

AGENDA REQUEST FORM

FOR: Council Meeting of ~~September 17, 2019~~

October 1, 2019

FROM: City Council Member Sarah Marsh
City Council Member Matthew Petty
City Council Member Sloan Scroggin
City Council Member Kyle Smith

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

AN ORDINANCE TO AMEND §172.11, DRIVEWAY AND PARKING STANDARDS FOR FOUR (4) OR LESS PARKING SPACES AND § 166.08 STREET DESIGN AND ACCESS MANAGEMENT STANDARDS OF THE FAYETTEVILLE UNIFIED DEVELOPMENT CODE TO REDUCE DRIVEWAY WIDTHS IN ZONING DISTRICTS REQUIRING A BUILD-TO ZONE AND TO REDUCE DRIVEWAY SETBACKS FOR SINGLE FAMILY HOMES IN ZONING DISTRICTS REQUIRING A BUILD-TO ZONE

APPROVED FOR AGENDA:


Sarah Marsh, Council Member

9/17/2019
Date


Matthew Petty, Council Member

9/17/2019
Date


Sloan Scroggin, Council Member

9/17/19
Date


Kyle Smith, Council Member

9/9/19
Date


Asst. City Attorney Blake Pennington
Approved as to form

9/18/19
Date

172.11 - Driveway And Parking Standards For Four (4) Or Less Parking Spaces

(J) *Maximum Driveway Width.*

(1) Driveway width shall be limited to:

Lot Width <u>(as measured at the Master Street Plan right-of-way line)</u>	Maximum Driveway Width
70 feet or more	24 feet
50 feet to 69 feet	20 feet
Less than 50 feet	18 feet

(2) In all zoning districts that require a build-to zone, an additional driveway width requirement shall apply as follows:

(a) The driveway width within the build-to zone shall be a maximum of 20% of the lot width. This applies the entire length of the driveway from where it intersects the Master Street Plan right-of-way, extending to the back of the build-to zone.

(b) Exceptions.

(a) All lots shall be allowed at least a 10 foot wide driveway and shared driveways shall be allowed to be up to 18 feet wide.

(b) Paved pedestrian pathways are allowed in the build-to zone as long as they do not provide additional area for vehicular storage or circulation.

166.08 - Street Design And Access Management Standards

- (F)(1) Curb Cut Separation. For purposes of determining curb cut or street access separation, the separation distance shall be measured along the curb line from the edge of curb cut to the edge of curb cut/intersection. The measurement begins at the point where the curb cut and intersecting street create a right angle, i.e., the intersection of lines drawn from the face-of-curb to face-of-curb. The measurement ends at the point along the street where the closest curb cut or street intersection occurs; again, measured to the point where the curb cut or intersecting streets create a right angle at the intersection of face-of-curb. ~~In all cases, c~~Curb cuts shall be a minimum of 5 feet from the adjoining property line, unless shared or unless the property is developed as a single family home in a zoning district that requires a build-to-zone.

City of Fayetteville Planning Commission

Long Range Planning Committee Report

TO: City Council Ordinance Review Committee
FROM: City of Fayetteville Planning Commission
DATE: August 30, 2019
SUBJECT: ADM 19-6746: Administrative Item submitted by FAYETTEVILLE LONG RANGE PLANNING COMMITTEE. The proposed amendment to 172.11 strengthens the purpose and intent of Form-Based zoning districts.

Recommendation:

The Long Range Planning Committee, and the City of Fayetteville Planning Commission unanimously recommend approval of ADM 19-6746, With Implementation Pathway #2 as described below.

