



Legislation Text

File #: 2015-0330, Version: 1

ADM 15-5093 (UDC CHAPTERS 161, 164 AND 172 - SINGLE FAMILY AND TWO FAMILY INFILL)

AN ORDINANCE AMENDING TITLE XV UNIFIED DEVELOPMENT CODE OF THE CITY OF FAYETTEVILLE TO AMEND CHAPTERS 161, 164 AND 172 TO MODIFY THE BULK AND AREA REGULATIONS TO ENCOURAGE SMALL LOT SINGLE FAMILY AND TWO FAMILY INFILL IN MULTI-FAMILY ZONING DISTRICTS AND TO INCLUDE MINIMUM DESIGN STANDARDS FOR THIS TYPE OF DEVELOPMENT

WHEREAS, the City of Fayetteville recognizes that the opportunity to provide appropriate neighborhood density through small lot development supports City Plan 2030 goals of prioritizing infill development and discouraging suburban sprawl; and

WHEREAS, small lot development with reduced lot sizes and building setbacks may encourage the creation of housing that may be financially attainable to a large segment of the Fayetteville community; and

WHEREAS, the City of Fayetteville recognizes that small lot developments are appropriate in many areas of the city zoned for high-density, multi-family housing; and

WHEREAS, the overall residential density of single-family and two-family developments in multi-family zoning districts will better match the underlying permitted density by reducing the lot size requirements for residential development; and

WHEREAS, design standards for narrow lot development shall be utilized to maximize visual transparency between homes and the street to increase “eyes on the street” and promote safe urban environments.

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

Section 1. That the City Council of Fayetteville, Arkansas repeals and replaces Chapter 161: Zoning Regulations with Exhibit “A” attached hereto and made a part hereof.

Section 2. That the City Council of Fayetteville, Arkansas hereby amends Chapter 164: Supplementary Zoning Regulations by inserting Section 164.23 Single-Family Infill Standards as shown on Exhibit “B” attached hereto and made a part hereof.

Section 3. That the City Council of Fayetteville, Arkansas hereby amends Chapter 172: Parking and Loading by repealing 172.11(G)(2) *Driveways Beyond the Property Line* and replacing it with the following language:

§172.11(G)(2). *Driveways Beyond the Property Line.* Driveways shall be paved from the property line and/or

master street plan right-of-way with asphalt, concrete, brick or stone pavers, or other solid surface and shall extend 18 feet (length) into the property. To prevent vehicles from parking over the public sidewalk, garages and carports shall be positioned to provide at least 18 feet between the sidewalk or Master Street Plan right-of-way line and the garage or carport.

City of Fayetteville Staff Review Form

2015-0330

Legistar File ID

8/4/2015

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jeremy Pate

7/17/2015

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ADM 15-5093: Administrative Item (UDC Chapters 161, 164 and 172 – SINGLE FAMILY AND TWO FAMILY INFILL): Submitted by CITY PLANNING STAFF for revisions to Chapters 161, 164 and 172 to modify the bulk and area regulations to encourage small-lot, single family and two family infill in multi-family zoning districts, and to include minimum design standards for this type of development.

Budget Impact:

Account Number	Fund
Project Number	Project Title
Budgeted Item? <u>NA</u>	Current Budget \$ -
	Funds Obligated \$ -
	Current Balance \$ -
Does item have a cost? <u>No</u>	Item Cost
Budget Adjustment Attached? <u>NA</u>	Budget Adjustment
	Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:

MEETING OF AUGUST 4, 2015

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director

FROM: Jesse Fulcher, Senior Planner

DATE: July 15, 2015

SUBJECT: ADM 15-5093: Administrative Item (UDC Chapters 161, 164 and 172 – SINGLE FAMILY AND TWO FAMILY INFILL): Submitted by CITY PLANNING STAFF for revisions to Chapters 161, 164 and 172 to modify the bulk and area regulations to encourage small-lot, single family and two family infill in multi-family zoning districts, and to include minimum design standards for this type of development.

RECOMMENDATION:

Staff and the Planning Commission recommend approval of an ordinance to amend Chapters 161, 164 and 172.

BACKGROUND:

The Unified Development Code provides several single-family zoning districts with varying lot size requirements. In particular, new zoning districts such as Neighborhood Conservation, Neighborhood Services and RSF-8 have increased options for developing smaller homes and smaller lots in appropriate locations. Flexibility in mixed-use and commercial development has also been provided with the adoption of form-based districts such as Community Services and Urban Thoroughfare.

