

ORDINANCE 2013 – 03

BED AND BREAKFAST ORDINANCE

AN ORDINANCE RESCINDING 97-01 TO ELIMINATE THE C-3, QUIET COMMERCIAL ZONE AND AMENDING ORDINANCE 158-71, CITY OF COTTER ZONING REGULATIONS TO ESTABLISH AS ALLOWED USE BED AND BREAKFAST BUSINESSES BY CONDITIONAL USE PERMIT IN ZONES MU-1 AND R-1.

WHEREAS: It was found and discovered by the City of Cotter, Arkansas Planning Commission that elimination of the C-3 “Quiet Commercial” Zone, and acceptance as permitted use by conditional use permit business defined as “Bed and Breakfast” in the use zones MU-1 and R-1 will aid in the continuous effort for development of the tourist industry in the City of Cotter, and

WHEREAS: an amendment rescinding Ordinance 97-01 and amending Ordinance 158-71 was approved by the City of Cotter Planning Commission was approved on 8-15-2013, 2013, and

WHEREAS: Ordinance 2013-03 will be adopted by reference to Chapter II, DEFINITIONS, and Chapter III, USE ZONES of the City of Cotter, Arkansas Zoning Regulations, and upon passage will be known as the BED AND BREAKFAST ORDINANCE.

- I. Cotter Ordinance 97-01 establishing a C-3 Quiet Commercial Zone is hereby rescinded.
- II. Cotter Ordinance 158-71 establishing City of Cotter, AR Zoning Regulations is amended to include:
 - A. In Chapter II, “Definitions,” the following definitions:
 1. “Conditional Use Permit” – A conditional use permit is a zoning exception that allows a property owner to use their land in a manner not otherwise permitted by zoning law. Conditional use permits, issued by the Board of Adjustment, provide the city an opportunity to allow uses that would improve a neighborhood to exist in a zone where they are otherwise prohibited without altering the existing Zone Code.
 2. “Bed and Breakfast;” a business providing lodging and meals to paying guests conducted in a residential home, by the owners or managers of that home.

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B. Requirements:

1. All setbacks and physical characteristics of the structure shall conform to those allowed in the residing zone.
2. No commercial vehicles shall be required in the regular operation of the business.
3. The business shall not require the use of an accessory building or yard space or activity outside the main structure not normally associated with residential use.
4. No signs shall be erected larger than five (5) square feet, externally lit if at all, on the premises. No portion of the existing building will be used as signage. No permit is required for signage on the property.
5. There will be no external display of goods for sale.

- C. In Chapter III, "Use Zones," the definition "Bed and Breakfast" will be included in Section 1, Residential, Paragraph A-1, Permitted Uses-R-1 Zone, and in Section 6, Mixed Use Zone MU-1, Paragraph A-1, Permitted Uses – MU-1 Zone. These businesses will be allowed by conditional use permit in their respective zones.

Mayor, Peggy Hammack

Recorder/Treasurer, Anna Tillman-Floyd

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