

City of Fayetteville Staff Review Form

2018-0387

Legistar File ID

9/18/2018

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

John J. Scott

8/22/2018

PARKS & RECREATION (520)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff Recommends reinstating 177.04 D.4 and 177.04 D.5 of UDC Chapter 177 which were erroneously omitted.

Budget Impact:

Account Number

Fund

Project Number

Project Title

Budgeted Item? No

Current Budget

\$ -

Funds Obligated

\$ -

Current Balance

\$ -

Does item have a cost? No

Item Cost

Budget Adjustment Attached? NA

Budget Adjustment

Remaining Budget

\$ -

Purchase Order Number: _____

Previous Ordinance or Resolution # **5859**

Change Order Number: _____

Approval Date: **3/15/2016**

Original Contract Number: _____

Comments:

V20180321



MEETING OF SEPTEMBER 18, 2018

TO: Mayor and City Council

THRU: Connie Edmonston, Director of Parks and Recreation
Ted Jack, Parks Planning Superintendent

FROM: John Scott Urban Forester

DATE: September 18, 2018

SUBJECT: **Chapter 177.04 (D, 1-5) Site Development and Parking Lot Standards, UDC Ordinance 5859**

RECOMMENDATION:

Staff recommends reinstating 177.04 D. 4 and 177.04 D. 5 of UDC Chapter 177 which were erroneously omitted.

(4) Shrub Planting.

(a)The requirement for a continuous planting of shrubs is intended to lessen the effect of extensive paving. Parking lots that require screening shall have shrubs that are spaced so as to create a seamless row of hedging. A minimum 50% of shrubs shall be evergreen.

(b)Shrub size at the time of planting shall be a minimum of 3-gallon containers with an expected height of 3 feet or more within two (2) years of installation.

(5) Ground Cover Planting. All landscape areas shall be re-vegetated with appropriate perennial groundcover. Prior to certificate of occupancy, all bare soil shall be adequately covered in accordance with the Unified Development Code.

BACKGROUND:

Chapter 177.04 177.04 (D) (4) & (5) were unintentionally removed from code during the revisions that were submitted for Ordinance 5859.

DISCUSSION:

During a previous change to Chapter 177.04 D which addressed allowances for urban zoning district, the last two code requirements were left off when the changes were recorded in code. The code should read as follows:

"(4) Shrub Planting.

(a)The requirement for a continuous planting of shrubs is intended to lessen the effect of extensive paving. Parking lots that require

screening shall have shrubs that are spaced so as to create a seamless row of hedging. A minimum 50% of shrubs shall be evergreen.

(b) Shrub size at the time of planting shall be a minimum of 3-gallon containers with an expected height of 3 feet or more within two (2) years of installation.

(5) *Ground Cover Planting.* All landscape areas shall be re-vegetated with appropriate perennial groundcover. Prior to certificate of occupancy, all bare soil shall be adequately covered in accordance with the Unified Development Code. "

The removal of this portion of code was unintentional.

BUDGET/STAFF IMPACT:

None

Attachments:

Ordinance Change 5859.



113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Ordinance: 5859

File Number: 2016-0107

ADM 16-5319 (UDC CHAPTERS 166, 172, 177 AMENDMENTS):

AN ORDINANCE TO AMEND § 166.24 **NONRESIDENTIAL DESIGN STANDARDS**, § 172.04 **PARKING LOT DESIGN STANDARDS**, § 177.04 **SITE DEVELOPMENT AND PARKING LOT LANDSCAPE STANDARDS** AND § 177.05 **STREET TREE PLANTING STANDARDS** OF THE UNIFIED DEVELOPMENT CODE

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 amends § 166.24 **Nonresidential Design Standards** of the Unified Development Code (E) *Pedestrian oriented elements* by repealing it in its entirety and enacting a replacement (E) as shown on Exhibit A.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby amends § 172.04 **Parking Lot Design Standards** of the Unified Development Code by enacting a new (C) (4) as shown below:

“(4) In Urban Zoning Districts that specify urban form (i.e., a build-to zone) the intent is for drive-thru lanes, parking lot drive aisles, and parking spaces to be located to the side or rear of buildings. In Urban Zoning Districts, a drive-thru lane, parking lot drive aisle, or parking spaces are not permitted to be located in the front yard directly between a building and the Master Street Plan right-of-way.”

Section 3. That the City Council of the City of Fayetteville, Arkansas hereby amends § 177.04 **Site Development and Parking Lot Landscape Standards** of the Unified Development Code by repealing (D) in its entirety and enacting a replacement (D) *Perimeter landscaping requirement* as shown on Exhibit B.