However, the bulk and area standards for multi-family zoning districts have remained unchanged for several decades. In staff's opinion, some of the zoning standards for multi-family zoning are outdated and are a barrier to the development of smaller, higher density single-family and two-family homes, in particular. As an example, the RMF-40 zoning district allows apartments at a density of 40 units per acre. Single-family homes, however, are limited to only 7 units per acre due to the lot size and frontage (bulk and area) requirements, which is less dense than the RSF-8 and Neighborhood Conservation zoning districts, which only allow single-family development.

Over the last several years staff has seen a desire in the marketplace to build new, smaller single-family and two-family dwellings within multi-family zoning districts rather than a larger multi-family building with associated parking lot. Unfortunately, this rarely occurs without additional action by a City board or the City Council. In most cases the applicants have to rezone the property, or request zoning variances. These processes can take several months to complete, if they are successful. Needless to say, the current zoning requirements don't support the development of single-family or two-family homes on small, infill lots.

In addition to perceived market demands, staff believes that the development of smaller single-family and two-family homes in a denser format is an appropriate land use that provides a piece of the “missing middle” housing type and supports many City Plan 2030 goals, as follows:

Goal 1. We will make appropriate infill and revitalization our highest priorities.

Goal 2. We will discourage suburban sprawl.

- Reducing the lot size requirements for single-family and two-family homes, as well as other residential land uses, provides an opportunity to support infill development in areas that are already zoned for dense development.
- Infill development can reduce the pressures to extend new public infrastructure to support new housing at the edge of the City.
- Infill development allows existing public infrastructure to be utilized more efficiently.
- Fees from infill development can be directed back towards existing infrastructure versus future costs for new infrastructure.

Goal 3. We will make traditional town form the standard.

- Denser housing and infill lead to complete, compact and connected neighborhoods, a trademark of traditional neighborhood development.

Goal 4. We will grow a livable transportation network.

- A greater variety of housing types and smaller lot sizes with buildings fronting the street can contribute to a better pedestrian experience and make neighborhoods more walkable, cyclist-friendly and reduce vehicle speeds.

Goal 6. We will create opportunities for attainable housing.

- A variety of housing types promotes mixed-income neighborhoods where residents can age in place.
- Allowing more housing within the core of the City provides opportunities for residents to live within short distances of schools and services, thereby reducing transportation costs.
- Denser housing can also lead to lower price points for buyers and renters.

DISCUSSION:

This item was discussed and tabled at the June 22, 2015 Planning Commission meeting. After that meeting staff and the Planning Commission continued to evaluate infill development patterns and made additional changes to the bulk and area regulations to ensure more flexibility for development of two-family dwellings in appropriate infill locations. On July 13, 2015 the Planning Commission forwarded this item to the City Council with a recommendation of approval with a vote of 7-0-0.

BUDGET/STAFF IMPACT:

None

Attachments:

- Draft Ordinance
- Exhibit A: Chapter 161 (Zoning)
- Exhibit B: Chapter 164 (Supplementary Zoning Regulations)
- July 13, 2015 Planning Commission staff report



PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Jesse Fulcher, Senior Planner

MEETING DATE: ~~June 22, 2015~~ ~~July 13, 2015~~ Updated July 15, 2015

SUBJECT: **ADM 15-5093: Administrative Item (UDC Chapters 161, 164 and 172 – SINGLE-FAMILY INFILL):** Submitted by CITY PLANNING STAFF for revisions to Chapters 161, 164 and 172 to modify the bulk and area regulations to encourage small-lot, single family infill in multi-family zoning districts, and to include minimum design standards for this type of development.

RECOMMENDATION:

Staff recommends that the Planning Commission forward **ADM 15-5093** to the City Council with a recommendation for approval.

PROJECT SYNOPSIS:

DISCUSSION:

The Planning Commissioner reviewed the project on June 22, 2015 and tabled the proposal until the July 13, 2015 meeting. Commissioner Hoskins provided feedback about the lot requirements for two-family and three-family units; specifically requesting staff to evaluate reducing the lot size requirements to allow two and three-family units to be stacked either horizontally or vertically. Staff has updated several of the multi-family districts to allow a smaller lot width and side setback requirement for two-family units to allow increased variety and flexibility for this development pattern. This would permit a two-family dwelling on a lot that is as narrow as a single-family lot. The intent under this scenario is for the front of the two-family dwelling to appear as a single-family home from the street, with the second unit along the side, rear or second story.

