

Chapter 3

Zoning Districts

Section 1. Zoning Map

A. Zoning Map

1. The City is hereby divided into zoning districts as shown on the Official Zoning Map which, together with explanatory information thereon, is hereby adopted by reference and declared to be a part of these regulations.

2. The Official Zoning Map shall be identified by the signature of the Mayor attested by the City Clerk, and bearing the seal of the City under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 3A of the Zoning Code of the City of Lavaca, Arkansas" together with the date of adoption of the code.

3. Zoning Districts

For the implementation of this code the City shall be divided into the following districts:

- Residential District.....R-1
- Residential District.....R-2
- Residential District.....R-3
- Public Assembly District.....P
- Central Business District.....CBD
- Commercial District.....C-1
- Neighborhood Commercial & Quiet Business District.....C-2
- Manufactured Home Park.....MHP
- Industrial District.....I

4. District boundary lines shall be shown on the map entitled Lavaca, Arkansas Zoning Map which is a part of this Code.

The following rules shall apply in determining the location of district boundaries:

- (a) Boundaries indicated as approximately following the center line of streets, highways, alleys, railways, or channelized waterways or other natural features shall be construed as following such center lines.
- (b) Boundaries indicated as approximately following section lines, part section lines or city limits shall be construed as following these lines.

- (c) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- (d) Boundaries indicated as parallel to or extensions of features indicated above shall be so construed.
- (e) When distances are not specifically indicated on the map, they shall be determined by reference to the description contained in the ordinance adopting them and any accompanying maps used to indicate the intentions of the ordinance. Written dimensions shall take precedence over scaled measurements.
- (f) Where a parcel, lot, or development site is divided into two or more areas by a zoning district or other boundary line the following applies:
  - a. The subject rules shall be applied to each section of property separately; or
  - b. At the owner's discretion, rules governing that portion of the largest area of the parcel or lot, or development site shall be applicable to the entire property.
- (g) Where the street or property layout existing on the ground is at variance with that shown on the Official Zoning Map or where, for other reasons uncertainty exists as to the location of a district boundary, the Board of Zoning Adjustment shall interpret the location of the boundary.

**Section 2. Residential District (R-1)**

**A. Description**

This district is a restrictive residential district. The principal use of land is for conventionally built single-family dwellings and related recreational, religious, and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element. Typical gross densities are approximately three (3) units per acre or less.

**B. Permitted Uses**

1. Single-family residences.
2. Customary accessory uses.

C. Conditional Uses

1. Churches
2. Public Elementary and Secondary Schools
3. Kindergartens (Public or Private)
4. Cemetery/Mausoleum
5. Daycare Centers

D. Development Requirements

1. Minimum yard setback requirements from the property line are as follows.

Minimum front yard setback shall be 25 feet from the edge right-of-way or 55 feet from the centerline of the street, whichever is greater.

Minimum side yard setback shall be 10 feet.

Minimum rear yard setback shall be 10 feet.

2. Minimum lot area 8,000 square feet for interior lots and 9,500 square feet for corner lots.
3. Minimum width shall be 80 feet for interior lots and 95 feet for corner lots.
4. Maximum building height shall be two-stories or 36 feet.

See the R-1 sketch in Chapter 7, Illustrations.

**Section 3. Residential District (R-2)**

A. Description

This is a residential district intended to provide for a greater diversity of housing types than the R-1 Residential District, but with basic restrictions similar to the R-1 district. The principal use of land is for conventionally built single-family and two-family dwellings. Typical gross densities are approximately five (5) units per acre or less.

B. Permitted Uses

1. All uses permitted in R-1 District
2. Two-family residences.

C. Conditional Uses

1. Multi-section manufactured homes
2. All conditional uses permitted in the R-1 District.

D. Development Requirements

1. Minimum yard setback requirements from the property line are as follows.

Minimum front yard setback shall be 25 feet from the edge of right-of-way or 55 feet from the centerline of the street, whichever is greater.