Section 4. That the City Council of the City of Fayetteville, Arkansas hereby amends § 177.05

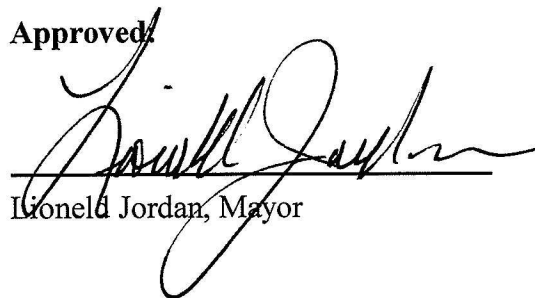
Street Tree Planting Standards of the Unified Development Code by renumbering (A) (2) (a) to (A) (2) (b), with the following subsections renumbered accordingly, and enacting a replacement (A) (2) (a) as shown below:

“(a) Street trees are intended to be planted in a greenspace strip between the curb and sidewalk or in urban tree wells in accordance with the Master Street Plan. The intent of the street tree planting location is to shade the sidewalk, provide a barrier between vehicles on the street and pedestrians, increase motorized traffic and pedestrian safety, and spatially frame the street. Existing trees within the build-to-zone shall be counted towards the required number of street trees. When there is not adequate greenspace between the curb and sidewalk and urban tree wells are not appropriate, or there are utilities or other structural conflicts in the greenspace strip between the curb and sidewalk, the Urban Forester may permit street trees in greenspace behind the sidewalk and on private property.”


Section 5. That the City Council of the City of Fayetteville, Arkansas hereby amends § 177.05 (B) (3) by repealing its first sentence and replacing it with the following: “The Street Planting Plans for development in Urban Zoning Districts may utilize an urban streetscape at least eight feet wide from curb to building” and amends § 177.05 (B) (3) (g) by repealing it in its entirety and enacting a replacement (g) with the following: “(g) Development applications approved for the use of Urban Tree Wells shall not be required to provide additional perimeter landscaped area between the Master Street Plan right-of-way and building, as described further under the Perimeter Landscaping Requirements.”

PASSED and APPROVED on 3/15/2016

Approved:


Lionel Jordan, Mayor

Attest:


Sondra E. Smith, City Clerk
Treasurer



166.24 Nonresidential Design Standards

- (E) *Pedestrian oriented elements.* Developments that are subject to these standards shall meet and should exceed the basic needs of pedestrian accessibility and contribute to a unique sense of place and community. The following requirements are intended to define and articulate space at the street level in order to encourage the use and function for active and/or passive social interaction.
- (1) Buildings exceeding 50 feet in length or width within the build-to zone shall incorporate spatially defining building elements and/or landscaping at a minimum separation of 100 feet of façade length in order to create public or semi-private space, such as a courtyard, garden, patio, etc.
 - (2) Each public space shall include seating opportunities, such as table and chairs or benches, and a combination of at least of two (2) of the following elements:
 - (a) planters;
 - (b) a planting bed;
 - (c) public art;
 - (d) a water feature;
 - (e) a shift in pavement material between the public right-of-way and the structure;
 - (f) a covering for seating, such as a canopy, awning, arcade, or portico spanning the width of the building;
or
 - (g) other elements approved by the Zoning and Development Administrator that are not included in other sections of the design standards and meet the intent of this requirement.

EXHIBIT A

177.04 Site Development And Parking Lot Landscape Standards

(D) *Perimeter landscaping requirement.* Proposed development shall be landscaped meeting the following requirements:

- (1) *Side and rear property lines.* All parking lots shall have five feet (5') of landscaped area between the property line and parking lot. The two foot (2') vehicle overhang option may be included to meet this requirement. Depending on the use and location, additional landscaped area and screening may be required along property lines. Where parking lots are located adjacent to a public alley, greenspace is not required between the parking lot and the alley. A shared driveway or parking lot drive aisle within a platted access easement may encroach fully within the required greenspace along the side or rear property lines.
- (2) *Property lines adjoining street right-of-way.*
 - (a) *Landscape area required.* A fifteen (15) foot wide landscaped area shall be provided along the front property line exclusive of and adjacent to the Master Street Plan right-of-way. Points of access (entrance drives, exit drives) and sidewalks are allowed to cross the fifteen (15) foot landscaped area provided the integrity of the landscaped area is maintained.
 - (b) *Urban Zoning Districts.* Zoning districts that prescribe urban building form (e.g., a build-to zone) permitting front setbacks of less than 15 feet may be permitted to eliminate the greenspace between the principal façade of a building and the Master Street Plan right-of-way and instead provide Pedestrian Oriented Elements as referenced in 166.24(E).
 - (c) *Residential zones.* Except for permitted entrance drives, every development shall be landscaped for an equal and uniform width of 15 feet parallel to the front property line(s) street right-of-way. Single and two-family residential uses shall be exempt from this requirement.
 - (d) *Nonresidential zones.* Except for permitted entrance drives, every development shall be landscaped for an equal and uniform width of 15 feet parallel to the front property line(s) street right-of-way.
 - (e) *Shade.* All tree planting locations shall attempt to achieve shade for parking lots, cars, benches, pedestrian walkways, etc., by utilizing aspect and locating trees along the south and west boundary of these areas.
 - (f) *Screening.* Parking lots containing five (5) or more spaces shall be screened from the public right-of-way and adjacent properties, where said parking areas are adjacent to residential zones, with shrubs and/or graded berms. If graded berms are used, shrubs are also required.
 - (g) *Perimeter planting location.* Street trees shall be installed in the location identified under the Street Tree Planting Standards described herein, all other plantings noted herein shall be installed within the required landscape area. Subject to approval by the Urban Forester, required shrubs may be planted within the right-of-way or outside the required landscape area parallel to the street right-of-way only in extenuating circumstances.
- (3) *Tree Planting.*
 - (a) Large species trees shall be planted in the location identified in the Street Tree Planting Standards containing one (1) tree per thirty (30) linear feet along the front property line. Trees along the perimeter may be grouped to allow flexibility in design. The maximum allowed grouping may be up to twenty-five (25%) percent of the required number of street trees.
 - (b) Species selection shall be chosen from the approved list of trees for landscaping found in the appendices of the City of Fayetteville Landscape Manual. Alternate tree species selections may be approved by the Urban Forester. No more than 25% of trees planted to meet perimeter landscaping requirements may be evergreen.
 - (c) Planted trees shall have a two (2) inch caliper (diameter) measured six (6) inches above ground level at the time of planting.
 - (d) At the request of the developer, the Urban Forester may exempt specific areas from required tree planting where the terrain, existing trees or other physical limitations make the planting of new trees

impracticable. In cases of existing overhead power lines, small trees shall be planted that will not interfere with the existing power lines. Species selection shall be approved by the Urban Forester.