The Unified Development Code provides several single-family zoning districts with varying lot size requirements. In particular, new zoning districts such as Neighborhood Conservation, Neighborhood Services and RSF-8 have increased options for developing smaller homes and smaller lots in appropriate locations. Flexibility in commercial development has also been provided with the adoption of form-based districts such as Community Services and Urban Thoroughfare.

However, multi-family zoning districts have remained unchanged for several decades. In staff's opinion, the zoning standards for multi-family zoning are outdated and are a barrier to the development of single-family homes, in particular. As an example, the RMF-40 zoning district allows apartments at a density of 40 units per acre. Single-family homes, however, are limited to

only 7 units per acre, which is less dense than the RSF-8 and Neighborhood Conservation zoning districts, which only allow single-family development.

Over the last several years staff has seen a desire in the marketplace to build new single-family dwellings within multi-family zoning districts. Unfortunately, this rarely occurs without additional action by a City board or the City Council. In most cases the applicants have to rezone the property, or request zoning variances. These processes can take several months to complete, if they are successful. Needless to say, the current zoning requirements don't support the development of single-family homes on small, infill lots.

In addition to perceived market demands, staff believes that the development of single-family homes in a denser format is an appropriate land use and supports many City Plan 2030 goals, as follows:

Goal 1. We will make appropriate infill and revitalization our highest priorities.

Goal 2. We will discourage suburban sprawl.

- Reducing the lot size requirements for single-family homes, as well as other residential land uses, provides an opportunity to support infill development in areas that are already zoned for dense development.
- Infill development can reduce the pressures to extend new public infrastructure to support new housing at the edge of the City.
- Infill development allows existing public infrastructure to be utilized more efficiently.
- Fees from infill development can be directed back towards existing infrastructure versus future costs for new infrastructure.

Goal 3. We will make traditional town form the standard.

- Denser housing and infill lead to complete, compact and connected neighborhoods, a trademark of traditional neighborhood development.

Goal 4. We will grow a livable transportation network.

- A greater variety of housing types and smaller lot sizes with buildings fronting the street can contribute to a better pedestrian experience and make neighborhoods more walkable, cyclist-friendly and reduce vehicle speeds.

Goal 6. We will create opportunities for attainable housing.

- A variety of housing types promotes mixed-income neighborhoods where residents can age in place.
- Allowing more housing within the core of the City provides opportunities for residents to live within short distances of schools and services, thereby reducing transportation costs.
- Denser housing can also lead to lower price points for buyers and renters.

In order to promote the goals and policies adopted by the City Council, staff recommends the following changes:

1. Chapter 161.10-161.15 Zoning Regulations. Reduce the lot width and lot area requirements for all residential land uses and reduce the side setbacks for single-family homes.

2. Chapter 164.23 Small Lot Design Standards. Introduce a set of design standards for single-family homes on small lots. For the purposes of this section, small lots are defined as having less than 70 feet of street frontage. This is intended to address unique issues that arise thwn developing homes on small lots.
3. Chapter 172.11 Driveway and Parking Standards for Four (4) or Less Parking Spaces. Amended to require an 18 foot long driveway for single-family homes as measured from the garage/carport to the sidewalk. This ensures that driveways are long enough to allow parking without vehicles encroaching over the sidewalk.

As noted above, Chapter 161 is being updated to allow greater variability in the types of residential units constructed in multi-family zoning districts, principally by reducing the barriers to construct single-family homes. However, as lot width and building footprints are reduced it becomes more difficult to design a home and maintain visibility between the street and building. A primary goal of Crime Prevention Through Environment Design (CPTED) is to maintain natural surveillance, or “see and be seen.” Unfortunately, poor design choices when building smaller homes can greatly reduce and sometimes even eliminate natural surveillance. As a result, staff is proposing a relatively brief set of design standards for single-family homes on small lots (see exhibit “B” attached). The code specifies the standards only apply to lots with less than 70 feet of street frontage. This exempts a majority of all single-family lots in the City which are typically located in the RSF-4 zoning district, with a minimum lot width of 70 feet and maximum density of 4 units per acre.

