

City of Fayetteville Staff Review Form

2019-0080

Legistar File ID

2/19/2019

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

Garner Stoll

1/25/2019

DEVELOPMENT SERVICES (620)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

ADM 18-6256: Administrative Item (Amend UDC 161 and 166): Allow Form-based Development in Conventional Zoning): Submitted by the Planning Commission Long Range Planning Sub-Committee for revisions to UDC Chapter 161 and 166. The proposed code change would modify the conventional zoning districts to allow form-based 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 \$ -

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF FEBRUARY 19, 2019

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Garner Stoll, Development Services Director
Andrew Garner, City Planning Director

FROM: Planning Commission Long Range Planning Sub-Committee
Matt Johnson; Matt Hoffman

DATE: January 25, 2019

SUBJECT: **ADM 18-6256: Item (Amend UDC 161 and 166.24: Allow Form-based Development in Conventional Zoning):** Submitted by Long Range Planning Sub-Committee for revisions to UDC Chapter 161 and 166. The proposed code change would modify the conventional zoning districts to allow form-based development.

RECOMMENDATION:

The Planning Commission Long Range Planning Sub-Committee, Planning Commission and staff recommend approval of an ordinance to amend UDC Section 161 and 164.24 as described within this report.

BACKGROUND:

Background: Form-based zoning is a critical piece to seeking the fulfillment of our City Plan 2030 goals. However, current requirements in the Fayetteville Unified Development Code create undue obstacles in encouraging form based development in our conventional zoning districts. Without a wide spread rezoning of conventional zoning to form based, conventional development will continue. The proposed amendments will help implement Goals 1 thru 3 of City Plan 2030:

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

Goal 2: We will discourage suburban sprawl.

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

The Long Range Planning Sub-committee has identified several impediments to building form based development in conventional zoning district under the current ordinances. The primary impediment is due to setback requirements and a lack of a LSIP approval process seen in our form-based zoning.

The specific code changes are generally listed below and shown in the attached strikeout-highlight and clean versions of the code.

Proposed Amendments to UDC Section 161 and 164.24

- Form-based development option for districts R-O, C-1, C-2, and C-3.
- Administrative approval if development complies with urban form design standards, build-to zone placement, and minimum buildable street frontage.
- Two tracts for development: conventional development or urban form development with administrative approval.
- Other administrative changes.

DISCUSSION:

On June 11th 2018, the Planning Commission discussed and tabled the item to address a minor staff recommendation. On June 25th, 2018, a slight revision to the initial proposal was presented to the Planning Commission. The proposal was forwarded to the City Council with a recommendation for approval by a vote of 7-0-0. Commissioners Johnson and Belden were not present at the June 25th, 2018 meeting.

BUDGET/STAFF IMPACT:

None

Attachments:

- Strikeout version of proposed UDC Code Changes
- Clean version of proposed UDC Code Changes

161.20 - District R-O, Residential Office

(A) *Purpose.* The Residential-Office District is designed primarily to provide area for offices without limitation to the nature or size of the office, together with community facilities, restaurants and compatible residential uses. The intent of this district is to allow administrative approval if developed in urban form, in compliance with the build-to zone and minimum buildable street frontage as specified herein.

(E) *Setback Regulations.*

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Front, in the Hillside Overlay District	15 feet
Side	10 feet
Side, when contiguous to a residential district	15 feet
Side, in the Hillside Overlay District	8 feet
Rear, without easement or alley	25 feet
Rear, from center line of public alley	10 feet
Rear, in the Hillside Overlay District	15 feet

Urban Form Setback Regulations.

<u>Front</u>	<u>Side</u>	<u>Side-Zero Lot Line*</u>	<u>Rear</u>	<u>Rear when contiguous to a single-family residential district</u>
<u>A build-to zone that is located between the front property line and a line 25 feet from the front property line.</u>	<u>5 feet</u>	<u>A setback of less than 5 feet (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side setback(s) shall be 10 feet.</u>	<u>None</u>	<u>15 feet</u>

(F) *Building Height Regulations.*

Building Height Maximum	5 stories
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If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any side boundary line of an adjacent single family district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot.

(H) Urban Form minimum buildable street frontage: 50% of the lot width

161.21 - District C-1, Neighborhood Commercial

(A) *Purpose.* The Neighborhood Commercial District is designed primarily to provide convenience goods and personal services for persons living in the surrounding residential areas. The intent of this district is to allow administrative approval if developed in urban form, in compliance with the build-to zone and minimum buildable street frontage as specified herein.

(E) Setback Regulations.

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Side	None
Side, when contiguous to a residential district	10 feet
Rear	20 feet

Urban Form Setback Regulations.

<u>Front:</u>	<u>A build-to zone that is located between 10 feet and a line 25 feet from the front property line.</u>
<u>Side and rear:</u>	<u>None</u>
<u>Side or rear, when contiguous to a single-family residential district:</u>	<u>15 feet</u>

(F) *Building Height Regulations.*

18-6256 Code Changes in Markup

Building Height Maximum	5 stories
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If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* On any lot the area occupied by all buildings shall not exceed 40% of the total area of such lot.