EXHIBIT B



City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2016-0107

Agenda Date: 3/15/2016

Version: 1

Status: Passed

In Control: City Council Meeting

File Type: Ordinance

Agenda Number: D. 3

ADM 16-5319 (UDC CHAPTERS 166,172,177 AMENDMENTS):

AN ORDINANCE TO AMEND § 166.24 **NONRESIDENTIAL DESIGN STANDARDS**, § 172.04 **PARKING LOT DESIGN STANDARDS**, § 177.04 **SITE DEVELOPMENT AND PARKING LOT LANDSCAPE STANDARDS** AND § 177.05 **STREET TREE PLANTING STANDARDS** OF THE UNIFIED DEVELOPMENT CODE

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Section 2. That the City Council of the City of Fayetteville, Arkansas hereby amends § 172.04 **Parking Lot Design Standards** of the Unified Development Code by enacting a new (C) (4) as shown below:

“(4) In Urban Zoning Districts that specify urban form (i.e., a build-to zone) the intent is for drive-thru lanes, parking lot drive aisles, and parking spaces to be located to the side or rear of buildings. In Urban Zoning Districts, a drive-thru lane, parking lot drive aisle, or parking spaces are not permitted to be located in the front yard directly between a building and the Master Street Plan right-of-way.”

Section 3. That the City Council of the City of Fayetteville, Arkansas hereby amends § 177.04 **Site Development and Parking Lot Landscape Standards** of the Unified Development Code by repealing (D) in its entirety and enacting a replacement (D) *Perimeter landscaping requirement* as shown on Exhibit B.

Section 4. That the City Council of the City of Fayetteville, Arkansas hereby amends § 177.05 **Street Tree Planting Standards** of the Unified Development Code by renumbering (A) (2) (a) to (A) (2) (b), with the following subsections renumbered accordingly, and enacting a replacement (A) (2) (a) as shown below:

“(a) Street trees are intended to be planted in a greenspace strip between the curb and sidewalk or in urban tree wells in accordance with the Master Street Plan. The intent of the street tree planting location is to shade the sidewalk, provide a barrier between vehicles on the street and pedestrians, increase motorized traffic and pedestrian safety, and spatially frame the street. Existing trees within the build-to-zone shall be counted towards the required number of street trees. When there is not adequate

greenspace between the curb and sidewalk and urban tree wells are not appropriate, or there are utilities or other structural conflicts in the greenspace strip between the curb and sidewalk, the Urban Forester may permit street trees in greenspace behind the sidewalk and on private property.”

Section 5. That the City Council of the City of Fayetteville, Arkansas hereby amends § 177.05 (B) (3) by repealing its first sentence and replacing it with the following: “The Street Planting Plans for development in Urban Zoning Districts may utilize an urban streetscape at least eight feet wide from curb to building” and amends § 177.05 (B) (3) (g) by repealing it in its entirety and enacting a replacement (g) with the following: “(g) Development applications approved for the use of Urban Tree Wells shall not be required to provide additional perimeter landscaped area between the Master Street Plan right-of-way and building, as described further under the Perimeter Landscaping Requirements.”

City of Fayetteville Staff Review Form

2016-0107

Legistar File ID

3/15/2016

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Andrew Garner

2/25/2016

**City Planning /
Development Services Department**

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ADM 16-5319 Administrative Item (UDC CHAPTERS 166,172,177 AMENDMENTS): Submitted by ALDERMAN MATTHEW PETTY AND CITY STAFF for an ordinance to amend UDC Chapters 166.24, Non-residential Design Standards, 172.04, Parking Lot Design Standards, and various sections within Chapter 177, Landscape Regulations of the Fayetteville City Code to allow developments to build pedestrian-oriented frontages in certain circumstances, to clarify street tree planting requirements, and to clarify the parking lot design standards in urban zoning districts.

Budget Impact:

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

V20140710

Previous Ordinance or Resolution #

Original Contract Number:

Approval Date:

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF MARCH 15, 2016

TO: Fayetteville City Council

FROM: Andrew Garner, City Planning Director

DATE: February 24, 2016

SUBJECT: **ADM 16-5319 Administrative Item (UDC CHAPTERS 166,172,177 AMENDMENTS):** Submitted by ALDERMAN MATTHEW PETTY AND CITY STAFF for an ordinance to amend UDC Chapters 166.24, Non-residential Design Standards, 172.04, Parking Lot Design Standards, and various sections within Chapter 177, Landscape Regulations of the Fayetteville City Code to allow developments to build pedestrian-oriented frontages in certain circumstances, to clarify street tree planting requirements, and to clarify the parking lot design standards in urban zoning districts.

