

CITY OF COTTER, ARKANSAS

ORDINANCE 2017 -01

A ORDINANCE AMENDING THE ZONING REGULATION DATED OCTOBER 4, 2016, by the following:

- 1. ADDING DEFINITIONS FOR BOARDING HOUSE, HOTEL, BED AND BREAKFAST, TRANSITIONAL HOUSING, DRUG REHABILITATION FACILITY, AND RE-ENTRY CORRECTION FACILITY;**
- 2. REQUIRING TRANSITIONAL HOUSING, DRUG REHABILITATION FACILITY, AND RE-ENTRY FACILITY IN ZONE C-2 TO OBTAIN CONDITIONAL USE PERMIT.**

WHEREAS, it was found and determine by the City Planning and Zoning Commission to recommend modifying the following paragraphs in the Zoning Regulations.

WHEREAS, the Cotter Planning and Zoning Commission has recommended passage of this Ordinance.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Cotter, Arkansas:

Insert paragraph 32, 33, 34, and 35 under DEFINITIONS:

32. Boarding House - A building with at least two, but not more than five rooms offered for lodging and meals.

33. Hotel - A building or buildings intended and designed for transient overnight or extended occupancy, divided into separate units with the same building with or without a public dining facility.

34. Bed and Breakfast - An occupied private dwelling that provides overnight temporary travelers' accommodations in a single-family residence offering lodging and meals for a fee .

35. Transitional Housing Facility, Drug Rehabilitation Facility, Re-entry Correction Facility - A building with at least two rooms offered for non-temporary, transitional lodging to persons within second kindred to each other; but shall not include convalescent or nursing homes, hotels, rest homes or other facilities providing elder or regulated health care.

Under Zoning C-2, paragraph 7. Conditional Use and Special Use Permits Required, insert subparagraph - A. Transitional Housing Facility, Drug Rehabilitations Facility, and Re-entry Correction Facility and insert sub-subparagraph 1, 2, 3, 4, and 5 for requirements:

A. Highway Commercial C-2

7. Conditional Use and Special Use Permits

ORIGINAL

A. Transitional Housing Facility, Drug Rehabilitation Facility, Re-entry Correction Facility

1. Transitional Housing Facility, Drug Rehabilitation Facility, Re-entry Facility shall be required to submit application for Conditional Use as follows.
2. Conditions shall not create an unsafe environment for occupants, a public health hazard, or a nuisance condition at the establishment or surrounding community.
3. Facilities shall comply with all local and state fire codes and ordinances, State and Federal Building codes. In addition, these Facilities shall comply with NFPA Standards 101 Life Safety Code, Chapters 22 and 23 – Detention and Correctional Occupancies. Facilities shall be required to have (1) a Fire Protection Sprinkler System, (2) a monitored Fire Alarm System and (3) on site personnel providing 24 hour qualified supervision.
4. Prior to issuing any Building Permit and/or Occupancy Permit for Transitional Housing Facility, Drug Rehabilitation Facility, or Re-Entry Correction Facility, such Application for said facility shall be submitted to the Planning and Zoning Board for review with final approval by the City Council.
5. Transitional Housing Facility, Drug Rehabilitation Facility, Re-entry Correction Facility are not allowed in other Zones, i.e. C-1, C-3, R-1, R-2, I-1 and MU-1.

Now therefore be it ordained, by the City Council of the City of Cotter, Arkansas as follows: ,

THAT IT IS HEREBY DETERMINED AND DECLARED THAT AN EMERGENCY EXIST, AND THIS ORDINANCE BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, AND SAFETY, SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE.

PASSED AND APPROVED on this day 27 of April 2017

APPROVED: Peggy Hammack

PEGGY HAMMACK, MAYOR

ATTESTED: Andrea Kray

ANDREA KRAY, RECORDER/TREASURER

DATED: 4/27/17

ORIGINAL