14.12.02 Penalty

14.12.01 Ordinance adopted by reference The “Flood Damage Prevention Ordinance” of the city of Mountain Home, Arkansas, is hereby adopted in its entirety by reference thereto, as the regulations pertaining to and controlling the floodplain in the city of Mountain Home. (Ord. No. 2001-16, Sec. 1.)

14.12.02 Penalty No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and punished by a fine not less than One Hundred Dollars (\$100.00) nor more than Two Hundred and Fifty Dollars (\$250.00) and if such violation be continued, each day’s violation shall be a separate offense. (Ord. No. 2001-16, Sec. 2.)

## **CHAPTER 14.16**

### **GUIDELINES FOR ANNEXATION**

Sections:

- 14.16.01 Process
- 14.16.02 Guidelines

14.16.01 Process All owners of property in existing subdivision in Baxter County, Arkansas, which desire to annex to the city of Mountain Home shall proceed in the time and manner authorized by state law. (Ord. No. 2010-4, Sec. 1.)

14.16.02 Guidelines In addition to the procedure outlined by state law, the persons desiring to annex to the city shall also meet the following guidelines, to wit:

- A. The property owners shall, prior to approval of the annexation by the city, provide an agreement and a schedule of making such improvements and connections and for a method to pay for any such water and sewer improvements and connections. The schedule of improvements and connections and method of paying for said improvements and connections shall be subject to the approval of the City Council.
- B. The property owners shall, prior to approval of the annexation by the city, provide an agreement and a schedule of making any and all street upgrades and for a method of paying for any and all street upgrades which are needed to bring the streets into compliance with the regulations and requirements of the city. The schedule of street upgrades and the method of making such upgrades shall be subject to the approval of the City Council. (Ord. No. 2010-4, Sec. 2.)

**CHAPTER 14.20**

**ANNEXING, VACATING AND RE-ZONING PROPERTY**

Sections:

- 14.20.01 Annexing
- 14.20.02 Vacating
- 14.20.03 Re-zoning

14.20.01 Annexing

- Ord. No. 2009-18 Leisure Homes Corporation for Park West Condominiums Phase Four
- Ord. No. 2009-21 Part of NW 1/4 of Sec. 16, Twp 10 N, Range 13 West
- Ord. No. 2009-22 Property contiguous to the Water & Sewer Improvement District No. 3
- Ord. No. 2010-24 Property contiguous to the Water & Sewer Improvement District No. 3
- Ord. No. 2014-1 Property contiguous to & adjoining the City of Mountain Home and to Water and Sewer Improvement District No. 3, Zone C-2
- Ord. No. 2019-25 Territory contiguous to & adjoining the City to annex that property is granted & the property described in Exhibit "A" is accepted as part of & annexed to the City of Mountain Home. Zoned C-2, Ward 1  
No additional billboards are permitted unless they comply with the ordinance permitting signs.

14.20.02 Vacating

- Ord. No. 2009-20 Utility easements of Lots 20-36, Plaza Park Subdivision

14.20.03 Re-zoning

Ord. No. 2009-10	From R-2 to C-3	Part of SW ¼ of Sec. 4, Twp 19 N, Range 13 West
Ord. No. 2009-25	From R-2 to C-3	Part of SW of Sec. 4, Twp 19 N, Range 13 West
Ord. No. 2010-3	From R-2 to C-2A	Part of SE of Sec. 8, Twp 10 N, Range 13 West
Ord. No. 2010-7	From R-1 to C-3	Part of SE ¼ of Sec. 8, Twp 19 N, Range 13 West
Ord. No. 2010-8	From R-2 to C-3	Part of SW ¼ of Sec. 4, Twp 19 N, Range 13 West
Ord. No. 2010-9	From R-2 to R-4	Part of W ½ of Sec. 3, Twp 19 N, Range 13 West
Ord. No. 2010-13	From R-1 to R-2	Lots 1-12, The Heights Condos Phase I
Ord. No. 2010-16	From R-1 to C-2A	Part of NE of Sec. 17, Twp 19 N, Range 13 West
Ord. No. 2010-25	From R-1 to C-3	Part of Lot 12, Sunset View Addition
Ord. No. 2011-1	From C-3 to R-1	1002 South College Street
Ord. No. 2011-2	From R-1 to C-2	Part of NW ¼ of Sec. 3, Twp 109 N, Range 13 W.
Ord. No. 2012-10	From R-1 to C-2A	Part of NE ¼ of Sec. 17, Twp 19 N, Range 13 W.
Ord. No. 2012-15	From C-3 to R-1	Part of NE ¼ of Sec. 9, Twp 19 N, Range 13 W.
Ord. No. 2013-2	From R-2 to C-3	Part of NE ¼ of Sec. 9, Twp 19 N, Range 13 W.
Ord. No. 2014-4	From R-1 to R-2	Part of the SW ¼ of the NE ¼ Sec 9, Twp 19 N, Range 13 West (509 East 7 <sup>th</sup> Street)
Ord. No. 2014-5	From R-1 to C-2	2448 & 2674 Hwy 62 West
Ord. No. 2014-6	From R-1 to C-2	2538 Hwy 62 West
Ord. No. 2014-8	From R-1 to C-2	2674 Hwy 62 West
Ord. No. 2014-14	From R-1 to C-2	3260 Hwy 62 West
Ord. No. 2014-21	From R-1 to C-2	42 Edmonds Street, Mountain Home
Ord. No. 2016-2	From R-1 to C-3	1002 South College, Mountain Home
Ord. No. 2016-5	From R-1 to C-2	305 and 309 West First Street, Mountain Home
Ord. No. 2016-6	From R-1 to C-3	Tract 1 @ 1509 Cross St & Tract 2 @ 1203 High St.
Ord. No. 2016-8	From C-2A to R M-1R	1334 Rossi Road, Mountain Home
Ord. No. 2016-9	From R-1 to R-2	West pf N. Cardinal Dr. extended a/k/a CR 466 and N of Nottingham St., Mountain Home
Ord. No. 2016-10	From R-2 to C-3	@ the corner of College St. & Coley Dr.
Ord. No. 2017-2	From R-1 to C-2	In the 1000 block of Hwy 5 N, Mountain Home
Ord. No. 2017-9	From R-1 to R-4	Lot 6 of the 1 <sup>st</sup> add. to DelWood Manor Subdivision
Ord. No. 2017-9	From R-1A to R-4	SW Corner of lot 4 of DelWood Manor Subdivision
Ord. No. 2017-10	From R-1 to C-3	Lot 24, Schutt Subdivision shown on recorded plat
Ord. No. 2018-1	From C-3 to C-2	523 Hospital Drive, Mountain Home
Ord. No. 2018-5	From C-3 to C-2	519 Hospital Drive, Mountain Home
Ord. No. 2018-6	From R-1 to C-2A	3115 Hwy 62 W, EXCEPT land sold to Hwy Dept.
Ord. No. 2018-8	From R-1 & -5 to R-3	NE corner of Arkansas Ave. & North Cardinal Dr.

Ord. No. 2018-9	From R-1 to C-2A	1394 Rossi Road, at the corner of Rossi Road and the U.S. Hwy 62/412 by-pass, Mountain Home
Ord. No. 2019-16	R1 & C-2 to C4	corner of Old Arkana Road and the Highway 62/412 By-Pass,
Ord. No. 2019-26	From R-1 to C-2	3012 U.S. Hwy 62/412 SW, Mountain Home
Ord. No. 2019-29	From R-1 to R-2	1005 Waverly Rd., Mountain Home
Ord. No. 2019-33	From R-1 to C-2	903 Hwy 5 North, Mountain Home