RECOMMENDATION:

The Planning Commission and staff recommend approval to amend UDC Sections 166.24, 172.04 and various sections within Chapter 177.

BACKGROUND:

Alderman Matthew Petty recently discussed with City staff a desire to clarify the street tree and greenspace requirement for urban projects in the Fayetteville Unified Development Code (UDC). After an internal meeting with Urban Forestry and City Planning Division staff it was determined that in addition to Alderman Petty's requested code change, there were several additional related minor code changes that would be necessary, or were simply needed for clarification. The general intent of this proposed UDC amendment is to clarify the greenspace and street tree requirements, to clarify the parking lot design standards and pedestrian oriented elements in urban zoning districts. The proposed code changes are shown in strikeout-highlight in the attached document.

DISCUSSION:

The proposed code changes provide necessary clarification to the landscape chapter and related non-residential design standards of the UDC. These changes make for a more predictable interpretation of development code consistent with the City's goals and policies for landscaping and urban design.

BUDGET/STAFF IMPACT:

N/A

Attachments:

- Proposed Code (clean copy)
- Planning Commission Staff Report

177.04 Site Development And Parking Lot Landscape Standards

(D) *Perimeter landscaping requirement.* Proposed development shall be landscaped meeting the following requirements:

- (1) *Side and rear property lines.* All parking lots shall have five feet (5') of landscaped area between the property line and parking lot. The two foot (2') vehicle overhang option may be included to meet this requirement. Depending on the use and location, additional landscaped area and screening may be required along property lines. Where parking lots are located adjacent to a public alley, greenspace is not required between the parking lot and the alley. A shared driveway or parking lot drive aisle within a platted access easement may encroach fully within the required greenspace along the side or rear property lines.
- (2) *Property lines adjoining street right-of-way.*
 - (a) *Landscape area required.* A fifteen (15) foot wide landscaped area shall be provided along the front property line exclusive of and adjacent to the Master Street Plan right-of-way. Points of access (entrance drives, exit drives) and sidewalks are allowed to cross the fifteen (15) foot landscaped area provided the integrity of the landscaped area is maintained.
 - (b) *Urban Zoning Districts.* Zoning districts that prescribe urban building form (e.g., a build-to zone) permitting front setbacks of less than 15 feet may be permitted to eliminate the greenspace between the principal façade of a building and the Master Street Plan right-of-way and instead provide Pedestrian Oriented Elements as referenced in 166.24(E).
 - (c) *Residential zones.* Except for permitted entrance drives, every development shall be landscaped for an equal and uniform width of 15 feet parallel to the front property line(s) street right-of-way. Single and two- family residential uses shall be exempt from this requirement.
 - (d) *Nonresidential zones.* Except for permitted entrance drives, every development shall be landscaped for an equal and uniform width of 15 feet parallel to the front property line(s) street right-of-way.
 - (e) *Shade.* All tree planting locations shall attempt to achieve shade for parking lots, cars, benches, pedestrian walkways, etc., by utilizing aspect and locating trees along the south and west boundary of these areas.
 - (f) *Screening.* Parking lots containing five (5) or more spaces shall be screened from the public right-of-way and adjacent properties, where said parking areas are adjacent to residential zones, with shrubs and/or graded berms. If graded berms are used, shrubs are also required.
 - (g) *Perimeter planting location.* Street trees shall be installed in the location identified under the Street Tree Planting Standards described herein, all other plantings noted herein shall be installed within the required landscape area. Subject to approval by the Urban Forester, required shrubs may be planted within the right-of-way or outside the required landscape area parallel to the street right-of-way only in extenuating circumstances.
- (3) *Tree Planting.*
 - (a) Large species trees shall be planted in the location identified in the Street Tree Planting Standards containing one (1) tree per thirty (30) linear feet along the front property line. Trees along the perimeter may be grouped to allow flexibility in design. The maximum allowed grouping may be up to twenty-five (25%) percent of the required number of street trees.
 - (b) Species selection shall be chosen from the approved list of trees for landscaping found in the appendices of the City of Fayetteville Landscape Manual. Alternate tree species selections may be approved by the Urban Forester. No more than 25% of trees planted to meet perimeter landscaping requirements may be evergreen.
 - (c) Planted trees shall have a two (2) inch caliper (diameter) measured six (6) inches above ground level at the time of planting.
 - (d) At the request of the developer, the Urban Forester may exempt specific areas from required tree planting where the terrain, existing trees or other physical limitations make the planting of new trees

impracticable. In cases of existing overhead power lines, small trees shall be planted that will not interfere with the existing power lines. Species selection shall be approved by the Urban Forester.

177.05 Street Tree Planting Standards

(A) *Applicability.* All new developments that create or develop along a public or private street shall be required to establish street trees in accordance with the standards and procedures provided for in this section and the adopted policies of the Landscape Manual and Fayetteville's Tree Ordinance.

(1) All Street Tree Planting Plans shall follow the submittal criteria set forth in Ch. 177.03 Landscape Plan Requirements.

