

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 14 OF THE CITY OF ROGERS CODE OF ORDINANCES; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Rogers, City Council finds it to be in the best interest of the City of Rogers to adopt provisions allowing Cottage Court/Cluster Housing as a residential use type for the purpose of clarifying procedural requirements;

**WHEREAS**, the City of Rogers, City Council finds it in the best interest of the City of Rogers to revise N-R zoning district standards to allow for more compact development in certain situations; and

**WHEREAS**, these provisions are consistent with the Comprehensive Growth Map and will create useful transitions between areas of high-intensity and low-intensity.

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

Section 1: Chapter 14, Article VI, Division 2, Section 14-695, Subsection(b)(1), of the City of Rogers, Code of Ordinances is amended to add Subsection (L) and to read as shown in the attached Exhibit “A” and Municode Corporation is hereby instructed to make said amendments;

Section 2: Chapter 14, Article VI, Division 2, Section 14-702, is amended to read as shown in the attached Exhibit “B” and Municode Corporation is hereby instructed to make said amendment;

Section 3 - Emergency Clause: The need to amend said City Code chapter is immediate 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 passage and approval;

Section 4 - 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 5 - 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All ordinances, resolutions or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

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C. GREG HINES, Mayor

Attest:

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PEGGY DAVID, City Clerk

Requested By: John McCurdy, Director Community Development

Prepared by: Bonnie Bridges, Staff Attorney

For Consideration by the Community Environment & Welfare Committee

## **EXHIBIT “A”**

Sec. 14-695(b)(1)(L)

Cottage Court / Cluster Housing is a secondary use classification encompassing a grouping of three or more detached units on one lot that are typically placed in closer proximity than usual with the purpose of retaining an open space area. This type of development allows for site built or non-mobile manufactured houses.

## EXHIBIT “B”

Sec. 14-702. – N-R neighborhood residential district.

- (a) *Purpose and intent.* The N-R neighborhood residential district is created to encourage the continuation and revitalization of ~~existing single-family detached housing at subdivision densities which are compatible with the comprehensive plan's goals for residential developments.~~ low- to medium-density housing throughout the City. Goals of the N-R district can be: Make more efficient use of existing infrastructure such as streets, and water and sewer lines, provide affordable housing opportunities within the City, minimize traffic congestion by reducing commuting distances, and relieve some of the pressure from suburban sprawl by promoting new development in more established areas.
- (c) *Bulk and open space regulations.*
- (1) *Maximum structure height:*
    - a. *When side yards are less than 15 feet in width:* 35 feet or 2½ stories above the finished grade.
    - b. *When side yards are 15 feet in width or greater:* 45 feet or three stories above the finished grade.
    - c. *Accessory structures:* 16 feet, except storage buildings which shall not exceed ten feet.
  - (2) *Minimum yard requirements:*
    - a. *Front yard:* 20 feet.
    - b. *Interior side yard:* Six feet. \*
    - c. *Exterior side yard:* 20 feet.
    - d. *Rear yard:* 20 feet.

\* The interior side yard setback may be reduced to 0' on one side if the following criteria are met:

    - a. A Density Concept Plan is required based on the Comprehensive Growth Map;
    - b. The development is located within 300' of a higher-intensity Growth Designation; and
    - c. The houses are clustered together to provide usable, shared open space.
- (d) *Density and lot size requirements.*
- (1) *Minimum lot area:* 6,000 square feet. \*\*
  - (2) *Minimum lot width:* 60 feet. \*\*
  - (3) *Minimum lot depth:* 100 feet. \*\*
  - (4) *Maximum building coverage:* 30 percent.
  - (5) *Minimum open space:* Not less than 40 percent of the total lot area shall be devoted to open space. Open space shall not include areas covered by building, structures, parking areas, driveways and internal streets. Open space shall contain living ground cover and other landscaping materials.
- \*\* The minimum lot size may be reduced to 3,000 square feet with no minimum lot width or depth if the following criteria are met:

- a. A Density Concept Plan is required based on the Comprehensive Growth Map;
  - b. The development is located within 300' of a higher-intensity Growth Designation; and
  - c. The houses are clustered together to provide usable, shared open space.
- (f) *Design Standards.* Manufactured cottage court/cluster housing must be compatible with and similar in appearance to nearby site-built houses and meet the following criteria:
- (1) Be placed on a concrete slab or brick skirting, in accordance with applicable building codes;
  - (2) Have wheels, axles and hitch mechanisms removed;
  - (3) Have siding material of a type customarily used on site-built houses, excluding smooth, ribbed, or corrugated metal or plastic panels;
  - (4) Have pitched roof of at least 4:12 and roofing material of a type customarily used on site-constructed houses; and
  - (5) Must have a porch, awning, or similar entry feature.