Approach:

- Underlined text to be added to UDC Chapter 172.11(J):
Addition to table: Lot width | (measured only at the Master Street Plan right-of-way line)
Below table: In all zoning districts that require a build-to zone, an additional driveway width requirement shall apply as follows: the driveway width in the build-to zone shall be a maximum of 20% of the lot width. This applies the entire length of the driveway from where it intersects the Master Street Plan right-of way, extending to the back of the build-to zone.
Exemptions. All lots shall be allowed at least a 10-foot wide driveway, and shared driveways shall be allowed to be up to 18-foot wide. Paved pedestrian pathways are allowed in the build-to zone, so long as they don't provide additional area for vehicular storage and/or circulation.
- Underlined text to be added to UDC Chapter 166.08(F)(1), strikethrough text to be removed:
166.08(F)(1) Curb Cut Separation. For purposes of determining curb cut or street access separation, the separation distance shall be measured along the curb line from the edge of curb cut to the edge of curb cut/intersection. The measurement begins at the point where the curb cut and intersecting street create a right angle, i.e., the intersection of lines drawn from the face-of-curb to face-of-curb. The measurement ends at the point along the street where the closest curb cut or street intersection occurs; again, measured to the point where the curb cut or intersecting streets create a right angle at the intersection of face-of-curb. ~~In all cases~~ Curb cuts shall be a minimum of 5 feet from the adjoining property line, unless shared or unless the property is developed as a Single-Family Home in a zoning district that requires a build-to zone.

City of Fayetteville Planning Commission

Long Range Planning Committee Report

Background:

As a result of the community-wide vision behind City Plan 2030, the City of Fayetteville has in recent years implemented several new zoning designations designed to support our goal of making traditional town form the standard. These zoning designations feature build-to-zones and other form-based requirements that are designed to recognize existing development patterns in the historic neighborhoods around downtown, and to promote new development that is in keeping with that specific character. Often called *Form-Based Codes*, these zoning districts are critical to creating a compact, complete, and connected neighborhoods.

Owing both to the limited amount of acreage currently devoted to form-based zoning districts, and to their overall importance in carrying out our city's goals, it is critical that form-based zones offer a clear alternative to our conventional zoning codes. Unfortunately, this is not always the case. While our new codes have allowed several compatible homes to be built in and around our downtown, new neighborhoods being constructed in our form-based zones often bear little resemblance to Fayetteville's historic fabric, and instead are functionally identical to other neighborhoods being developed in conventional suburban zoning districts.

- *NC Neighborhood Conservation* (a form-based zone) and *RSF-8 Residential Single Family – 8 units per acre* (a conventional suburban zoning district) have recently produced new neighborhoods with development patterns that are indistinguishable from one another. The proposed code change would offer distinction to NC and other form-based districts, providing a clear alternative to suburban style development. (see attachments)

Fayetteville's strong commitment to environmental stewardship and economic inclusivity offers further justification for this code change. The benefits of creating more compact, complete, and connected neighborhoods that reduce automobile dependence are many. These benefits are discussed at length in *City Plan 2030*. Restricting paved surface area within new neighborhoods brings several additional benefits that will have immediate and quantifiable impacts:

- Limiting driveway widths would reduce the amount of concrete required to produce a home, making homes more affordable.
- Limiting driveway widths could reduce issues related to urban heat island by reducing the overall paved area within new neighborhoods
- Limiting driveway widths would reduce the amount of impervious surface and therefore improve the performance of new neighborhoods with respect to stormwater runoff.

Implementation Pathways

The Commission recognizes that in many ways zoning is a promise, both to investors / developers, and to their neighbors. While this proposed code change would improve all of our zoning districts that feature a build-to zone, the Commission recognizes that some areas currently zoned NC represent a potential challenge to implementation. NC currently allows a significant disparity between what decision makers and neighbors thought they were getting, and what developers / investors knew they could build. Because of this, Planning Commission evaluated three different implementation pathways:

1. Implement the changes, effective immediately.

- a. If council feels that their original intent in zoning all areas that are currently zoned NC was to create new development that is fully compatible with Fayetteville's traditional neighborhoods, this is an appropriate and necessary approach.

2. Implement the changes with a delayed enforcement mechanism.

- a. This would allow developers who may feel that the changes aren't aligned with their plans to either submit for building permits under the current set of regulations, or to submit for a rezoning.
- b. In our current development environment, the increment of time should be calibrated to allow some flexibility while encouraging quick resolution of the matter. 6-9 months may be appropriate.