(2) *Street Tree Planting Requirements*

(a) Street trees are intended to be planted in a greenspace strip between the curb and sidewalk or in urban tree wells in accordance with the Master Street Plan. The intent of the street tree planting location is to shade the sidewalk, provide a barrier between vehicles on the street and pedestrians, increase motorized traffic and pedestrian safety, and spatially frame the street. Existing trees within the build-to-zone shall be counted towards the required number of street trees. When there is not adequate greenspace between the curb and sidewalk and urban tree wells are not appropriate, or there are utilities or other structural conflicts in the greenspace strip between the curb and sidewalk, the Urban Forester may permit street trees in greenspace behind the sidewalk and on private property.

(b) Plans shall indicate the spacing of trees along all newly created public and private streets within the development site. At the request of the developer, the Urban Forester may exempt specific areas from required tree planting where the terrain or existing trees make the planting of new trees impracticable. Examples include, but are not limited to:

(i) Where the finish grade slope in the planting area between the top back of the street curb and the property line is in excess of thirty (30%) percent.

(ii) Where bedrock is encountered within thirty (30) inches of finish grade in the planting area between the top back of the curb and the property line.

(iii) Where existing healthy trees that are shown to be preserved within the right-of-way are in such close proximity they would prevent a new tree from establishing a full canopy when mature.

(3) *Optional Street Tree Planting Plan for Urban Streetscapes.*

The Street Tree Planting Plans for developments in Urban Zoning Districts may utilize an urban streetscape including sidewalks at least eight feet wide from curb to building. At the time of developmental submittal, the proposed urban streetscape shall include a street tree planting plan in compliance with the following requirements:

(a) A minimum of one (1) two-inch caliper, large species tree per 30 linear feet of street frontage or every 10 parking spaces, whichever provides the most trees, shall be planted with this option.

(b) Location of trees shall be approved by the Urban Forester to ensure that adequate spacing, access and visibility are maintained. The spacing of trees may be varied with approval of the Urban Forester.

(c) Trees shall be planted within urban tree wells. The minimum width of an urban tree well shall be three feet (3'); the minimum area shall be 15 square feet. This option is only permitted to allow trees planted within wide sidewalks, in a downtown/urban fashion. Size and shape of urban tree well shall be approved by the Urban Forester.

(d) Tree wells shall be covered with either a tree grate or some form of permeable pavers, (block or stone), to be approved by the Urban Forester.

(e) Structural soil or similar treatment shall be utilized with this option (see Landscape Manual for specifications)

(f) Street tree planting plans utilizing this option shall follow the construction procedures and details as outlined in the Landscape Manual.

- (g) Development applications approved for the use of Urban Tree Wells shall not be required to provide additional perimeter landscaped area between the Master Street Plan right-of-way and building, as described further under the Perimeter Landscaping Requirements.

172.04 Parking Lot Design Standards (See: Illustration: Parking Dimension Factors)

- (A) *Maneuvering.* Parking lots shall be designated, maintained, and regulated so that no parking or maneuvering incidental to parking will encroach into the areas designated for sidewalks, streets, or required landscaping. Parking lots shall be designed so that parking and un-parking can occur without moving other vehicles, unless a valet service has been approved as part of the development plans. Vehicles shall exit the parking lot in a forward motion.
- (B) *Pedestrian access.* Pedestrian access shall be provided from the street to the entrance of the structure by way of designated pathway or sidewalk.
- (C) *Build-to zone.* A portion of a required parking lot may be located within the build-to zone, subject to the following:
 - (1) A parking lot located within the build-to zone shall be screened with a masonry screen wall between 32" and 42" in height and 50% opaque minimum.
 - (2) Parking lots that are located within the build-to zone shall comply with Chapter 177: Landscape Regulations, related to landscape setbacks.
 - (3) Off-site parking lots shall be prohibited from being located within the build-to zone.
 - (4) In Urban Zoning Districts that specify urban form (i.e., a build-to zone) the intent is for drive-thru lanes, parking lot drive aisles, and parking spaces to be located to the side or rear of buildings. In Urban Zoning Districts, a drive-thru lane, parking lot drive aisle, or parking spaces are not permitted to be located in the front yard directly between a building and the Master Street Plan right-of-way.

166.24 Nonresidential Design Standards

(E) *Pedestrian oriented elements.* Developments that are subject to these standards shall meet and should exceed the basic needs of pedestrian accessibility and contribute to a unique sense of place and community. The following requirements are intended to define and articulate space at the street level in order to encourage the use and function for active and/or passive social interaction.

(1) Buildings exceeding 50 feet in length or width within the build-to zone shall incorporate spatially defining building elements and/or landscaping at a minimum separation of 100 feet of façade length in order to create public or semi-private space, such as a courtyard, garden, patio, etc.

(2) Each public space shall include seating opportunities, such as table and chairs or benches, and a combination of at least of two (2) of the following elements:

(a) planters;

(b) a planting bed;

(c) public art;

(d) a water feature;

(e) a shift in pavement material between the public right-of-way and the structure;

(f) a covering for seating, such as a canopy, awning, arcade, or portico spanning the width of the building;
or

(g) other elements approved by the Zoning and Development Administrator that are not included in other sections of the design standards and meet the intent of this requirement.



