

ORDINANCE NO. 1880

**AN ORDINANCE AMENDING CHAPTER 114, ZONING,
OF THE EUREKA SPRINGS MUNICIPAL CODE
PERTAINING TO TOURIST LODGING**

WHEREAS, the City Council of Eureka Springs, Arkansas, upon recommendation of the City Planning Commission and, after careful consideration, having determined that Chapter 114, Zoning, of the Eureka Springs Municipal Code should be amended; and

WHEREAS, the City Council having determined that Tourist Lodging is an incompatible and inconsistent use in R-1 Victorian residential; and

WHEREAS, the City Council having determined that said amendment is in the best interest of the health, welfare, and safety of the citizens and guests of the City of Eureka Springs because it will assist in protection of the Victorian residential neighborhoods and will further the City's master plan; NOW, THEREFORE

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS,
ARKANSAS:**

1. That Chapter 114, Zoning, Section 114-4(b)(2)c of the Eureka Springs Municipal Code shall be amended to delete "Tourist lodging" as a permissible conditional use in District R-1 Victorian residential.
2. That Chapter 114, Zoning, Section 114-4(b)(2) of the Eureka Springs Municipal Code shall be amended to add the following:

d. *Tourist Lodging.*

Restriction of tourist lodging in District R-1 Victorian residential is not intended to, nor shall it, apply to any existing, permitted Conditional Use activity where permit is requested for an existing activity due to change in ownership.

3. That all ordinances or resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.
4. That each of the provisions of this ordinance are severable and the decision of any court having jurisdiction as to the validity of any provision shall not affect the remaining provisions.

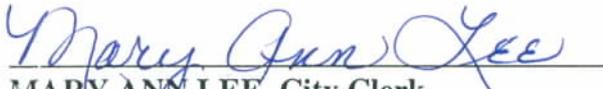
5. That this ordinance shall go into and be of full effect thirty (30) days after its passage.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA
SPRINGS, ARKANSAS, THIS 20th DAY OF August, 2001.

APPROVED:


BEAU ZAR SATORI, Mayor

ATTEST:


MARY ANN LEE, City Clerk