

ORDINANCE # 1982

AN ORDINANCE AMENDING CHAPTER 114 OF THE EUREKA SPRINGS
MUNICIPAL CODE
FOR THE CITY OF EUREKA SPRINGS, ARKANSAS

WHEREAS, the Planning Commission of Eureka Springs finds it necessary to amend the Zoning Code from time to time in order to ensure consistent application and enforcement of the code, and

WHEREAS, the Building Official of the City of Eureka Springs has recommended clarification regarding permitted dwellings in commercial districts within the city, and

WHEREAS, the Planning Commission finds the use proposed by this ordinance is implied in the zoning code,

NOW THEREFORE, be it hereby ordained, by the City Council of the City of Eureka Springs, Arkansas:

1. Chapter 114-4(c)(3)b is amended to add “Dwelling units contained in a commercial building” as a permitted use in district C-2, Contemporary Commercial.
2. Chapter 114-4(c)(4)b is amended to add “Dwelling units contained in a commercial building” as a permitted use in district c-3, Quiet Use Commercial.
3. All Ordinances or Resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.
4. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a Court of Law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

PASSED AND APPROVED, this 24th day of JANUARY, 2005.

APPROVED:

Kathy Harrison, Mayor

ATTEST:

Mary Jean Sell, Clerk