PLANNING COMMISSION MEMO

TO: Fayetteville Planning Commission

FROM: Andrew Garner, City Planning Director

MEETING DATE: February 22, 2016 *(Updated with Planning Commission results)*

SUBJECT: **ADM 16-5319 Administrative Item (UDC CHAPTERS 166,172,177 AMENDMENTS):** Submitted by ALDERMAN MATTHEW PETTY AND CITY STAFF for an ordinance to amend UDC Chapters 166.24, Non-residential Design Standards, 172.04, Parking Lot Design Standards, and various sections within Chapter 177, Landscape Regulations of the Fayetteville City Code to allow developments to build pedestrian-oriented frontages in certain circumstances, to clarify street tree planting requirements, and to clarify the parking lot design standards in urban zoning districts.

RECOMMENDATION:

Staff recommends that the Planning Commission forward **ADM 16-5319** to the City Council with a recommendation for approval.

BACKGROUND:

February 8, 2016 Planning Commission. This item was discussed and tabled at the February 8, 2016 Planning Commission meeting to allow the commission more time to understand and consider the proposal.

Alderman Matthew Petty recently discussed with City staff a desire to clarify the street tree and greenspace requirement for urban projects in the Fayetteville Unified Development Code (UDC). After an internal meeting with Urban Forestry and City Planning Division staff it was determined that in addition to Alderman Petty's requested code change, there were several additional related minor code changes that would be necessary, or were simply needed for clarification. The general intent of this proposed UDC amendment is to clarify the greenspace and street tree requirements, to clarify the parking lot design standards and pedestrian oriented elements in urban zoning districts. The proposed code changes are shown in strikeout-highlight in the attached document.

DISCUSSION:

The proposed code changes provide necessary clarification to the landscape chapter and related non-residential design standards of the UDC. These changes make for a more predictable interpretation of development code consistent with the City's goals and policies for landscaping and urban design.

Staff recommends that ADM 16-5319 be forwarded to City Council with a recommendation for approval.

PLANNING COMMISSION ACTION:☒ Forwarded☐ Denied**Date:** February 22, 2016**Motion:** Chesser**Vote:** 9-0-0**Second:** Brown**Note:** Recommend approval as proposed.**BUDGET/STAFF IMPACT:**

None

Attachments:

- The proposed code changes to UDC shown in strikeout-highlight.

177.04 Site Development And Parking Lot Landscape Standards

(D) *Perimeter landscaping requirement.* Proposed development shall be landscaped meeting the following requirements:

(1) *Side and rear property lines.* All parking lots shall have five feet (5') of landscaped area between the property line and parking lot. The two foot (2') vehicle overhang option may be included to meet this requirement. Depending on the use and location, additional landscaped area and screening may be required along property lines. Where parking lots are located adjacent to a public alley, greenspace is not required between the parking lot and the alley. A shared driveway or parking lot drive aisle within a platted access easement may encroach fully within the required greenspace along the side or rear property lines.

(2) *Property lines adjoining street right-of-way.*

(a) *Landscape area required.* A fifteen (15) foot wide landscaped area shall be provided along the front property line exclusive of and adjacent to the Master Street Plan right-of-way. Points of access (entrance drives, exit drives) and sidewalks are allowed to cross the fifteen (15) foot landscaped area provided the integrity of the landscaped area is maintained.

(b) *Urban Zoning Districts.* Zoning districts that prescribe urban building form (e.g., a build-to zone) permitting front setbacks of less than than 15 feet may be permitted to eliminate the greenspace between the principal facade of a building and the Master Street Plan right-of-way and instead provide Pedestrian Oriented Elements as referenced in 166.24(E). reduce the greenspace to 10 feet parallel to the Master Street Plan right-of-way line. Any development providing less than 10 feet of greenspace shall utilize the street tree planting plan for urban streetscapes.

(c) *Residential zones.* Except for permitted entrance drives, every development shall be landscaped for an equal and uniform width of 15 feet parallel to the front property line(s) street right-of-way. Single and two- family residential uses shall be exempt from this requirement.

(d) *Nonresidential zones.* Except for permitted entrance drives, every development shall be landscaped for an equal and uniform width of 15 feet parallel to the front property line(s) street right-of-way. Properties developed with an urban streetscape, utilizing urban tree wells as defined herein, shall be exempt from this requirement.

(e) *Shade.* All tree planting locations shall attempt to achieve shade for parking lots, cars, benches, pedestrian walkways, etc., by utilizing aspect and locating trees along the south and west boundary of these areas.

(f) *Screening.* Parking lots containing five (5) or more spaces shall be screened from the public right-of-way and adjacent properties, where said parking areas are adjacent to residential zones, with shrubs and/or graded berms. If graded berms are used, shrubs are also required.

(g) *Perimeter planting location.* Street trees shall be installed in the location identified under the Street Tree Planting Standards described herein, all other All plantings noted herein shall be installed within the required landscape area. Subject to approval by the Urban Forester, required ~~trees and shrubs~~ may be planted within the right-of-way or outside the required landscape area parallel to the street right-of-way only in extenuating circumstances.

(3) *Tree Planting.*

(a) Large species trees shall be planted in the required location identified in the Street Tree Planting Standards ~~fifteen (15) foot landscaped area~~ containing one (1) tree per thirty (30) linear feet along the front property line. Trees along the perimeter may be grouped to allow flexibility in design. The maximum allowed grouping may be up to twenty-five (25%) percent of the required number of street trees.

(b) Species selection shall be chosen from the approved list of trees for landscaping found in the appendices of the City of Fayetteville Landscape Manual. Alternate tree species selections may be approved by the Urban Forester. No more than 25% of trees planted to meet perimeter landscaping requirements may be evergreen.