The change to Chapter 172.11 is intended to clarify an existing standard for driveway construction for single-family homes. Section (G)(2) requires driveways to be constructed at least 18 feet beyond the right-of-way line unless no parking is provided between the right-of-way line and structure. The minimum parking requirement for a single-family home is two parking spaces, so a two-car garage provides all of the required parking. In zoning districts with minimal front building setbacks the driveway is sometimes only 5-10 feet long between the sidewalk and garage doors. This leads to residents and guests parking in the driveway and over the sidewalk. Staff has amended this code section to specifically require at least an 18-foot driveway between the sidewalk and garage, so vehicles don’t park over the sidewalk.

RECOMMENDATION:

Staff recommends that the proposed code changes be discussed and forwarded to the City Council with recommendations by the Planning Commission to be included the proposal to the City Council.

Planning Commission Action: Tabled Forwarded Denied

Meeting Date: July 13, 2015

Motion: Cook

Second: Brown

Vote: 7-0-0 (Bunch and Sleby Absent)

BUDGET/STAFF IMPACT:

None

Attachments:

- The proposed code changes to UDC Chapters 161, 164, and 172.
- Example photos

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161.10 District RT-12, Residential Two And Three Family

(A) *Purpose.* The RT-12 Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a development potential between low density and medium density with less impact than medium density development, to encourage the development of areas with existing public facilities and to encourage the development of a greater variety of housing values.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 44	Cottage Housing Development

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	12
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(D) *Bulk and area regulations.*

	Single-family	Two-family	Three-family
Lot width minimum	50 60 ft.	50 70 ft.	90 ft.
Lot area minimum	5,000 6,000 sq. ft.	7,260 sq. ft.	10,890 sq. ft.
Land area per dwelling unit	6,000 sq. ft.	3,630 sq. ft.	3,630 sq. ft.

(E) *Setback requirements.*

Front	Side Other Uses	Side Single & Two Family	Rear
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A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 ft.	5 ft.	20 ft.
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(F) *Building height regulations.*

Building height maximum	30/45 ft.*
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*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

(G) *Building area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(H) *Minimum buildable street frontage.* 50% of the lot width.

(Code 1965, App. A., Art. 5(IIA); Ord. No. 3128, 10-1-85; Code 1991, §160.032; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 06-18-13; Ord. 5664, 2-18-14)

Cross reference(s)--Variance, Ch. 156.

161.11 District RMF-6, Residential Multi-Family – Six Units Per Acre

(A) *Purpose.* The RMF-6 Multi-family Residential District is designed to permit and encourage the development of multi-family residences at a low density that is appropriate to the area and can serve as a transition between higher densities and single-family residential areas.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) Density.

Units per acre	6 or less
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(D) Bulk and area regulations.

(1) Lot width minimum.

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single-family	60 ft. 50 ft.
Two-family	60 ft. 50 ft.
Three and more	90 ft.
Professional offices	100 ft.

(2) Lot area minimum.

Manufactured home park	3 acres
Lot within a Manufactured home park	4,200 sq. ft.
Townhouse:	
•Development	10,000 sq. ft.
•Individual lot	2,500 sq. ft.
Single-family	6,000 sq. ft.
Two-family	7,000 sq. ft.
Three or more	9,000 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

(3) Land area per dwelling unit.

Manufactured home	3,000 sq. ft.
Apartments:	
No bedrooms	1,700 sq. ft.
One bedroom	1,700 sq. ft.
Two or more bedrooms	2,000 sq. ft.
Fraternity or Sorority	1,000 sq. ft. per resident

(E) Setback requirements.

Front	Side Other Uses	Side Single & Two Family	Rear
A build-to-zone that is located between the	8 ft.	5 ft.	25-ft. 20 ft.

front property line and a line 25 feet from the front property line.			
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Cross reference(s)--Variances, Ch. 156.

(F) Building height regulations.

Building Height Maximum	30/45 ft.*
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*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) Building area. The area occupied by all buildings shall not exceed 50% of the total lot area. ~~None.~~

(H) Minimum buildable street frontage. 50% of the lot width.

(Ord. No. 4325, 7-3-01; Ord. 5028, 6-19-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 06-18-13; Ord. 5664, 2-18-14)

161.12 District RMF-12, Residential Multi-Family – Twelve Units Per Acre

(A) Purpose. The RMF-12 Multi-family Residential District is designed to permit and encourage the development of multi-family residences at a moderate density that is appropriate to the area.

