

ORDINANCE NO: 1355

AN ORDINANCE AMENDING THE EUREKA SPRINGS ZONING ORDINANCE TABLE OF PERMITTED USES TO PERMIT A RESIDENTIAL CARE FACILITY IN THE R-1 RESIDENTIAL ZONE.

WHEREAS, the Planning Commission of the City of Eureka Springs, Arkansas, did on the 8th day of June, 1989, hold a public hearing pursuant to a Notice published in a newspaper of general circulation at least one time fifteen (15) days prior to the date of the hearing, and upon due consideration and deliberation, the Planning Commission has recommended to the City Council of the City of Eureka Springs the adoption of this ordinance:

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

Section 1: Title 14 of the Eureka Springs Municipal Code, Section 3, Zoning District Regulations, Part 9, Table of Permitted Uses, is amended in part as follows:

| | <u>R*</u> | <u>C-3</u> | <u>C-2</u> | <u>C-1</u> | <u>I</u> | <u>Pkg.</u> | <u>Group</u> |
|---------------------------|-----------|------------|------------|------------|----------|-------------|--------------|
| Residential Care Facility | P | P | | | | | 12 |

Section 2: Definition. Residential care facility - a building or structure which is used or maintained to provide for pay on a twenty-four (24) hour basis a place of residence and board for three (3) or more individuals, not to exceed ten (10) residents, whose functional capabilities have been impaired but do not require hospital or nursing home care on a daily basis, but could require other assistance in activities of daily living. A residential care facility should not be confused with traditional boarding homes or room and lodging facilities that provide only room and board facilities.

Section 3: Repeal. All other ordinances and resolutions and any part thereof which may be in conflict, in whole or in part, with any of the provisions of this Ordinance are hereby repealed to the extent of such conflict.

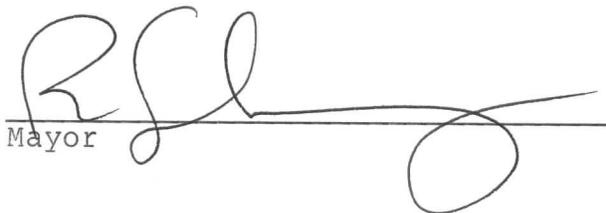
Section 4: Severability. The provisions of this Ordinance are hereby declared to be severable. If any provision shall be

held to be invalid or to be inapplicable to any person or circumstances, such invalidity or inapplicability shall not effect the remainder of the provisions of this Ordinance.

Section 5: Emergency Declared. It has been found and is hereby declared that the control of commercial uses in the City of Eureka Springs is necessary for the preservation of the public health, safety and general welfare and an emergency is hereby declared to exist and is so declared, whereby this Ordinance shall be in effect from and after its passage, approval and publication as provided by law.

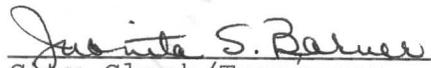
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 1st day of August, 1989.

APPROVED:



Mayor

ATTEST:

City Clerk/Treasurer