- (c) Planted trees shall have a two (2) inch caliper (diameter) measured six (6) inches above ground level at the time of planting.
- (d) At the request of the developer, the Urban Forester may exempt specific areas from required tree planting where the terrain, existing trees or other physical limitations make the planting of new trees impracticable. In cases of existing overhead power lines, small trees shall be planted that will not interfere with the existing power lines. Species selection shall be approved by the Urban Forester.

177.05 Street Tree Planting Standards

(A) *Applicability.* All new developments that create or develop along a public or private street shall be required to establish street trees in accordance with the standards and procedures provided for in this section and the adopted policies of the Landscape Manual and Fayetteville's Tree Ordinance.

(1) All Street Tree Planting Plans shall follow the submittal criteria set forth in Ch. 177.03 Landscape Plan Requirements.

(2) *Street Tree Planting Requirements*

(a) Street trees are intended to be planted in a greenspace strip between the curb and sidewalk or in urban tree wells in accordance with the Master Street Plan. The intent of the street tree planting location is to shade the sidewalk, provide a barrier between vehicles on the street and pedestrians, increase motorized traffic and pedestrian safety, and spatially frame the street. Existing trees within the build-to-zone shall be counted towards the required number of street trees. When there is not adequate greenspace between the curb and sidewalk and urban tree wells are not appropriate, or there are utilities or other structural conflicts in the greenspace strip between the curb and sidewalk, the Urban Forester may permit street trees in greenspace behind the sidewalk and on private property.

~~(a)~~(b) Plans shall indicate the spacing of trees along all newly created public and private streets within the development site. At the request of the developer, the Urban Forester may exempt specific areas from required tree planting where the terrain or existing trees make the planting of new trees impracticable. Examples include, but are not limited to:

- (i) Where the finish grade slope in the planting area between the top back of the street curb and the property line is in excess of thirty (30%) percent.
- (ii) Where bedrock is encountered within thirty (30) inches of finish grade in the planting area between the top back of the curb and the property line.
- (iii) Where existing healthy trees that are shown to be preserved within the right-of-way are in such close proximity they would prevent a new tree from establishing a full canopy when mature.

(3) *Optional Street Tree Planting Plan for Urban Streetscapes.*

The Street Tree Planting Plans for developments in Urban Zoning Districts may utilize ~~of subsections (1) and (2) may be replaced by~~ an urban streetscape including sidewalks at least eight feet wide from curb to building. At the time of developmental submittal, the proposed urban streetscape shall include a street tree planting plan in compliance with the following requirements:

- (a) A minimum of one (1) two-inch caliper, large species tree per 30 linear feet of street frontage or every 10 parking spaces, whichever provides the most trees, shall be planted with this option.
- (b) Location of trees shall be approved by the Urban Forester to ensure that adequate spacing, access and visibility are maintained. The spacing of trees may be varied with approval of the Urban Forester.
- (c) Trees shall be planted within urban tree wells. The minimum width of an urban tree well shall be three feet (3'); the minimum area shall be 15 square feet. This option is only permitted to allow trees planted within wide sidewalks, in a downtown/urban fashion. Size and shape of urban tree well shall be approved by the Urban Forester.
- (d) Tree wells shall be covered with either a tree grate or some form of permeable pavers, (block or stone),

to be approved by the Urban Forester.

- (e) Structural soil or similar treatment shall be utilized with this option (see Landscape Manual for specifications)
- (f) Street tree planting plans utilizing this option shall follow the construction procedures and details as outlined in the Landscape Manual.
- (g) Development applications approved for the use of Urban Tree Wells shall not be required to provide additional perimeter landscaped area exclusive of the right-of-way between the Master Street Plan right-of-way and building, as described further under the Perimeter Landscaping Requirements.

172.04 Parking Lot Design Standards (See: Illustration: Parking Dimension Factors)

- (A) *Maneuvering.* Parking lots shall be designated, maintained, and regulated so that no parking or maneuvering incidental to parking will encroach into the areas designated for sidewalks, streets, or required landscaping. Parking lots shall be designed so that parking and un-parking can occur without moving other vehicles, unless a valet service has been approved as part of the development plans. Vehicles shall exit the parking lot in a forward motion.
- (B) *Pedestrian access.* Pedestrian access shall be provided from the street to the entrance of the structure by way of designated pathway or sidewalk.
- (C) *Build-to zone.* A portion of a required parking lot may be located within the build-to zone, subject to the following:
 - (1) A parking lot located within the build-to zone shall be screened with a masonry screen wall between 32" and 42" in height and 50% opaque minimum.
 - (2) Parking lots that are located within the build-to zone shall comply with Chapter 177: Landscape Regulations, related to landscape setbacks.
 - (3) Off-site parking lots shall be prohibited from being located within the build-to zone.
 - (4) In Urban Zoning Districts that specify urban form (i.e., a build-to zone) the intent is for drive-thru lanes, parking lot drive aisles, and parking spaces to be located to the side or rear of buildings. In Urban Zoning Districts, a drive-thru lane, parking lot drive aisle, or parking spaces are not permitted to be located in the front yard directly between a building and the Master Street Plan right-of-way.