3. Implement the changes as proposed, and initiate rezoning in areas that may be more appropriately zoned RSF-8.

- a. While NC was originally deployed in and around our downtown, it has recently been used to rezone large areas outside of downtown west of I-49. It may be appropriate to begin a new conversation about these areas, particularly if the expectations of the development community in these areas are not aligned with the expectations of Staff / PC / Council, as it appears likely.
- b. If this approach is taken, staff should reach out to land owners in these areas and inquire as to their preference of either RSF-8 or NC. PC anticipates that any resulting mass rezoning request would flow through our standard process, including new recommendations from Staff and Planning Commission before moving to Council.

After discussion of all three pathways, Planning Commission elected to recommend #2 above.

City of Fayetteville Planning Commission

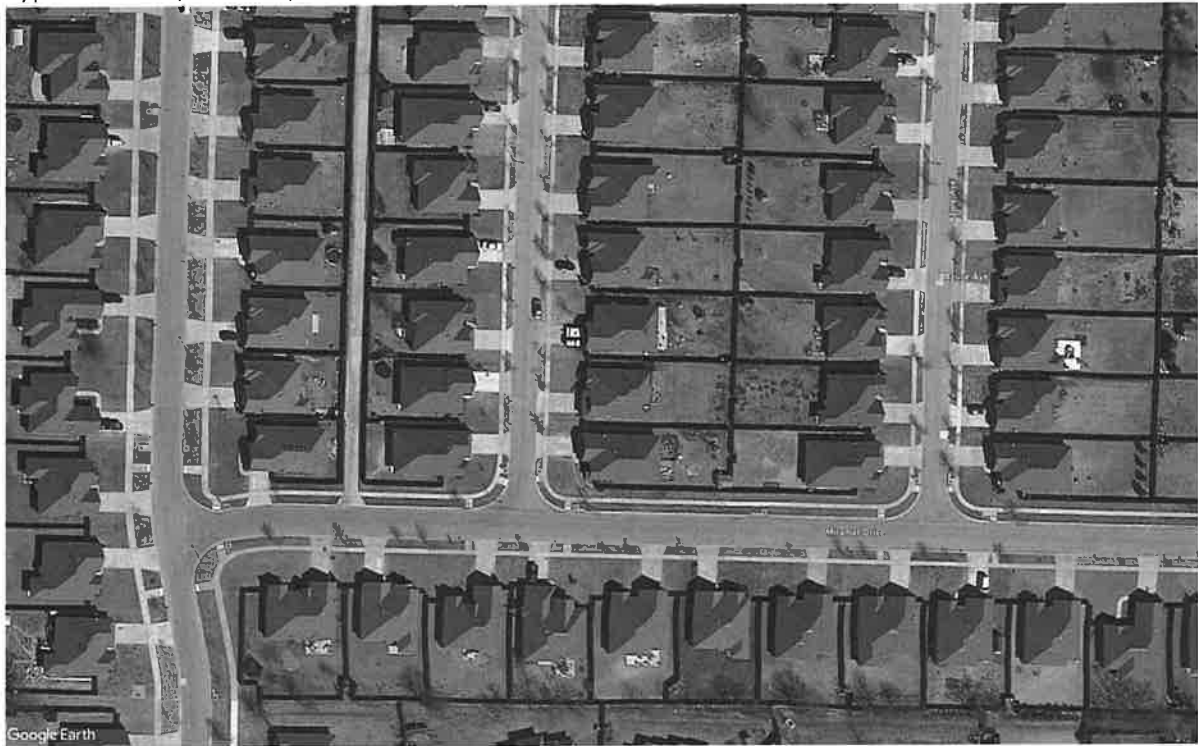
Long Range Planning Committee Report

Attachments:

The following pages contain aerial and street-level imagery taken of existing development in Fayetteville. The images describe current forms of NC (a form-based zone) including historic neighborhoods and new development. The images also describe existing development in RSF-8 (a conventional suburban zone) as a point of comparison.

