

ORDINANCE NO. 18- 23

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 14 OF CODE OF ORDINANCES, CITY OF ROGERS; TO ESTABLISH UPPER DENSITY LIMITATIONS FOR UPPER-FLOOR RESIDENTIAL SPACE IN COMMERCIAL ZONES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Planning Commission approved changes to the schedules of use in the O, R-O, C-2, C-3, and C-4 zoning districts to allow multifamily residential (above the first floor) by right; and

WHEREAS, the current use intensity restrictions in commercial zones do not include density controls for residential components of commercial developments;

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

Section 1: Chapter 14, Section 706, Subsection (c) of the Code of Ordinances, City of Rogers is amended to add an additional subdivision "(6)" to read as shown in the attached Exhibit "A";

Section 2: Chapter 14, Section 707, Subsection (c) of the Code of Ordinances, City of Rogers is amended to add an additional subdivision "(4)" to read as shown in the attached Exhibit "B";

Section 3: Chapter 14, Section 709, Subsection (d) of the Code of Ordinances, City of Rogers is amended to add an additional subdivision "(4)" to read as shown in the attached Exhibit "C";

Section 4: Chapter 14, Section 710, Subsection (c) of the Code of Ordinances, City of Rogers is amended to add an additional subdivision "(4)" to read as shown in the attached Exhibit "D";

Section 5: Chapter 14, Section 711, Subsection (d) of the Code of Ordinances, City of Rogers is amended to add an additional subdivision "(4)" to read as shown in the attached Exhibit "E";

Section 6 - Emergency Clause: That the need to amend said City Code Sections is immediate and 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 its passage and approval.

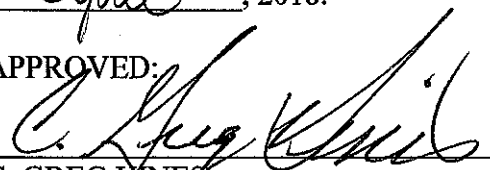
Section 7 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 8 - 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.

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PASSED this 24th day of April, 2018.

APPROVED:


C. GREG HINES,
Mayor

Attest:


PEGGY DAVID, City Clerk



Requested by: John McCurdy, Director, Department of Community Development

Prepared by: Jennifer A. Waymack, Senior Staff Attorney

For Consideration By: Community Environment & Welfare Committee

Exhibit "A"

- 6) *Density calculation for multifamily residential (above the first floor):*
- i) *Base density: 6 units per acre.*
 - ii) If more than 6 units per acre is requested the developer must submit a density concept plan to the Planning Commission outlining certain amenities to offset the density.

Exhibit "B"

- 4) *Density calculation for multifamily residential (above the first floor):*
 - a. *Base density: 6 units per acre.*
 - b. If more than 6 units per acre is requested the developer must submit a density concept plan to the Planning Commission outlining certain amenities to offset the density.

Exhibit "C"

- 4) *Density calculation for multifamily residential (above the first floor):*
 - a. *Base density: 6 units per acre.*
 - b. If more than 6 units per acre is requested the developer must submit a density concept plan to the Planning Commission outlining certain amenities to offset the density.

Exhibit "D"

- 4) *Density calculation for multifamily residential (above the first floor):*
 - a. *Base density: 6 units per acre.*
 - b. If more than 6 units per acre is requested the developer must submit a density concept plan to the Planning Commission outlining certain amenities to offset the density.

Exhibit "E"

- 4) *Density calculation for multifamily residential (above the first floor):*
 - a. *Base density:* 6 units per acre.
 - b. If more than 6 units per acre is requested the developer must submit a density concept plan to the Planning Commission outlining certain amenities to offset the density.