166.24 Nonresidential Design Standards

- (E) *Pedestrian oriented elements.* Developments that are subject to these standards shall meet and should exceed the basic needs of pedestrian accessibility and contribute to a unique sense of place and community. The following requirements are intended to define and articulate space at the street level in order to encourage the use and function for active and/or passive social interaction.
 - (1) Buildings exceeding 50 feet in length or width within the build-to zone shall incorporate spatially defining building elements and/or landscaping at a minimum separation of 100 feet of façade length in order to create accessible public open space public or semi-private space, such as a courtyard, garden, patio, etc.
 - (2) Each public space shall include seating opportunities, such as table and chairs or benches, and a combination of at least of ~~three (3)~~ two (2) of the following elements:
 - (a) planters;
 - (b) a planting bed;
 - (c) public art;
 - (d) a water feature;
 - (e) a shift in pavement material between the public right-of-way and the structure;

- (f) ~~a covered area~~ a covering for seating, such as a canopy, awning, arcade, or portico spanning the width of the building; or
- (g) other elements approved by the Zoning and Development Administrator that are not included in other sections of the design standards and meet the intent of this requirement.

NORTHWEST ARKANSAS Democrat Gazette

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AFFIDAVIT OF PUBLICATION

I, Cathy Wiles, do solemnly swear that I am the Legal Clerk of the Northwest Arkansas Democrat- Gazette, printed and published in Washington and Benton County, Arkansas, and of bona fide circulation, that from my own personal knowledge and reference to the files of said publication, the advertisement of:

CITY OF FAYETTEVILLE
Ord 5859

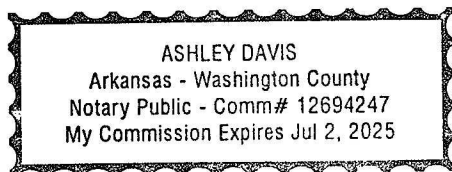
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Cathy Wiles
Cathy Wiles

Subscribed and sworn to before me
This 20 day of June, 2016.

Ashley Davis
Notary Public
My Commission Expires: 7/2/25



****NOTE**** Please do not pay from Affidavit
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JUN 22 2016

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

Ordinance: 5859
File Number: 2016-0107
ADM 16-5319 (UDC CHAPTERS 166, 172, 177 AMENDMENTS):
AN ORDINANCE TO AMEND § 166.24 NONRESIDENTIAL DESIGN STANDARDS, § 172.04 PARKING LOT DESIGN STANDARDS, § 177.04 SITE DEVELOPMENT AND PARKING LOT LANDSCAPE STANDARDS AND § 177.05 STREET TREE PLANTING STANDARDS OF THE UNIFIED DEVELOPMENT CODE
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 amends § 166.24 Nonresidential Design Standards of the Unified Development Code (E) Pedestrian oriented elements by repealing it in its entirety and enacting a replacement (E) as shown on Exhibit A.
Section 2. That the City Council of the City of Fayetteville, Arkansas hereby amends § 172.04 Parking Lot Design Standards of the Unified Development Code by enacting a new (C) (4) as shown below:
"(4) In Urban Zoning Districts that specify urban form (i.e., a build-to zone) the intent is for drive-thru lanes, parking lot drive aisles, and parking spaces to be located to the side or rear of buildings. In Urban Zoning Districts, a drive-thru lane, parking lot drive aisle, or parking spaces are not permitted to be located in the front yard directly between a building and the Master Street Plan right-of-way."
Section 3. That the City Council of the City of Fayetteville, Arkansas hereby amends § 177.04 Site Development and Parking Lot Landscape Standards of the Unified Development Code by repealing (D) in its entirety and enacting a replacement (D) Perimeter landscaping requirement as shown on Exhibit B.
Section 4. That the City Council of the City of Fayetteville, Arkansas hereby amends § 177.05 Street Tree Planting Standards of the Unified Development Code by renumbering (A) (2) (a) to (A) (2) (b), with the following subsections renumbered accordingly, and enacting a replacement (A) (2) (a) as shown below:
"(a) Street trees are intended to be planted in a greenspace strip between the curb and sidewalk or in

urban tree wells in accordance with the Master Street Plan. The intent of the street tree planting location is to shade the sidewalk, provide a barrier between vehicles on the street and pedestrians, increase motorized traffic and pedestrian safety, and spatially frame the street. Existing trees within the build-to-zone shall be counted towards the required number of street trees. When there is not adequate greenspace between the curb and sidewalk and urban tree wells are not appropriate, or there are utilities or other structural conflicts in the greenspace strip between the curb and sidewalk, the Urban Forester may permit street trees in greenspace behind the sidewalk and on private property."
Section 5. That the City Council of the City of Fayetteville, Arkansas hereby amends § 177.05 (B) (3) by repealing its first sentence and replacing it with the following: "The Street Planting Plans for development in Urban Zoning Districts may utilize an urban streetscape at least eight feet wide from curb to building" and amends § 177.05 (B) (3) (g) by repealing it in its entirety and enacting a replacement (g) with the following: "(g) Development applications approved for the use of Urban Tree Wells shall not be required to provide additional perimeter landscaped area between the Master Street Plan right-of-way and building, as described further under the Perimeter Landscaping Requirements."
PASSED and APPROVED on 3/15/2016
Approved:
Lionel Jordan, Mayor
Attest:
Sondra E. Smith, City Clerk Treasurer
73738143 June 16, 2016