Minimum side yard setback shall be 10 feet.

Minimum rear yard setback shall be 10 feet.

2. Minimum lot area for single-family dwellings is 7,500 square feet for interior lots and 9,000 square feet for corner lots. Two-family dwellings shall have a minimum lot size of 10,000 square feet.
3. The minimum lot width for single-family dwellings shall be 75 feet for interior lots and 90 feet for corner lots. Two-family dwellings shall have a minimum lot width of 100 feet.

See the R-2 sketch in Chapter 7, Illustrations.

Section 4. **Residential District (R-3)**

A. Description

This is a residential district intended to provide for a wide variety of housing types. The principal use of land in this district is for conventionally built single-family, two-family dwellings, and multi-family dwellings. Multi-section manufactured housing may also be permitted conditionally in this district. Recreational, religious and educational uses normally located to service residential areas are also permitted to provide the basic elements of convenient, balanced and attractive living areas. Typical densities for this district are eight (8) units per acre.

B. Permitted Uses

1. All uses permitted in the other residential districts.
2. Multi-family dwelling units – 8 units per acre or less.

C. Conditional Uses

1. All conditional uses permitted in the other residential districts.

2. Multi-section manufactured homes.
3. Multi-family dwelling units – more than 9 units per acre.
4. Nursing homes, Doctor and Dental Clinics, and similar uses.

D. Development Requirements

1. Minimum yard setback requirements from the property line are as follows.

Minimum front yard setback shall be 25 feet from the edge of right-of-way or 55 feet from the centerline of the street, whichever is greater.

Minimum side yard setback shall be 10 feet.

Minimum rear yard setback shall be 10 feet.

2. Minimum lot area for single-family dwellings is 6,000 square feet for interior lots and 7,500 square feet for corner lots. Two-family dwellings shall have a minimum lot size of 8,000 square feet. Multi-family dwellings shall have a minimum lot size of 8,000 square feet plus 1,000 square feet for each additional unit.
3. Minimum width for single-family dwellings shall be 60 feet for interior lots and 75 feet for corner lots. Two-family dwellings shall have a minimum lot width of 80 feet. Multi-family dwellings shall have a minimum lot width of 100 feet.
4. Maximum lot coverage shall be 50% of the building area or the lot.

See the R-3 sketch in Chapter 7, Illustrations.

Section 5. **Public Assembly District (P)**

A. Description and Permitted Uses

The intended use of this district is to provide for the essential public and quasi-public functions of the City. The Public Assembly district is for public use and not for residential or commercial purposes.

1. Places of public assembly

B. Development Requirements

1. Minimum yard setbacks conform to the logical development of the activities to be provided. The Planning Commission shall determine the on-site parking requirements.

## Section 6. **Central Business District (C.B.D.)**

### A. Description

The Central Business District is intended for the retail and wholesale trade of products related to consumer consumption and strengthening the trade area of the city. It is the downtown shopping and employment area for the community and surrounding trade area. It is designed to accommodate retailing of all kinds, professional offices, financial institutions, and limited wholesaling and warehousing.

### B. Permitted Uses

The following are permitted uses in the C.B.D. district:

1. Retail establishments offering goods and services for sale.
2. Offices and bank buildings.
3. Process and manufacturing that by reason of operation are not a nuisance in respect to noise, odor, dust, smoke, vibration, etc.
4. Wholesaling and warehousing.
5. Bulk storage of non-combustible material.
6. Automotive service, repair and storage.
7. Business, professional and trades offering services to the public.
8. Restaurants
9. Parking Lot
10. Rear, Upper Floor, or Basement Single-Family Dwellings (See Chapter 6, Section 14.)

