

City of Fayetteville Staff Review Form

**City Council Agenda Items
 and
 Contracts, Leases or Agreements**

8/21/2012

City Council Meeting Date
 Agenda Items Only

Quin Thompson
 Submitted By

Planning

Development Services
 Department

Action Required:

ADM 12-4171: Administrative Item (AMEND UDC CH.166; DEVELOPMENT, 523): Submitted by THE CITY OF FAYETTEVILLE PLANNING STAFF to amend the Unified Development Code (UDC) Chapter 166: Development to apply Non-Residential Design Standards to all form-based zoning districts outside of the Downtown Master Plan boundary.

Cost of this request	\$ -	Category / Project Budget	Program Category / Project Name
Account Number	\$ -	Funds Used to Date	Program / Project Category Name
Project Number	\$ -	Remaining Balance	Fund Name

Budgeted Item

Budget Adjustment Attached

William C. Pate
 Department Director 08-03-2012
 Date
King
 City Attorney 8-3-12
 Date
Paul a. Behm
 Finance and Internal Services Director 8-3-2012
 Date
Angie Mann
 Chief of Staff 8-3-12
 Date
Donald Jordan
 Mayor 8/5/12
 Date

Previous Ordinance or Resolution # _____
 Original Contract Date: _____
 Original Contract Number: _____

08-03-12 P01:30 RCVD
 Received in City Clerk's Office
King

Received in Mayor's Office
 ENTERED
 8/3/12
PH

Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor Jordan, City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director *JP*

From: Quin Thompson, Current Planner

Date: July 27, 2012

Subject: ADM 12-4171, UDC chap. 166 Non-Residential Design Standards

RECOMMENDATION

Staff and the Planning Commission recommend approval of an ordinance applying Non-Residential Design Standards to all form-based zoning districts outside of the Downtown Master Plan boundary.

BACKGROUND

Non-Residential Design Standards are currently applied to urban zoning districts that allow administrative approval. These include Community Services and Urban Thoroughfare only.

City Ordinances currently do not apply non-residential design standards to properties with urban zoning districts if they are located outside the Downtown Master Plan boundary, including properties zoned NC (Neighborhood Conservation), DC (Downtown Core), MSC (Main Street Center), & DG (Downtown General).

Development in the remaining form-based districts (NC, DG, MSC, DC) must comply with the DDOD, but only when the property is within the Downtown Master Plan boundary. In those instances when property outside the Downtown Master Plan boundary is zoned NC, DG, MSC, or DC, only the commercial design standards may be applied.

DISCUSSION

On July 23, 2012 the Planning Commission voted 9-0-0 in favor of a recommendation of approval for ADM 12-4171, UDC Chap. 166 Non-Residential Design Standards amendment.

BUDGET IMPACT

None.

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE XV: UNIFIED DEVELOPMENT CODE OF THE CITY OF FAYETTEVILLE §166.24 TO AMEND THE APPLICABILITY OF NON-RESIDENTIAL DESIGN STANDARDS

WHEREAS, the downtown zoning districts created as part of the Downtown Master Plan have expanded outside the original Downtown Master Plan boundary; and

WHEREAS, the downtown zoning districts currently have no design standards [when located outside the Downtown Master Plan boundary],

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby repeals the Unified Development Code §164.24(B) and replaces it with the following language:

“(B)Applicability. These design standards shall apply to all non-residential development located in urban or form-based zoning districts that require a build-to zone, with the exception of those districts located within the Downtown Master Plan boundary. In addition to the City’s Commercial Design and Development Standards, the standards apply when either new development occurs or expansion of 25% or more of the existing nonresidential building square footage occurs. All sides of a building that are visible from the public right-of-way shall be subject to design review.”

PASSED and **APPROVED** this day of , 2012.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk

166.24 Nonresidential Design Standards

- (A) *Purpose.* It is the intent of these standards to provide the methods and means by which designers and developers may achieve the City's adopted goals to produce quality development and to manage growth within the City of Fayetteville. These regulations complement the City's urban zoning districts with site and architectural design regulations to produce a visually interesting and high quality development that responds to the needs of pedestrians, cyclists and vehicular traffic.
- (B) *Applicability.* These design standards shall ~~be required to be met for properties that lie~~

~~within urban zoning districts offering administrative approval~~ apply to all non-residential development located in urban or form-based zoning districts that require a build-to zone, with the exception of those districts located within the Downtown Master Plan boundary. In addition to the City's Commercial Design and Development Standards, the standards apply when either new development occurs or expansion of 25% or more of the existing nonresidential building square footage occurs. All sides of a building that are visible from the public right-of-way shall be subject to design review.



PC Meeting of July 23, 2012

THE CITY OF FAYETTEVILLE, ARKANSAS
PLANNING DIVISION CORRESPONDENCE

125 W. Mountain St.
Fayetteville, AR 72701
Telephone: (479) 575-8267

TO: Fayetteville Planning Commission
FROM: Quin Thompson, Current Planner
THRU: Jeremy Pate, Development Services Director
DATE: July 17, 2012 *Updated July 25, 2012*

ADM 12-4171: Administrative Item (AMEND UDC SECTION 166.24/NON-RESIDENTIAL DESIGN STANDARDS): Submitted by CITY PLANNING STAFF. The request is to amend UDC Section 166.24 to apply Non-Residential Design Standards to non-residential developments in all form-based zoning districts located outside of the Downtown Master Plan boundary.

BACKGROUND

Non-Residential Design Standards are currently applied to form-based zoning districts that allow administrative approval. These include CS and UT only.

City Ordinance currently does not apply non-residential design standards to properties with urban district zoning if they are located outside the Downtown Master Plan boundary, including properties zoned NC (neighborhood conservation), DC (downtown conservation), MSC (main street center), & DG (downtown general).

Development in the remaining form-based districts (NC, DG, MSC, DC) must comply with the DDOD, but only when the property is within the Downtown Master Plan boundary. In those instances when property outside the Downtown Master Plan boundary is zoned NC, DG, MSC, or DC, only the commercial design standards may be applied.

PROPOSAL

The change would apply Non-Residential Design Standards to development in all form-based zoning districts outside of the Downtown Master Plan boundary. The proposed code changes are shown in ~~strikeout~~ and highlight/underline in the attached document.

RECOMMENDATION

Staff recommends that the Planning Commission forward **ADM 12-4171** to the City Council with a recommendation for approval.

Planning Commission Action: **Forwarded** **Denied** **Tabled**
Motion: Chesser
Second: Noble
Vote: 9-0-0
Meeting Date: July 23, 2012