

## Chapter 18.04

### GENERAL PROVISIONS

#### Sections:

18.04.010	Short title.
18.04.020	Reduction in lot area.
18.04.030	Street access.
18.04.040	Classification of streets.
18.04.050	Interference with traffic signals.
18.04.060	Yard requirements of accessory buildings.
18.04.070	Common walls for accessory buildings.
18.04.080	Attachment of accessory buildings to principal buildings.
18.04.090	Distance between buildings.
18.04.100	Vision clearance at corners.
18.04.110	Frontage on corner lots and double frontage lots.
18.04.120	Public utilities facilities location.
18.04.130	Excavation or removal of soil.
18.04.140	Unsightly or unsanitary storage.
18.04.150	Conflict with other laws.
18.04.160	Conditional Uses.

#### **18.04.010 Short title**

The ordinance codified herein, including zoning maps made a part hereof, shall be known as the "Official Zoning Ordinance of the City of Jacksonville, Arkansas" and may be so cited.

(Ord. 213 Sec. 102, 1969)

#### **18.04.020 Reduction in lot area**

No lot may be reduced in area below the minimum lot area as specified herein for the district within which said lot is located.

(Ord. 213 Sec. 501, 1969)

#### **18.04.030 Street access**

No building shall hereafter be constructed on a lot which does not have frontage on a publicly dedicated, accepted, and maintained street. (Ord. 213 Sec. 502, 1969)

#### **18.04.040 Classification of streets**

For the purposes of this title, all streets in the City are divided into three classes as follows:

- A. Major streets;
- B. Collector streets;
- C. Minor streets.

(Ord. 213 Sec. 503, 1969)

#### **18.04.050 Interference with traffic signals**

In any district, no outdoor advertising sign or structure or tree or shrub shall protrude over any street so as to create confusion around or otherwise interfere with traffic signals.

(Ord. 213 Sec. 504, 1969)

**18.04.060 Yard requirements of accessory buildings**

Except as herein provides the minimum yard requirements also apply to accessory buildings. However, accessory buildings may be located to within five feet of a rear or side lot line.  
(Ord. 213 Sec. 505, 1969)

**18.04.070 Common walls for accessory buildings**

When accessory buildings for garage and incidental storage purposes are constructed simultaneously on two or more contiguous lots, there may be one or two walls shared in common between two or more buildings, provided that such wall or walls are centered over the common side or rear lot lines. (Ord. 213 Sec. 506, 1969)

**18.04.080 Attachment of accessory buildings to principal buildings**

When an accessory building is attached to the principal building by a breezeway, passageway or similar means, it shall comply with the yard requirements of the principal building to which it is attached. (Ord. 213 Sec. 507, 1969)

**18.04.090 Distance between buildings**

Except as herein provided no accessory building shall be located closer than fifteen feet to a principal building or to any other accessory building. (Ord. 213 Sec. 508, 1969)

**18.04.100 Vision clearance at corners**

In any residential district no fence, wall, hedge or other structure or planting or other obstruction above a height of three feet shall be erected, placed or maintained within twenty feet of the intersection of the right-of-way lines of two streets or railroads or of a street intersection with a railroad right-of-way.  
(Ord. 213 Sec. 509, 1969)

**18.04.110 Frontage on corner lots and double frontage lots**

On lots having frontage on more than one street, the minimum front yard shall be provided for each street, in accordance with the provisions of the title. (Ord. 213 Sec. 510, 1969)

**18.04.120 Public utilities facilities location**

Electrical transformer stations, gas regulator stations, sewage and water treatment plants and pumping stations and stand-pipes for public water supply may be located in any zone; provided however, the location of such facility shall be a conditional use project to the approval of the Planning Commission and City Council and the following requirements shall be complied with:

- A. Such facilities shall be essential for the immediate area or for the proper functioning of the total utility system of which the above element is a part.
- B. Any building or structure, except an enclosing fence, shall be set back at least fifty feet from any property line.

- C. Such facilities shall be enclosed by a protective fence.
- D. Open spaces on the premises shall be suitably landscaped and maintained.
- E. The storage of vehicles and equipment on the premises shall be prohibited.
- F. The surrounding area shall not be adversely affected by and shall be protected from noise, odor, glare, dust, fumes, gas, smoke and vibration by such suitable means and conditions as the City Council may specify.

(Ord. 213 Sec. 511, 1969)

#### **18.04.130 Excavation or removal of soil**

No person, firm or corporation shall strip, excavate or otherwise remove soil for sale or any other purpose without first obtaining a permit from the building inspector for such stripping, excavating or other means of removal. The building inspector shall issue the required permit only after being satisfied that the resulting change of grade in the affected area will not be against the best interests of the community. The provisions of this section shall not be construed to prohibit excavation or grading incidental to the construction or alteration of a building on the premises for which a building permit has been granted as required otherwise in this title. (Ord. 213 Sec. 512, 1969)

#### **18.04.140 Unsightly or unsanitary storage**

No manure, rubbish, salvage materials or miscellaneous refuse may be stored in the open within any residential district when the same may be construed as a menace to public health or safety or may fairly be held to have a depressing influence upon property values in the neighborhood. Regular salvage and junkyards shall be adequately enclosed with a fence and a planting screen shall be required to hide the unsightly storage. Planting screens shall be viburnum michphilla, wax legustrum or similar thick growing plants. (Ord. 213 Sec. 513, 1969)

#### **18.04.150 Conflict with other laws**

In their interpretation and application, the provisions of the title shall be held to be minimum requirements adopted for the promotion of the public health, morals, safety or the general welfare. Whenever the requirements of this title are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive, or that imposing the higher standards, shall govern. (Ord. 213 Sec. 2601, 1969)

#### **18.04.160 Conditional Uses**

Any conditional usage of real property within the City Limits of Jacksonville shall be approved by the Planning Commission. Conditional usages shall be limited to those usages designated as

**ZONING**

**GENERAL PROVISIONS**

possible conditional uses in each zoning classification. Said approval authority and jurisdiction shall not in any manner intervene with the authority and jurisdiction granted the Board of Adjustment in addressing request(s) for variances of requirements as reflected by the chart contained in JMC § 18.68.050 (p. 304) or the provisions provided by JMC §§ 18.76.040, 18.76.050, and 18.88.040.

(Ord. 1048 Sec. 1(part), 1995; Ord. 1059, Sec. 1 (part) 1996.)

**Chapter 18.06**

**COMPREHENSIVE DEVELOPMENT USE PLAN**

**Sections:**

- 18.06.010           Comprehensive Development Use Plan**
- 18.06.020           Land Use Plan**

**18.06.010 Comprehensive Development Use Plan**

There is hereby adopted and implemented a Comprehensive Development Use Plan for the City of Jacksonville, as detailed and noted on the attachments hereto. All development within the City's planning jurisdiction shall adhere to and comply with the provisions and requirements contained in said plan unless specifically exempted by a majority vote of the Jacksonville Planning Commission or Jacksonville City Council. (Ord. 1226 Sec. 1, 2004)

**18.06.020 Land Use Plan**

There is hereby adopted and implemented a Land Use Plan for the City of Jacksonville, as detailed and noted on the attachments hereto. All development within the City's planning jurisdiction shall adhere to and comply with the provisions and requirements contained in said plan unless specifically exempted by a majority vote of the Jacksonville Planning Commission or Jacksonville City Council. (Ord. 1226 Sec. 2, 2004)

267-1