(H) Urban Form minimum buildable street frontage: 50% of the lot width.

161.23 - District C-2, Thoroughfare Commercial

(A) *Purpose.* The Thoroughfare Commercial District is designed especially to encourage the functional grouping of these commercial enterprises catering primarily to highway travelers. **The intent of this district is to allow administrative approval if developed in urban form, in compliance with the build-to zone and minimum buildable street frontage as specified herein.**

(E) *Setback Regulations.*

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Side	None
Side, when contiguous to a residential district	15 feet
Rear	20 feet

Urban Form Setback regulations.

<u>Front:</u>	<u>A build-to zone that is located between 10 feet and a line 25 feet from the front property line.</u>
<u>Side and rear:</u>	<u>None</u>
<u>Side or rear, when contiguous to a single-family residential district:</u>	<u>15 feet</u>

(F) *Building Height Regulations.*

Building Height Maximum	6 stories*
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* If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from side boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

(G) *Building Area.* On any lot, the area occupied by all buildings shall not exceed 60% of the total area of such lot.

(H) Urban Form minimum buildable street frontage: 50% of the lot width

161.25 - District C-3, Central Commercial

(A) *Purpose.* The Central Commercial District is designed to accommodate the commercial and related uses commonly found in the central business district, or regional shopping centers which provide a wide range of retail and personal service uses. The intent of this district is to allow administrative approval if developed in urban form, in compliance with the build-to zone and minimum buildable street frontage as specified herein.

(E) *Setback Regulations.*

	Central Business District	Shopping Center
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18-6256 Code Changes in Markup

Front	5 feet	25 feet
Front, if parking is allowed between the right-of-way and the building	50 feet	50 feet
Side	None	None
Side, when contiguous to a residential district	10 feet	25 feet
Rear, without easement or alley	15 feet	25 feet
Rear, from center line of a public alley	10 feet	10 feet

Urban Form Approval Setback Regulations.

<u>Front</u>	<u>A build-to zone that is located between the front property line and a line 25 feet from the front property line.</u>
<u>Side</u>	<u>None</u>
<u>Rear</u>	<u>5 feet</u>
<u>Rear, from center line of an alley</u>	<u>12 feet</u>

(F) *Building Height Regulations.*

Building Height Maximum	5 stories/7 stories*
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* A building or a portion of a building that is located between 0 and 15 feet from the front property line or any master street plan right-of-way line shall have a maximum height of five (5) stories. A building or a portion of a building that is located greater than 15 feet from the master street plan right-of-way line shall have a maximum height of seven (7) stories.

(G) Urban Form Minimum Buildable Street Frontage: 80% of lot width.

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 and those districts that allow development in urban form, 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 apply to all non-residential development located in urban or form-based zoning districts that require a build-to zone, as well as non-residential development in conventional districts when built in an urban form allowing administrative approval, 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.

161.20 - District R-O, Residential Office

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(E) *Setback Regulations.*

Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Front, in the Hillside Overlay District	15 feet
Side	10 feet
Side, when contiguous to a residential district	15 feet
Side, in the Hillside Overlay District	8 feet
Rear, without easement or alley	25 feet
Rear, from center line of public alley	10 feet
Rear, in the Hillside Overlay District	15 feet

Urban Form *Setback Regulations.*

Front	Side	Side-Zero Lot Line*	Rear	Rear when contiguous to
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18-6256 Code Changes (Clean Version)

				a single-family residential district
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	5 feet	A setback of less than 5 feet (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side setback(s) shall be 10 feet.	None	15 feet

(F) *Building Height Regulations.*

Building Height Maximum	5 stories
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Front	15 feet
Front, if parking is allowed between the right-of-way and the building	50 feet
Side	None
Side, when contiguous to a residential district	10 feet
Rear	20 feet

Urban Form *Setback Regulations.*

Front:	A build-to zone that is located between 10 feet and a line 25 feet from the front property line.
Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

18-6256 Code Changes (Clean Version)

(F) *Building Height Regulations.*

Building Height Maximum	5 stories
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If a building exceeds the height of two (2) stories, the portion of the building that exceeds two (2) stories shall have an additional setback from any boundary line of an adjacent residential district. The amount of additional setback for the portion of the building over two (2) stories shall be equal to the difference between the total height of that portion of the building, and two (2) stories.

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Urban Form *Setback regulations.*

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Side and rear:	None
Side or rear, when contiguous to a single-family residential district:	15 feet

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Building Height Maximum	6 stories*
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(E) *Setback Regulations.*

	Central Business District	Shopping Center
Front	5 feet	25 feet
Front, if parking is allowed between the right-of-way and the building	50 feet	50 feet

18-6256 Code Changes (Clean Version)

Side	None	None
Side, when contiguous to a residential district	10 feet	25 feet
Rear, without easement or alley	15 feet	25 feet
Rear, from center line of a public alley	10 feet	10 feet

Urban Form Approval *Setback Regulations.*

Front	A build-to zone that is located between the front property line and a line 25 feet from the front property line.
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Rear	5 feet
Rear, from center line of an alley	12 feet

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