

**ORDINANCE NO. 2023-\_\_\_\_**

**CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS**

**AN ORDINANCE TO REZONE APPROXIMATELY 1.373 ACRES OF REAL PROPERTY LOCATED AT 1583 ARBOR ACRES AVENUE (TRACT 1) FROM AGRICULTURE (AG) TO SINGLE FAMILY RESIDENTIAL (R-1) AND APPROXIMATELY 1.375 ACRES OF REAL PROPOERTY LOCATED AT 1583 ARBOR ACRES (TRACT 2) AVENUE FROM AGRICULTURE (AG) TO LIGHT INDUSTRIAL (LI) IN THE CITY OF TONTITOWN, ARKANSAS.**

**WHEREAS**, a Public Hearing was held before the Planning Commission for the City of Tontitown, Arkansas to hear public input to the question of an application to rezone approximately 1.373 acres of real property located at 1583 Arbor Acres Avenue from Agriculture (AG) to Single Family Residential (R-1) and approximately 1.375 acres of real property located at 1583 Arbor Acres Avenue from Agriculture (AG) to Light Industrial (LI) in the City of Tontitown, Arkansas; and

**WHEREAS**, after due notice as required by law, the Tontitown Planning Commission has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question; and

**WHEREAS**, the Planning Commission has determined that and has ascertained that the rezoning requested should not be recommended for approval to the Tontitown City Council and the appellant/owner of the property has appealed this rezoning to the City Council as permitted by the Tontitown Municipal Code; and

**WHEREAS**, the Tontitown City Council has determined that the public interest and welfare is best served by affirming the appeal and approving the requested rezoning.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Tontitown, Arkansas:

**Section 1.** The City of Tontitown hereby changes the zone from Agriculture (AG) to Single Family Residential (R-1) for certain real property located at Tract 1 of 1583 Arbor Acres Avenue, more particularly described in the attached Exhibit “A”.

**Section 2.** The City of Tontitown hereby changes the zone from Agriculture (AG) to Light Industrial (LI) for certain real property located at Tract 2 of 1583 Arbor Acres Avenue, and more particularly described in the attached Exhibit “A”.

**Section 3.** Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

**Section 4.** In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a court of law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not have an effect on the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

**Section 5.** The official zoning map of the City of Tontitown, Arkansas is hereby amended to reflect the zoning change provided in Section 1 and Section 2 hereof.

**PASSED and APPROVED** this \_\_\_\_ day of October 2023.

APPROVED:

\_\_\_\_\_  
Angela Russell, Mayor

ATTEST:

\_\_\_\_\_  
Rhonda Ardemagni, City Clerk-Treasurer  
(SEAL)

