

CHAPTER 11.05
ESTABLISHMENT OF ZONING DISTRICTS

SECTIONS:

11.05.010	Purpose
11.05.020	Establishment of Zoning Districts
11.05.030	Maps
11.05.040	Boundary Determinations
11.05.050	Severability
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11.05.010 PURPOSE. For the purpose of promoting public health, safety, and general welfare, this section establishes zoning districts that are consistent with the Benton County Comprehensive Plan.
[Ord. 611 (2018) § 8]

NOTE: This chapter is continued on the following page.

11.05.020 ESTABLISHMENT OF ZONING DISTRICTS. The following zoning districts are hereby established for all land within unincorporated Benton County:

TABLE 11.05.020-1	
ZONING DISTRICT	MAP SYMBOL
Urban Growth Area Residential	UGAR
Community Center Residential	CCR
Rural Lands One Acre	RL-1
Rural Lands Five Acre	RL-5
Rural Lands Twenty Acre	RL-20
Park	P
Planned Development	PD
GMA Agricultural	GMAAD
Red Mountain Agricultural	RMAD
Community Commercial	CC
General Commercial	GC
Interchange Commercial	IC
Light Industrial	LI
Heavy Industrial	HI
Unclassified	U
Highway Scenic	HS
Landing Field	LF

[Ord. 611 (2018) § 9]

11.05.030 MAPS. The location and boundaries of the above zoning districts are established by separate ordinances and shall be as set forth on the official zoning maps of Benton County attached to said ordinances. Said official zoning maps in their entirety, including all amendments thereto, shall be a part of this code as if fully set forth and described herein. The official zoning maps shall be identified by signatures of the County Commissioners and shall carry the following words:

"We hereby certify that this map constitutes the Official Zoning Map as approved by Ordinance _____ of the Board of County Commissioners and signed by its chairman dated this _____ day of _____."
[Ord. 611 (2018) § 10; Ord. 615 (2018) § 1]

11.05.040 BOUNDARY DETERMINATIONS. (a) In the event uncertainty exists as to the exact location of the boundaries of any district shown on the zoning maps for the applicable district, the following principles shall apply:

(1) If a district boundary is along a publicly owned right-of-way, such as a highway, street, alley, road, canal, or railroad, the centerline of the right-of-way shall be the boundary of the zoning district.

(2) A publicly owned right-of-way, waterway or body of water shall, unless otherwise indicated, be included within the zoning district of the abutting property. If such right-of-way or body of water serves as a boundary between two (2) or more zoning districts, the centerline shall be considered the boundary between the districts.

(3) If a vacated right-of-way was the established boundary of a zoning district, the abutting zoning districts shall continue to extend to the centerline of the former right-of-way.

(4) When a land use district boundary or zoning designation unintentionally bisects a parcel of record, creating two different designations or zones for one parcel, the designations or district that covers the largest portion of the parcel shall apply to the whole parcel.

(5) If application of the above principles does not clarify the zoning district boundary location, the zoning of the

entire parcel shall be interpreted to be the zoning that is the largest portion of the parcel of record.

[Ord. 611 (2018) § 11]

11.05.050 SEVERABILITY. If any provision of this chapter is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the chapter and the applicability thereof to other persons and circumstances shall not be affected thereby.

[Ord. 611 (2018) § 249]

11.05.060 EFFECTIVE DATE. This chapter shall take effect and be in full force upon its passage and adoption.

[Ord. 611 (2018) § 250]