City of Fayetteville Planning Commission
Long Range Planning Committee Report

Typical RSF-8 (Driveway Width = 30%-35% of Lot Width)



Typical New NC (Driveway Width = 30%-35% of Lot Width)



City of Fayetteville Planning Commission

Long Range Planning Committee Report

Typical New NC (driveway Width = 30%-35% of Lot Width)



Historic NC (Driveway Width = 0%-20% of Lot Width)



City of Fayetteville Planning Commission
Long Range Planning Committee Report

New RSF-8 / NC (top) vs. Historic NC (below)



City of Fayetteville Planning Commission
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New compatible development in NC (top) vs. Historic NC (below)



8. ADM 19-6746: Administrative Item (AMEND UDC CHAPTER 172.11: DRIVEWAY AND PARKING STANDARDS FOR FOUR (4) OR LESS PARKING SPACES): Submitted by the LONG-RANGE PLANNING COMMITTEE for revisions to UDC Ch. 172.11. The proposed code changes would modify the maximum driveway width in zoning districts specify urban form.

Matthew Hoffman, Commissioner: Gave the staff report, noting that the proposed amendment is about creating predictability in development. Thanks Commissioners for their work, noting that a product of a Planning Commission retreat was understanding that the NC zoning district was functioning as a non-urban district in many areas of Fayetteville. Asks staff how many zoning districts the City currently has codified.

Garner: Answers that it is approximately forty.

Hoffman: Describes how the intent of the NC zoning district is not being met despite it being an urban form district. The current amendment attempts to fix that issue through regulatory mechanisms. Compares various historic neighborhoods and their appearance with new subdivisions, and the clear differences. Notes that changes can be made to the code that result in the outcomes desired with the establishment of the NC zoning district. Shares examples of new development where this pattern has successfully occurred.

Public Comment:

No public comment was presented.

Hoffman: Solicits input from staff.

Andrew Garner, City Planning Director: Shares that the proposed amendment has not been shared widely with stakeholders. Provides one comment from a local home builder who has concerns with the feasibility of the narrow driveway widths.

Hoffman: Notes that another consideration with the request is that there are multiple implementation pathways. These keep in mind the potential for different outcomes and whether these align with the City Council's vision. The first path is to make the code change. The second, is to adopt the change, but delay implementation, and the last is for the City to initiate rezonings where appropriate for more suburban zoning designations. In their recommendation as currently written, the Commission does not specify one route of these as the most appropriate. The clear intent of the amendment is to express that some form-based codes are broken.

Rob Sharp, Commissioner: Notes that the amendment has had an interesting path. Agrees that it is concerning to him that zoning designations on the map are not leading to intended development on the ground. Describes how using the term 'form-based' has been confusing as districts have been amended over time. Would like to see a list of districts which the Commission considers form-based, and establishing a consensus on which districts these

requirements should apply. Additionally, he feels that a 10-foot driveway is more appropriate than 8-foot, and the percentage of lot built as driveway should be 25%, not 20%.

Hoffman: Responds that if there is consensus on changing the numbers, he is amenable. Notes that the specific section of code to which this amendment would apply is limited to properties that have parking for four or fewer vehicles. In essence, the code change will apply by-and-large to single-family development.

Tom Brown, Commissioner: Is supportive of the proposal as an incremental and focused effort. Agrees with Commissioner Sharp's points and understands the desire to move the item forward, but is open to tabling to address any outstanding issues.

Zara Niederman, Commissioner: Describes the current driveway design allowances and wants to see flexibility to allow driveways to be located right on property lines in form-based codes. With regard to the widths and ratios, he understands that 10-foot wide driveways may be more politically palatable and functional.

Hoffman: Notes that an additional section was added to the amendment in recent weeks to allow additional paving in the front yard if it is used for pedestrian movements in to and out of vehicles or access to the sidewalk or street.

Niederman: Asks to what body a variance would go.

Garner: Answers that it would go the Planning Commission given the proposal's movement from the zoning code to the development code.

Porter Winston, Commissioner: That addresses his greatest concern, and allowing a Planning Commission variance would allow greater creativity for property owners since Board of Adjustment variances have a much higher threshold for approval. He is comfortable with the proposal, but is inclined to support a width greater than 8-foot.