(B) Uses.

(1) Permitted uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

(2) Conditional uses.

Unit 2	City-wide uses by conditional use
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TITLE XV UNIFIED DEVELOPMENT CODE

	permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) Density.

Units per acre	12 or less
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(D) Bulk and area regulations.

(1) Lot width minimum.

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single family	60 ft. 45 ft.
Two-family	60 ft. 45 ft.
Three and more	90 ft. 80 ft.
Professional offices	100 ft.

(2) Lot area minimum.

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 sq. ft.
Townhouse: Development	10,000 sq. ft.
Individual lot	2,500 sq. ft.
Single-family	6,000 sq. ft. 4,500 sq. ft.
Two-family	7,000 sq. ft. 6,000 sq. ft.
Three or more	9,000 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

(3) Land area per dwelling unit.

Manufactured home	3,000 sq. ft.
Apartments: No bedrooms	1,700 sq. ft.
One bedroom	1,700 sq. ft.
Two or more bedrooms	2,000 sq. ft.
Fraternity or Sorority	1,000 sq. ft. per resident

(E) Setback requirements.

Front	Side Other Uses	Side Single & Two Family	Rear
A build-to zone that is located	8 ft.	5 ft.	25 ft. 20 ft.

between the front property line and a line 25 feet from the front property line.			
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Cross reference(s)--Variances, Ch. 156

(F) Building height regulations.

Building Height Maximum	30/45 ft.*
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*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) Building area. The area occupied by all buildings shall not exceed 50% of the total lot area. None.

(H) Minimum buildable street frontage. 50% of the lot width.

(Ord. No. 4325, 7-3-01; Ord. 5028, 6-19-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

161.13 District RMF-18, Residential Multi-Family – Eighteen Units Per Acre

(A) Purpose. The RMF-18 Multi-family Residential District is designed to permit and encourage the development of multi-family residences at a medium density that is appropriate to the area.

(B) Uses.

(1) Permitted uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

(2) Conditional uses.

Unit 2	City-wide uses by conditional use
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	permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) Density.

Units per acre	18 or less
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(D) Bulk and area regulations.

(1) Lot width minimum.

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single-family	60 ft. 40 ft.
Two-family	60 ft. 40 ft.
Three and more	90 ft. 75 ft.
Professional offices	100 ft.

(2) Lot area minimum.

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 sq. ft.
Townhouse:	
Development	10,000 sq. ft.
Individual lot	2,500 sq. ft.
Single-family	6,000 sq. ft. 4,000 sq. ft.
Two-family	7,000 sq. ft. 5,000 sq. ft.
Three or more	9,000 sq. ft. 7,500 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

(3) Land area per dwelling unit.

Manufactured Home	3,000 sq. ft.
Apartments:	
No bedrooms	1,700 sq. ft.
One bedroom	1,700 sq. ft.
Two or more bedrooms	2,000 sq. ft.
Fraternity or Sorority	1,000 sq. ft. per resident

(E) Setback requirements.

Front	Side Other Uses	Side Single & Two Family	Rear
A build-to	8 ft.	8 ft.	25 ft.

zone that is located between the front property line and a line 25 feet from the front property line.		5 ft.	
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Cross reference(s) --Variances, Ch. 156.

(F) Building height regulations.

Building Height Maximum	30/45 ft.*
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*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) Building area. The area occupied by all buildings shall not exceed 50% of the total lot area. None.

(H) Minimum buildable street frontage. 50% of the lot width.

(Ord. No. 4325, 7-3-01; Ord. 5028, 6-19-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

161.14 District RMF-24, Residential Multi-Family – Twenty-Four Units Per Acre

(A) Purpose. The RMF-24 Multi-family Residential District is designed to permit and encourage the developing of a variety of dwelling types in suitable environments in a variety of densities.

(B) Uses.

(1) Permitted uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

(2) Conditional uses.

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Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 25	Professional offices
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) Density.

Units per acre	24 or less
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(D) Bulk and area regulations.

(1) Lot width minimum.

Manufactured home park	100 ft.
Lot within a Manufactured home park	50 ft.
Single-family	60 ft. 35 ft.
Two-family	60 ft. 40 ft.
Three or more	90 ft. 70 ft.
Professional offices	100 ft.

