

ORDINANCE NO. 20-21

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 14 OF THE CITY OF ROGERS CODE OF ORDINANCES; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers, City Council finds it to be in the best interest of the City to adopt provisions deleting unnecessary sub-sections of the Group Residential use classification from the Code;

WHEREAS, this change allows all group type housing to be regulated under Group Residential as one use classification and reduces the potential for inconsistencies in ordinance application and construction; and

WHEREAS, the application of these provisions is consistent with the Comprehensive Growth Map and will better help determine where such uses would be appropriately located.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS THAT:

Section 1: Chapter 14, Article VI, Division 2, Section 14-695, Subsection(b)(1)(c), of the City of Rogers, Code of Ordinances is amended to read as shown in the attached Exhibit “A” and Municode Corporation is hereby instructed to make said amendments;

Section 2: Chapter 14, Article VI, Division 2, Section 14-695, Subsection(b)(2)(w), is deleted in its entirety, as shown in the attached Exhibit “A”, the remaining subsections that follow this deletion shall be correctly re-numbered, and Municode Corporation is hereby instructed to make said amendments;

Section 3: The phrase “Transitional Housing” shall be deleted from Chapter 14, Article VI, Division 2, Sections 14-697, 14-698, 14-699, 14-700, 14-701, 14-702, 14-703, 14-704, 14-705, 14-706, 14-710, and 14-715 and Municode Corporation is hereby instructed to make said amendments;

Section 4: The phrase “Roominghouses, dormitories, fraternities, sororities (and similar uses and establishments)” shall be replaced with the phrase “Group Residential (and similar uses and establishments)” in Chapter 14, Article VI, Division 2, Sections 14-698, 14-699, 14-701, 14-703, and 14-712, and Municode Corporation is hereby instructed to make said amendments;

Section 5: The phrase “Roominghouses, dormitories, fraternities, and sororities, boardinghouses (and similar uses and establishments)” shall be deleted and replaced with the phrase “Group Residential (and similar uses and establishments)” in Chapter 14, Article VI, Division 2, Sections 14-713 and 14-714, and Municode Corporation is hereby instructed to make said amendments;

Section 6: The phrase “Roominghouses, dormitories, fraternities and sororities, boardinghouses (and similar uses and establishments)” shall be deleted and replaced with the phrase “Group Residential (and similar uses and establishments)” in Chapter 14, Article VI, Division 2, Section 14-704, and Municode Corporation is hereby instructed to make said amendments;

Section 7: Chapter 14, Article I, Section 14-1 – Definitions, the language in subsection (2) of the “Residence” definition shall be deleted and replaced with “Group Residential (and similar uses and establishments); or”, and Municode Corporation is hereby instructed to make said amendments;

Section 8: Chapter 14, the use classification “Group Residential” shall be amended as a conditional use in the following zones: A-1, R-E, R-SF, R-DP, N-R, R-MF, R-AH, R-MHC, R-RV, R-O, C-3, COM, COR, IA, NBT, U-COM, U-COR, and U-NBT, this shall supersede where “Group Residential” is currently allowed, and Municode Corporation is hereby instructed to make said amendments;

Section 9 - Emergency Clause: The need to amend said City Code chapter is immediate in order to protect the public peace, health, safety, and welfare. An emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of passage and approval;

Section 10 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 11 - Repeal of Conflicting Provisions: All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this 25th day of February, 2020.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: John McCurdy, Director Community Development
Prepared by: Bonnie Bridges, Staff Attorney

EXHIBIT "A"

Sec. 14-695(b)(1)(c)

1. Group Residential is a secondary use classification encompassing shared living quarters, for four or more unrelated persons, without separate kitchen or bathroom facilities. ~~for each room or unit.~~
2. ~~i. Group Residential includes but is not limited to the following tertiary use classifications:——~~
 - ~~(a) Rooming house;~~
 - ~~(b) Boardinghouse;~~
 - ~~(c) Dormitories;~~
 - ~~(d) Fraternities;~~
 - ~~(e) Sororities;~~
 - ~~(f) Monasteries;~~
 - ~~(g) Convents; and~~
 - ~~(h) Private residential clubs.~~
- ~~i. Group Residential does not include residential hotels; and~~
- ~~ii. Group Residential allows for associated support services.~~
3. Group Residential is generally appropriate in locations that are suitable for multifamily residential, connected by streets classified as collector or above, accessible to public or commercial services, or in higher-intensity Growth Designations such as Neighborhood Center or Regional Center.

~~Sec. 14-695(b)(2)(w)~~

~~Transitional Housing is a secondary use classification encompassing housing and appropriate supportive services for homeless persons designed to enable them to move to independent living within a twenty-four (24) month period.~~