### C. Conditional Uses

1. Amusement Facilities such as a Bowling Alley, Skating Rink, or similar use.
2. Attached Single-Family Dwellings
3. Two-family dwellings
4. Multi-family dwellings
5. Hotel/Motel

### D. Development Requirements

1. Setbacks:
  - a. No front yard setbacks are required however open space is encouraged.
  - b. No side yard setbacks are required except where land abuts a residential use and then a 10 foot setback is required.

- c. A rear yard setback of 25 feet is required where property abuts a residence.
2. Minimum lot area of 2,500 square feet.
3. No off-street parking is required but parking area development is encouraged.
4. Loading and unloading facilities shall be provided so as not to block any public way.

See the C.B.D. sketch in Chapter 7, Illustrations.

## Section 7. **Commercial District (C-1)**

### A. Description

The C-1 Commercial District is for the development and encouragement of general retail, wholesale trade and services as customarily found along main highways or thoroughfares. Permitted uses include most types of retail activity except those which generate large volumes of vehicular traffic or are otherwise incompatible.

### B. Permitted Uses

1. All uses permitted in the C.B.D.
2. Automotive sales or leasing, service stations and garages, or body repair or painting.
3. Hotels or Motels.
4. Specialty Shops.
5. Personal Services
6. Amusement Facilities such as a Bowling Alley, Skating Rink, or similar use.

### C. Conditional Uses

1. Recreational Vehicle (RV) Parks
2. Bus and train stations

### D. Development Requirements

1. Minimum yard setback requirements from the property line are as follows.

Minimum front yard setback shall be 25 feet from the edge of right-of-way or 55 feet from the centerline of the street, whichever is greater.

Minimum side yard setback shall be 10 feet.

Minimum rear yard setback shall be 10 feet.

Where rear yard abuts a residential property, 25 feet will be required.

2. Minimum lot area 10,000 square feet for interior lots and 12,500 square feet for corner lots.
3. Minimum lot width for interior lots shall be 100 feet and 125 feet for corner lots.
4. No maximum lot coverage. (See Landscaping requirements, Chapter 6, Section 9.)
5. Loading and unloading facilities shall be provided as not to block any public way.

See the C-1 sketch in Chapter 7, Illustrations.

## Section 8. **Neighborhood Commercial and Quiet Business District (C-2)**

### A. Description

The C-2 district intended to accommodate quiet business, professional offices, and medical and dental clinics together with institutional accessory uses. These essentially include facilities which can be located adjacent to or combined with residential uses without undue harmful effects to the residential uses and adjacent areas. Where commercial development exists adjacent to residential uses, it should be limited to lots located along arterial streets only.

### B. Permitted Uses

1. Personal services
2. Professional offices and bank buildings
3. Medical and dental clinics
4. Specialty Shops
5. Customary accessory uses

### C. Conditional Uses

1. Restaurants
2. Multi-family dwellings (8 units per acre or less)

### D. Development Requirements

1. Minimum yard setback requirements from the property line are as follows.



Minimum front yard setback shall be 25 feet from the edge of right-of-way or 55 feet from the centerline of the street, whichever is greater.

Minimum side yard setback shall be 10 feet.

Minimum rear yard setback shall be 10 feet.

Where rear yard abuts a residential property, 25 feet will be required.

2. Minimum lot area 10,000 square feet for interior lots and 12,500 square feet for corner lots.

3. Minimum lot width for interior lots shall be 100 feet and 125 feet for corner lots.

4. Maximum lot coverage shall be 60%.

See the C-2 sketch in Chapter 7, Illustrations.

E. Building Consistency

To reduce the impact of commercial development on adjacent neighborhoods, all nonresidential buildings in the C-2 district will have a masonry façade on all sides. This does not prohibit metal fascia or ornamental trim, nor siding of the type customarily used in residential construction.

Section 9. **Manufactured Home Park (M.H. P.)**

A. Description

The Manufactured Home Park district is intended for the use of organized logical development of manufactured home living. This district recognizes a specific housing type which must be accommodated in the City of Lavaca in a rental park setting. It is the intent of this district that it be located so as to not adversely affect the established residential development patterns and densities in the city. Such locations, however, shall have necessary public utilities, community facilities, and other public services in order to provide a healthful living environment with the normal amenities associated with residential districts of the city.