(2) Lot area minimum.

Manufactured home park	3 acres
Lot within a mobile home park	4,200 sq. ft.
Townhouses: Development	40,000 sq. ft.
Individual lot	2,500 sq. ft. 2,000 sq. ft.
Single-family	6,000 sq. ft. 3,000 sq. ft.
Two-family	7,000 sq. ft. 4,000 sq. ft.
Three or more	9,000 sq. ft. 7,000 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

(3) Land area per dwelling unit.

Manufactured home	3,000 sq. ft.
Apartments:	
No bedroom	1,700 sq. ft.
One bedroom	1,700 sq. ft.
Two bedroom	2,000 sq. ft.
Fraternity or Sorority	1,000 sq. ft. per resident

(E) Setback requirements.

Front	Side Other Uses	Side Single & Two Family	Rear
A build-to zone that is	8 ft.	5 ft.	20 25 ft.

located between the front property line and a line 25 feet from the front property line.			
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Cross reference(s)--Variance, Ch. 156.

(F) Building height regulations.

Building Height Maximum	30/45/60ft.*
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*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet, between 10-20 feet from the master street plan right-of-way a maximum height of 45 feet and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 60 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) Building area. The area occupied by all buildings shall not exceed 50% of the total lot area. None.

(H) Minimum buildable street frontage. 50% of the lot width.

(Code 1965, App. A., Art. 5(III); Ord. No. 2320, 4-6-77; Ord. No. 2700, 2-2-81; Code 1991, §160.033; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5079, 11-20-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5495, 4-17-12; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

161.15 District RMF-40, Residential Multi-Family – Forty Units Per Acre

(A) Purpose. The RMF-40 Multi-family Residential District is designated to protect existing high density multi-family development and to encourage additional development of this type where it is desirable.

(B) Uses.

(1) Permitted uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings

Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

(2) *Conditional uses.*

Unit 2	City-wide uses by CUP
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 24	Home occupation
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	40 or less
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(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single-family	60 ft. 30 ft.
Two-family	60 ft. 30 ft.
Three or more	90 ft. 70 ft.
Professional offices	100 ft.

(2) *Lot area minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 sq. ft.
Townhouses:	
Development	10,000 sq. ft.
Individual lot	2,500 sq. ft. 2,000 sq. ft.
Single-family	6,000 sq. ft. 2,500 sq. ft.
Two-family	6,500 sq. ft. 3,000 sq. ft.
Three or more	8,000 sq. ft. 7,000 sq. ft.
Fraternity or Sorority	1 acre

(3) *Land area per dwelling unit.*

Manufactured home park	3,000 sq. ft.
Townhouses & Apartments	
No bedroom	1,000 sq. ft.
One bedroom	1,000 sq. ft.
Two or more bedrooms	1,200 sq. ft.
Fraternity or Sorority	500 sq. ft. per resident

(E) *Setback requirements.*

Front	Side Other Uses	Side Single &	Rear
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		Two family	
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 ft.	5 ft.	20 ft.

Cross reference(s)--Variance, Ch. 156.

(F) *Building height regulations.*

Building Height Maximum	30/45/60 ft.*
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*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet, between 10-20 feet from the master street plan right-of-way a maximum height of 45 feet and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 60 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* The area occupied by all buildings shall not exceed 50% of the total lot area. ~~None.~~

(H) *Minimum buildable street frontage.* 50% of the lot width.

(Code 1965, App. A., Art. 5(IV); Ord. No. 2320, 4-5-77; Ord. No. 2700, 2-2-81; Ord. No. 1747, 6-29-70; Code 1991, §160.034; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

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164.23 Single-family infill standards

inches beyond the garage opening. The upper floor(s) shall also have windows facing the street.

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(A) *Purpose.* The purpose of the standards is to maintain visibility and security of the primary residence to and from the streetscape, provide pedestrian safety, and reduce opportunities for criminal activities.

(B) *Applicability.* The following standards apply to new detached single-family homes on lots with less than 70 feet of street frontage.

(1) Lots with between 45 feet and 70 feet of street frontage.

(a) Each home shall have a clearly defined front door and windows on the ground floor façade facing the street. This is only required on one side of the home where there is more than one street frontage.

