

ORDINANCE NO. 6410

AN ORDINANCE AMENDING ORDINANCE NO. 6405 REGULATING SHORT-TERM RESIDENTIAL RENTAL BUSINESSES WITHIN THE CITY OF HOT SPRINGS, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance No. 6405 was adopted by the Hot Springs Board of Directors on December 7, 2021, and exempted horizontal property regimes and Planned Development zoning districts from certain regulations therein; and

WHEREAS, such exemptions have the potential of negatively impacting the availability of long-term residential housing.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF HOT SPRINGS, ARKANSAS, THAT:

SECTION 1: Ordinance No. 6405 is hereby amended by deleting the following provision in Section 4. D. 7 thereof:

In the event that the proposed transient use site for such a short-term residential rental business license is situated within Zoning Districts R-1, R-2, R-3, R-4, or R-L, other than a horizontal property regime, the applicant owner shall be required to obtain a valid special use permit issued by the City's Planning and Development Director pursuant to criteria to be promulgated by the City Manager. In the event that such a special use permit is granted, same shall remain valid so long as the subject short-term residential business license remains current. Should the subject short-term residential business license lapse at any point in time, said special use permit shall also lapse. A link to the application and instructions for such a special use permit will be made a part of the online portal established by the City and on the City's website.

And substituting the following:

Other than a horizontal property regime established pursuant to A.C.A. § 18-13-101 *et seq* and filed of record prior to January 18, 2022, a proposed transient use site for such a short-term residential rental business license situated within a Planned Development Zoning District established after January 18, 2022, or within Zoning Districts R-1, R-2, R-3, R-4, or R-L, shall require a valid special use permit issued by the City's Planning and Development Director pursuant to criteria promulgated by the City Manager. In the event that such a special use permit is granted, same shall remain valid so long as the subject short-term residential business license remains current. Should the subject short-term residential business license lapse at any point in time, said special use permit shall also lapse. A link to the application and instructions for such a special use permit will be made a part of the online portal established by the City and on the City's website.

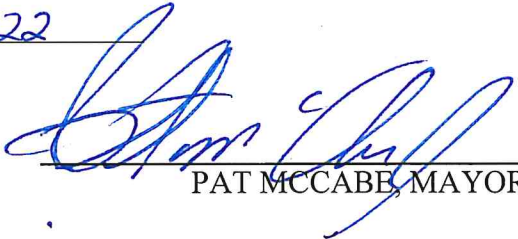
SECTION 2: Ordinance No. 6405 is hereby amended by deleting the following provision in Section 4. E. thereof:

The aggregate maximum allowable number of short-term residential rental business licenses for transient use sites located within Zoning Districts R-1, R-2, R-3, R-4, and R-L, other than a horizontal property regime, shall not exceed 500 per calendar year.

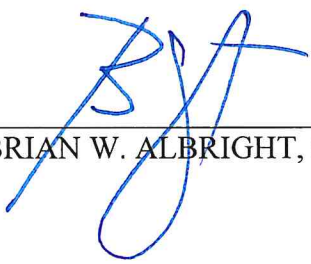
And substituting the following:

Other than a horizontal property regime established pursuant to A.C.A. § 18-13-101 *et seq* and filed of record prior to January 18, 2022, the aggregate maximum allowable number of short-term residential rental business licenses for transient use sites located within a Planned Development Zoning District established after January 18, 2022, or within Zoning Districts R-1, R-2, R-3, R-4, and R- L, shall not exceed 500 per calendar year.

SECTION 3: Emergency Clause. The adoption of this Ordinance is essential to the public health, safety, and welfare of the inhabitants and visitors of the City of Hot Springs. An emergency is therefore declared to exist, and this Ordinance shall be in full force and effect from and after the time of its passage.

PASSED: January 18, 2022

PAT MCCABE, MAYOR

ATTEST: Harmony Hurst Morrissey
HARMONY HURST MORRISSEY, CITY CLERK

APPROVED AS TO FORM: 
BRIAN W. ALBRIGHT, CITY ATTORNEY