

ORDINANCE NO. 18-798

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF
CLARKSVILLE, ARKANSAS:

WHEREAS, the City Council of the City of Clarksville is desirous of amending and updating the City's Zoning Ordinance; and,

WHEREAS, said changes are necessary to promote uniform zoning throughout the City; and

WHEREAS, a public hearing was held by the Clarksville Planning Commission on February 22, 2018, after which, the Planning Commission voted to recommend the City Council adopt the change.

NOW, THEREFORE, be it ordained by the City Council of the City of Clarksville, Arkansas:

SECTION 1: The Zoning Ordinance of the City of Clarksville is hereby amended as follows:

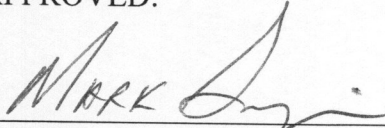
See Attached Exhibit "A"

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance being necessary for the public peace, health and safety of the citizens of Clarksville, Arkansas, an emergency is declared and this Ordinance shall become effective immediately upon its passage and approval.

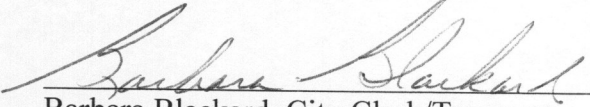
Passed this 12th day of March, 2018.

APPROVED:



Mark Simpson, Mayor

ATTEST:



Barbara Blackard, City Clerk/Treasurer

EXHIBIT "A"
Ord. No. 18-798

Section 5.20 Accessory Dwelling Units: In addition to any Special Use Permit requirements (see Article 4), *Accessory Dwelling Units* shall also be subject to the following requirements and standards:

Amended: Ord. 2014-732

Accessory Dwelling Unit: A smaller, secondary site-built dwelling unit on the same lot as an existing single-family dwelling. The unit includes its own independent living facilities with provisions for sleeping, cooking, and sanitation, designed for residential occupancy independent of the primary dwelling unit.

- 1) **Construction Limitation:** An *Accessory Dwelling Unit* shall only be permitted within a structure designed and constructed for intended use as an *Accessory Dwelling Unit*.
- 2) **Owner Occupancy:** The property owner must permanently occupy either the *Principal Building* or the *Accessory Dwelling Unit*.
- 3) **Maximum Occupancy:** Occupancy of the *Accessory Dwelling Unit* shall be limited to one family, with only one room provided for sleeping.
- 4) **Number Allowed:** Only one *Accessory Dwelling Unit* per lot shall be allowable.
- 5) **Size Limits:** The *Accessory Dwelling Unit* must be less than 40% of the size of *Principal Building* or 800 square feet in gross floor area, whichever is less. It must also be at least 400 square feet in gross floor area.
- 6) **Setbacks:** The unit shall meet all the required *setbacks* for the *Principal Building* of the zone in which it is located. The structure must be located at least 10 feet away from the *Principal Building*, and no more than 30 feet from the *Principal Building*.
- 7) **Location and Orientation:** The unit must be placed within the rear yard of the lot, behind the *Principal Building*. The front door of the unit must be oriented towards the principal building.
- 8) **Design:** The *façade* materials of the unit must match or complement the *façade* materials of the *Principal Building*.
- 9) **Parking:** One additional off-street *parking space* shall be provided adjacent and abutting to the existing required parking area for the *Principal Building*.
- 10) **Utilities:** The *Accessory Dwelling Unit* shall be provided separately metered water and electric utilities that are directly connected to the public water and electric systems.
- 11) After the *Accessory Dwelling Unit* is approved and before a building permit is obtained, the property owner shall file a deed restriction with the Johnson County Clerk. The deed restriction shall contain a reference to the deed under which the property was acquired by the current property owner and state the following:
 - A. The *Accessory Dwelling Unit* shall not be sold separately from the *principal building*.
 - B. The *Accessory Dwelling Unit* is restricted to the size approved by the Planning Commission.