

AN ORDINANCE TO AMEND CITY CODE ARTICLE 30-4.A USES, 30-9 DEFINITIONS AND RELATED SECTIONS TO DEFINE, CLASSIFY AND OTHERWISE PROVIDE STANDARDS FOR LONGER TERM STAYS IN HOTELS OR MOTELS

WHEREAS, the City of Fayetteville has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, a comprehensive amendment to the City's zoning regulations was adopted on December 13, 2010, and is codified in Chapter 30 of the Fayetteville City Code (herein "Unified Development Ordinance"), and maps dividing and classifying the property within the City's zoning jurisdiction were adopted on July 25, 2011, and are on file and maintained in the offices of the Fayetteville Development Services Department (herein "Official Zoning Maps"); and

WHEREAS, the Fayetteville City Council held a public hearing on June 27, 2016, to consider amending certain provisions of the Unified Development Ordinance in Chapter 30-4 regarding definition and use classification and related sections as needed for extended stay hotel or motel; and

WHEREAS, following the public hearing, the Fayetteville City Council determined that the proposed amendment is in the interest of the public health, safety and welfare; it is supported by adopted plans; and it is consistent with state law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE THAT:

Section 1. Modify Article 30-9 to define a new use, Hotels or Motels, Extended Stay, as follows:

Hotel or Motel, extended stay

A quasi-residential use not subject to residential density requirements and treated as a hotel or motel for zoning district use assignment, but having a full-size refrigerator (5 cubic feet or larger) and at least a two-burner built-in stove supporting extended stays of more than thirty days.

Section 2. Modify Section 30-4.A Uses to add "Hotel or motel, extended stay" as a permitted use ("P") in the OI, LC, CC, MU, DT and BP zoning districts.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not

affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. The City Clerk and/or City Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish and/or accomplish the provisions of this ordinance or future amendments as long as doing so does not alter the material terms of this Development Ordinance.

Section 6. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and become effectively immediately.

Adopted this the 27th day of June, 2016.

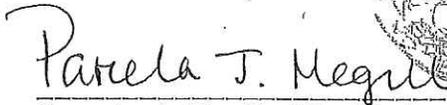
City of Fayetteville, NC



Neil Robertson, Mayor

ATTEST:




Pamela J. Megill, City Clerk