Hoffman: Wants the Commission to not be too focused on the minimum driveway size, as most properties will be allowed at least 10-foot driveways since they are historically 50-foot in width. He would like to drive the conversation to what is the appropriate width on the narrowest lots, which are 18-foot in many zoning districts.

Winston: Proposes having a point at which driveways can only be half the lot width for narrow lots.

Hoffman: Expresses concern with having too many exceptions or clauses built in to the ordinance.

Niederman: Wants the variance option to be available for small lot development, but possibly not for larger subdivisions where there is more room to be flexible. Asks how the regulation applies to alleys.

Hoffman: Responds that it only applies to driveways in the build-to zone.

Niederman: Appreciates that the amendment will still allow different development patterns, including front- or rear-loaded dwellings. Notes that he is hesitant to implement changes immediately given that many individuals may be heavily-invested in development already. Contends that delayed-enforcement is more appropriate and that Council can look at this timeframe along with whether it is appropriate to rezone properties where needed. Reiterates his comments on the five-foot setback between driveways and neighboring property owners.

Hoffman: Asks staff to speak to the proposed driveway separation.

Garner: Answers that this would be in the development chapter and would apply to all zoning designations with variances going to the Planning Commission.

Sharp: Agrees that this amendment would be appropriate given all the shifts and jogs in driveways he sees suggesting something is broken in the code. Regarding widths and ratios, and after further discussion, suggests a minimum 10-foot allowance but maintaining a 20% ratio of driveway to lot width. This would acknowledge the number of young drivers in the area and the rural drivers who often operate larger vehicles. Notes that the Commission can revisit the number if it proves an issue and agrees with delayed implementation with its allowance to rezone properties for people who want to develop in a more suburban pattern.

Hoffman: Summarizes the conversation with delayed implementation and larger minimum widths.

Brown: Agrees with delayed implementation and thinks a note to that effect is appropriate going forward to the Ordinance Review Committee.

Hoffman: Summarizes consensus to include the language proposing to remove the five-foot setback between driveways and property lines. Offers to forward tonight or table for revisions.

Niederman: Asks staff about the feasibility of rezoning a subdivision that was previously platted.

Garner: Answers that it would be straightforward if a developer still owned all of the land. It would be more difficult for neighborhoods that are partially built-out or partially sold-off.

Hoffman: Notes that a Planning Commission variance may be a simpler approach for those subdivision being built-out today.

Niederman: Comments that it would be ideal to get all of the rezonings done in a coordinated fashion where the Commission could review them together.

Motion made.

Hoffman: Asks if Commissioner Sharp intends to apply the ordinance to all form-based zoning districts.

Sharp: Answers that it is and would be a better and more consistent policy. Comparing NC to RSF-8 is good messaging, but including all form-based districts is good policy.

Niederman: Seeks clarification on the 10-foot minimum driveway width, and that he wants to ensure it is allowed.

Hoffman: Reads how it is currently written as an exemption.

Motion:

Commissioner Sharp made a motion to **forward ADM 19-6746** to the Ordinance Review Committee with the following recommendations:

- Driveway width to be a maximum 20% of the lot's street frontage;
- All driveways are permitted to be a minimum of 10-feet wide;
- Shared driveways are permitted to be a minimum of 18-feet wide;
- Removal of the 5-foot driveway separation in 166.08 for single family homes in zoning districts with a build-to zone; and
- Implementation method #2 to allow property owners time to apply for a rezoning.

Commissioner Canada seconded the motion. **Upon roll call the motion passed with a vote of 7-0-0.**

Announcements: None.

Adjournment Time: 7:19 PM

Submitted by: City Planning Division

Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

1. Bailey Jahy
2. Susan Boling
3. _____
4. Megan Bokina
5. Christian Bokina
6. TJAHJADIANGLING
7. _____
8. Mariesa Bolin
9. Brittany Bowden
10. Marvin Brusveen
11. Debra Brusveen
12. Donna Delwey
13. _____
14. Jennifer Ann Ford
15. Robert Hank Ford
16. Hannah Hesse
17. Michael Kinkade
18. Michelle LeClerc
19. _____
20. Taylor Marguess
21. Morgan Large
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23. _____
24. _____
25. _____
26. Abby Ramirez
27. Richie Roberts
28. _____
29. _____
30. Carson Shaddy