B. Permitted Uses

1. Manufactured Homes
2. Customary accessory uses.

C. Development Requirements

1. The manufactured home park shall conform to the following:

- a. The park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
- b. Manufactured home spaces shall be provided consisting of a minimum of 4,000 square feet for each space which shall be at least 40 feet wide and clearly defined.
- c. Manufactured homes shall be so harbored on each space that there shall be at least a 15-foot clearance between manufactured homes.
- d. All manufactured home spaces shall abut a driveway of not less than 20 feet in width, which shall have unobstructed access to a public street. All streets in the park shall be paved unless a variance to this requirement is granted by the Board of Zoning Adjustment.
- e. Each manufactured home space shall be provided water, sewer and a 200 amp electric service.
- f. Two parking spaces should be provided each individual site.
- g. Manufactured Home Parks shall provide a landscaped area around the park.
- h. Yearly inspection shall be made by an authorized City Official to see that the park is in compliance with the code.
- i. Setback requirements for the park are:
  1. Front yard setback shall be 30 feet from the edge of right-of-way or 55 feet from the centerline of the street, whichever is greater.
  2. Side yard setback shall be 10 feet.
  3. Rear yard setbacks shall be 10 feet.

See the M.H.P. sketch in Chapter 7, Illustrations.

## Section 10. **Industrial District (I)**

### A. Description

The intent of this district is to provide for planned industrial parks for the manufacturing, compounding, processing, packaging or assembling of products. Safeguards will be provided so as to reduce the noise, dust, odor or vibration so as not to be detrimental or dangerous to the health, safety or general welfare of the people. This also includes the storage of bulk materials.

### B. Permitted Uses

1. Baking or baking plant.
2. Bottling works.
3. General manufacturing.
4. Contractor's plant or storage yard.
5. Cold storage plant.
6. Flour or feed mill.
7. Grain elevator.
8. Greenhouse or nursery.
9. Airport or landing field
10. Warehousing

C. Conditional Uses

1. Manufacturing of Asphalt or Asphalt Products
2. Automobile Wrecking, Salvage or Junkyard
3. Batching or Mixing Plant, Asphaltic or Portland Cement, Concrete, Mortar or Plaster
4. Manufacturing of Cement, Lime or Plaster-of-Lavaca
5. Manufacture of Ceramic Products - Brick, Tile, Clay, Glass, Porcelain
6. Compounding or Packaging of Chemicals
7. Compounding or Packaging of Cosmetics, Toiletries, Drugs, and Pharmaceutical Products
8. Manufacturing of Custom Ceramic Products
9. Extraction of Clay, Gravel Quarrying of Rock
10. Manufacturing of Food Products, including Slaughtering of Animals or Poultry, or Manufacture of Vinegar or Pickles
11. Storage of Flammable Gases or Liquids
12. Industrial uses having unusual accompanying hazards, such as fire, explosion, noise vibration, dust, or the emission of smoke, odor, or toxic gases may, if not in conflict with any law or ordinance in the City of Lavaca or the State of Arkansas.
13. Research or Testing Laboratory
14. Petroleum Products Storage
15. Recreational Vehicle Park
16. Removal of gravel, topsoil, or similar natural material
17. Sanitary Landfill

D. Development Requirements

1. Minimum yard setback requirements from the property line are as follows.

Minimum front yard setback shall be 50 feet from the edge of right-of-way or 80 feet from the centerline of the street, whichever is greater.

Minimum side yard setback shall be 25 feet.

Minimum rear yard setback shall be 25 feet.

2. Minimum lot area 60,000 square feet.

3. Minimum lot width 200 feet.

4. No maximum lot coverage.

See the Industrial sketch in Chapter 7, Illustrations.