

**CLAY COUNTY**                      **CODE OF ORDINANCES**  
**Chapter 13 - Urban / Rural Development**

**Chapter 13:            URBAN /RURAL DEVELOPMENT**

**Article**

**I.     BUILDING**

**II.    PLANNING / ZONING**

**III.   ECONOMIC DEVELOPMENT**

**IV.   HOUSING**

**V.    WATERCOURSE, DRAINAGE, IRRIGATION, FLOOD  
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**Article I. BUILDING**

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**Article II. PLANNING / ZONING**

**A.C.A § 14-17-209. Zoning ordinance – Board of zoning adjustment.**

- (a) (1) The county planning board shall have authority to prepare, or to cause to be prepared, a zoning ordinance for all or part of the unincorporated area of the county, which ordinance shall include both a map and a text.
  
- (2) The zoning ordinance may regulate:
  - (A) The location, height, bulk, number of stories, and the size of the building;
  - (B) Open space;
  - (C) Lot coverage;
  - (D) Density and distribution of population; and
  - (E) The uses of land, buildings and structures.
  
- (3) The zoning ordinance may require off-street parking and loading.
  
- (4) The zoning ordinance may provide for districts of compatible uses, for large scale unified development, for the control and elimination of uses not in conformance with provisions of the ordinance, and for such other matters as are necessary to the health, safety, and general welfare of the county.
  
- (5) The zoning ordinance shall designate districts or zones of such shape, size, or characteristic as deemed advisable for all, or part, of the unincorporated area of the county.
  
- (6) The regulations imposed within each district or zone shall be uniform throughout the district or zone.
  
- (7) The zoning ordinance shall allow and regulate home-based work as provided in § 14-1-104.

**A.C.A. § 14-17-210. Jurisdiction over unincorporated areas.**

The county planning board shall have the exclusive zoning and planning jurisdiction over all unincorporated areas lying within a county and along a navigable stream notwithstanding the fact that such areas may be within five (5) miles of the corporate limits of a city having a planning

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commission if the unincorporated areas are lands upon which a new community has been or is being developed with funds guaranteed, in whole or in part, by the federal government under Title IV of the Housing and Urban Development Act of 1968 or under Title VII of the Housing and Urban Development Act of 1970.

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**Article III. ECONOMIC DEVELOPMENT**

**A.C.A. §§ 14-173-101-105. City and County Economic Development Grant Authorization Act.**

**A.C.A. §§ 14-169-901. Subchapter intention.**

It is the intention of this subchapter to permit municipal and county government in the State of Arkansas to participate fully in the Community Development Act of 1974, specifically, but not limited to, community development activities eligible for assistance in section 105 of it, and to have their governing bodies exercise any and all powers conferred on housing authorities and urban renewal agencies, including, but not limited to:

- (1) Eminent domain;
- (2) Redevelopment activities;
- (3) Housing;
- (4) Public housing;
- (5) Urban renewal; and
- (6) Community development in its broadest sense.

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**Article IV. HOUSING**

**A.C.A. §§ 14-54-1601-1606. The Affordable Housing Accessibility Act.**

**A.C.A. §§ 16-123-201-210. Arkansas Fair Housing Act.**

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**Article V. WATERCOURSE, DRAINAGE, IRRIGATION, FLOOD  
CONTROL SERVICES**

**A.C.A. §§ 14-121-101-1110. Drainage Improvement Districts Generally.**

**A.C.A. §§ 14-117-101-427. Arkansas Irrigation, Drainage, and Watershed Improvement District Act of 1949.**

**A.C.A. § 14-16-112. Flood control improvements.**

(a) (1) The counties of this state are authorized and empowered to enter upon, take, and hold any lands or interest, easement or servitude therein, whether by purchase, grant, donation devise, or otherwise, that may be necessary and proper for the location, construction, operation, repair, or maintenance of any floodway, reservoir, spillway, levee or diversion, or other flood control improvements.

(2) (A) In order to acquire such rights, easements, and servitudes, the counties are given the authority and power to condemn land or interest therein for these purposes.

(B) In the event it becomes necessary for counties to exercise the right of eminent domain, condemnation proceedings shall be instituted and conducted in the same manner as provided in §§ 18-15-304—18-15-307.

(b) Nothing in this section shall ever be so construed or applied as to relieve the federal government of any liability or responsibility which it has assumed by the passage of the Flood Control Act of May 15, 1928, or the Flood Control Act of June 15, 1936, or any other existing law, or any law that may hereafter be passed by the Congress of the United States.

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