31. _____
32. Alec Tahy
33. Debra Terry
34. Vernon Timmons
35. Travis Todd Tollett
36. _____
37. Keleigh Treadwell
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40. Anna Pauline Winn
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

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|---------------------------|-----|
| 1. Gary Hellums | 31. |
| 2. | 32. |
| 3. | 33. |
| 4. Bob Roberts | 34. |
| 5. | 35. |
| 6. | 36. |
| 7. Joe Peterson | 37. |
| 8. | 38. |
| 9. Bonnie Burnett | 39. |
| 10. | 40. |
| 11. Manny Patel | 41. |
| 12. | 42. |
| 13. Judie Nickell | 43. |
| 14. | 44. |
| 15. Tim Moldenhauer | 45. |
| 16. | 46. |
| 17. Tyler McCullough | 47. |
| 18. | 48. |
| 19. Dona Heithold | 49. |
| 20. | 50. |
| 21. | 51. |
| 22. | 52. |
| 23. Eileen Gilbreath | 53. |
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1. <u>Kacey English</u>	9/18/2019 12:00 PM CDT	31. _____
2. <u>Jim Kohrt</u>	9/17/2019 7:21 PM CDT	32. _____
3. <u>Sue Kohrt</u>	9/17/2019 7:24 PM CDT	33. _____
4. <u>Kyle Fulton</u>	9/17/2019 9:12 PM CDT	34. _____
5. <u>Megan Fulton</u>	9/17/2019 8:54 PM CDT	35. _____
6. <u>Natalie Morrison</u>	9/17/2019 8:46 PM CDT	36. _____
7. <u>Katherine Martin</u>	9/17/2019 10:12 PM CDT	37. _____
8. <u>Changwei Li</u>	9/17/2019 7:12 PM EDT	38. _____
9. <u>Tingting Liu</u>	9/17/2019 9:09 PM CDT	39. _____
10. <u>Artanu Dutta</u>	9/17/2019 6:47 PM CST	40. _____
11. <u>Nandita Halder</u>	9/17/2019 9:31 PM CDT	41. _____
12. <u>Whitney Doolittle</u>	9/17/2019 6:22 PM CDT	42. _____
13. <u>John Heibel</u>	9/18/19	43. _____
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1. Terri Lynne McNaughton	09/17/2019 3:04 PM CDT	31. _____
2. Don E. McNaughton	09/17/2019 3:01 PM CDT	32. _____
3. Krystal McNaughton	09/17/2019 3:42 PM CDT	33. _____
4. Rita E Driver	09/17/2019 3:02 PM CDT	34. _____
5. Shonnie Gilbreath	09/17/2019 3:07 PM CDT	35. _____
6. Howard R. Houston	09/17/2019 3:37 PM CDT	36. _____
7. Nancy L. Houston	09/17/2019 3:38 PM CDT	37. _____
8. Amber Parrish	09/17/2019 3:59 PM CDT	38. _____
9. Mandi Suggs	09/18/2019 11:48 AM CDT	39. _____
10. Jason Wiles	09/17/2019 4:04 PM CDT	40. _____
11. Rachel Marie Helton	09/17/2019 3:55 PM CDT	41. _____
12. Marissa Barrera	09/17/2019 4:28 PM CDT	42. _____
13. Hayden Hudspeth	09/17/2019 4:19 PM CDT	43. _____
14. Brittany L Crittenden	09/17/2019 4:34 PM CDT	44. _____
15. Jules Noble	09/18/2019 11:52 AM CDT	45. _____
16. Kerri Elder	09/17/2019 8:18 PM CDT	46. _____
17. Buckley Blew	09/17/2019 8:13 PM CDT	47. _____
18. Felicia Dick	09/18/2019 4:46 PM CDT	48. _____
19. Felicia L Dick	09/18/2019 5:52 PM CDT	49. _____
20. Melissa Davis	09/18/2019 3:59 PM PDT	50. _____
21. Todd Bryan	09/18/2019 6:04 PM CDT	51. _____
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1. David C. Gehle
2. Phyllis D. Gehle
3. Josh Baedke
4. _____
5. Martha Cornwell Haguewood
6. Meredith Dawse
7. Martha Atkinson
8. Tracy Wheeler
9. Cliff Davidson
10. David and Lisa
11. _____
12. Mary Barnett
13. Cleta B. Hagler
14. _____
15. Jacki Hudak
16. David Hindale
17. Rebecca Lynch
18. _____
19. _____
20. + Rodkey
21. Joe L. Stockton
22. Kimberly Lynn Stockton
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25. Ann Burnett
26. Ron Burnett
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29. Michael T. Campbell
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Petition of Interested Homeowners – Fayetteville, Arkansas