(b) Garage openings that are on the same side of the home as the front door shall be recessed at least 5 feet behind the principal façade.

(c) A garage does not have to be recessed behind the principal façade if the garage opening is located on a different side of the home than the front door.

(2) Lots with less than 45 feet of street frontage.

(a) Each home shall have a clearly defined front door and windows on the ground floor façade facing the street. This is only required on one side of the home where there is more than one street frontage.

(b) Garage openings that are on the same side of the home as the front door shall be recessed at least 5 feet behind the principal façade. Where a garage cannot be located at least 5 feet behind the principal façade, due to unique site characteristics, at least two of the following standards shall be implemented.

(i) The garage opening shall be less than 50 percent of the principal façade length.

(ii) The front door shall be even with or extend forward of the garage opening.

(iii) For multi-story homes, the principal façade, a balcony, deck, or similar feature shall project at least 12

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motorized recreational vehicle, boat or trailer shall be prohibited within the street right-of-way, which includes any sidewalk, greenspace or other area from the edge of the paved street through the width of the dedicated street right-of-way. On-street parking within properly designated areas of the street right-of-way may be permitted, in accordance with current traffic regulations.

and/or soil from being blown or washed away. If an unpaved driveway is not maintained and is identified as a violation of this provision, such driveway shall be immediately remedied by the property owner.

(G) *Driveway Standards.*

(1) *Driveway Approach to Property Line.* The driveway approach shall extend to the property line and/or master street plan right-of-way from the paved street and shall be designed, permitted, and paved with concrete in accordance with §171.13 *Sidewalk and Driveway Specifications.*

(I) *Driveway Grading and Drainage.* The driveway shall be graded in such a way to dispose of surface water into appropriate structures.

(J) *Maximum Driveway Width.* Driveway width shall be limited to:

Lot Width	Maximum Driveway Width
70 feet or more	24 feet
50 feet to 69 feet	20 feet
Less than 50 feet	18 feet

(2) *Driveways Beyond the Property Line.* Driveways shall be paved from the property line and/or master street plan right-of-way with asphalt, concrete, brick or stone pavers, or other solid surface and shall extend 18 feet (length) into the property ~~unless no parking is provided between the property line and structure.~~ To prevent vehicles from parking over the public sidewalk, garages and carports shall be positioned to accommodate the minimum driveway length as measured from the sidewalk or Master Street Plan right-of-way line.

(K) *Loop, Circle, and Multiple Driveways.* Loop, circle and multiple driveways on a single property shall be allowed so long as a 30 foot separation between the drives is maintained, as measured from the interior edges of the curb cuts, subject to other restrictions for driveway separations in the UDC.

(3) *Driveways Beyond 18 Feet into the Property.* Driveways beyond 18 feet into the property may be paved or unpaved and shall be clearly defined by landscaping or edging.

(L) *"Pay-to-park" operations.* Pay-to-park operations are prohibited within single family districts and properties within all zoning districts that are utilized for a single family detached home. "Pay-to-park" operations are defined as those which advertise and/or sell or lease permits to park or otherwise allow parking for free or for payment on a property on which the owner and/or operator of the vehicle does not reside.

(4) *Unpaved Streets.* These requirements are waived where the street to which the driveway connects is not paved.

(M) *Exemptions.* The following exemptions to this ordinance section shall be permitted:

(H) *Driveway and Parking Area Maintenance Requirements.*

(1) *Paved.* Driveways and parking areas that are paved shall be maintained to prevent erosion onto adjacent properties and to prevent dirt, rock and other materials from entering the street.

(1) *University of Arkansas Events.* An unlimited number of motor vehicles shall be allowed to park on private property for a period of 12 hours before and 12 hours after a University of Arkansas event for persons attending said event on days when events are occurring at Bud Walton Arena or Donald W. Reynolds Stadium on the University Arkansas Campus.

(2) *Unpaved.* Driveways and parking areas that are not paved shall be maintained to prevent erosion onto adjacent properties and to prevent dirt, rock and other materials from entering the street. Driveways and parking areas shall be constructed and maintained with adequate gravel, grasses, or other plants and/or landscaping materials to keep the area from becoming rutted, muddy

(2) *Construction Vehicles.* Parking of motor vehicles for new construction and additions shall be allowed on private properties and within the greenspace between the street and sidewalk during the duration of the project, as long as the building permit