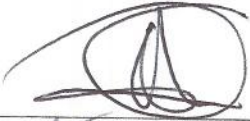






























We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.


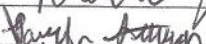
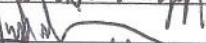
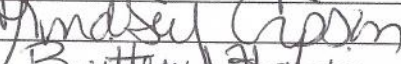
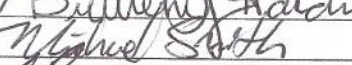
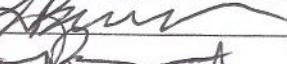
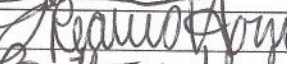
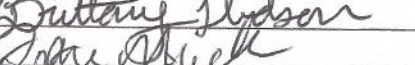
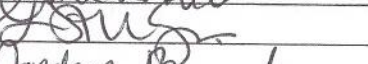
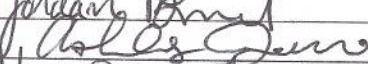
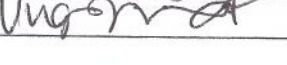
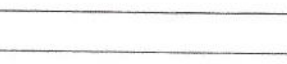

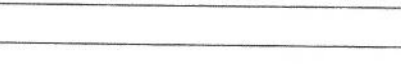
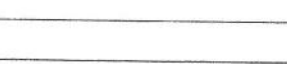

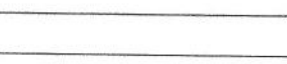

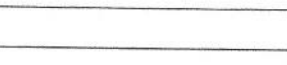






1. _____
2. Neil Adams
3. Kevin Podgornik
4. Kayleigh Podgornik
5. Gail Mills
6. Kym Williams
7. _____
8. Kyle Joyce
9. Macklin Jenkins Joyce
10. Chandler Vance
11. Kaylee Vance
12. Ben Bailey
13. Dalton Pitarino
14. _____
15. Evan McGinnis
16. Trent Lloyd
17. Shelby Lloyd
18. _____
19. Richard Pendley
20. _____
21. Jesse An
22. _____
23. _____
24. Dyanna Carver
25. Sarah Canada
26. Gary E. Adams
27. JD Lukassen
28. Al Zawislak
29. James Miller
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31. Jera Larson
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

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Petition of Interested Homeowners – Fayetteville, Arkansas

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- [illegible]

Petition of Interested Homeowners – Fayetteville, Arkansas

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|----------------------------|-----------|
| 1. <u>Stella Willy</u> | 31. _____ |
| 2. <u>[Signature]</u> | 32. _____ |
| 3. <u>[Signature]</u> | 33. _____ |
| 4. <u>[Signature]</u> | 34. _____ |
| 5. <u>[Signature]</u> | 35. _____ |
| 6. <u>[Signature]</u> | 36. _____ |
| 7. <u>[Signature]</u> | 37. _____ |
| 8. <u>Hellie Loney</u> | 38. _____ |
| 9. <u>[Signature]</u> | 39. _____ |
| 10. <u>[Signature]</u> | 40. _____ |
| 11. <u>[Signature]</u> | 41. _____ |
| 12. <u>[Signature]</u> | 42. _____ |
| 13. <u>[Signature]</u> | 43. _____ |
| 14. <u>[Signature]</u> | 44. _____ |
| 15. <u>[Signature]</u> | 45. _____ |
| 16. <u>[Signature]</u> | 46. _____ |
| 17. <u>[Signature]</u> | 47. _____ |
| 18. <u>[Signature]</u> | 48. _____ |
| 19. <u>[Signature]</u> | 49. _____ |
| 20. <u>John Bowman</u> | 50. _____ |
| 21. <u>Laurence Bowman</u> | 51. _____ |
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

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| 1. Kara Martin | 31. _____ |
| 2. Eli Stroud | 32. _____ |
| 3. Robert Medina | 33. _____ |
| 4. Mike Barr | 34. _____ |
| 5. _____ | 35. _____ |
| 6. Caroline Chandler | 36. _____ |
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

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| 1. <u>Wilma Kozggy</u> | 31. _____ |
| 2. <u>Laura Palmer</u> | 32. _____ |
| 3. <u>J. W.</u> | 33. _____ |
| 4. <u>John</u> | 34. _____ |
| 5. <u>Chris Williams</u> | 35. _____ |
| 6. <u>Jennifer DeMay</u> | 36. _____ |
| 7. <u>William L. Reed</u> | 37. _____ |
| 8. <u>Ann</u> | 38. _____ |
| 9. <u>Josh Reeves</u> | 39. _____ |
| 10. <u>Nick Lopez</u> | 40. _____ |
| 11. <u>Ann Kerner</u> | 41. _____ |
| 12. <u>Frank K. Doh</u> | 42. _____ |
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

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| 1. Charles Edward Lawrence | 31. _____ |
| 2. Debbie Jackson | 32. _____ |
| 3. Chari Wilson | 33. _____ |
| 4. Seth Wilson | 34. _____ |
| 5. Jeanne & Parry | 35. _____ |
| 6. Maitland | 36. _____ |
| 7. Susan Robertson | 37. _____ |
| 8. Miss Higgins | 38. _____ |
| 9. John Marquess | 39. _____ |
| 10. Linda Marquess | 40. _____ |
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

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| 1. <u>Travis Beckell</u> | 31. _____ |
| 2. <u>Bill Bunn</u> | 32. _____ |
| 3. <u>Paul Knight</u> | 33. _____ |
| 4. <u>Galen Bailey</u> | 34. _____ |
| 5. <u>David Coker</u> | 35. _____ |
| 6. <u>John Sawetta</u> | 36. _____ |
| 7. <u>Jennifer Skiff</u> | 37. _____ |
| 8. <u>John Mitchell</u> | 38. _____ |
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

1. *Linda Battisto*
2. *David Ba*

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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

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| 1. <u>Kristen Ciolek</u> | 31. _____ |
| 2. <u>Phil Masher</u> | 32. _____ |
| 3. <u>Charlotte Pfalzgraf</u> | 33. _____ |
| 4. <u>Bryan (Brenden Pippas)</u> | 34. _____ |
| 5. <u>Don Stanley</u> | 35. _____ |
| 6. <u>Brown Hanna</u> | 36. _____ |
| 7. <u>Jaa Allen</u> | 37. _____ |
| 8. <u>John A. Cox</u> | 38. _____ |
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

1. Coby Ward
2. _____
3. _____
4. _____
5. Tracy Hoskins
6. _____
7. Martha McBride
8. _____
9. John Carpenter
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31. Susan Murray
32. Brian Doby
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

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| 1. Kristin Cook | 31. _____ |
| 2. Phil Mason | 32. _____ |
| 3. Charlotte Pfalzgraf | 33. _____ |
| 4. Brian (Brenden Pappas) | 34. _____ |
| 5. Dan Stanley | 35. _____ |
| 6. Brown Hanna | 36. _____ |
| 7. Joe Allen | 37. _____ |
| 8. John A. Cox | 38. _____ |
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

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| 1. KEVIN STROUPS <i>KB</i> | 31. _____ |
| 2. Alex Reiney <i>AR</i> | 32. _____ |
| 3. Jennifer Solomon <i>Jennifer Solomon</i> | 33. _____ |
| 4. Jennie Peder <i>Jennie Peder</i> | 34. _____ |
| 5. Alex Kto <i>Alex Kto</i> | 35. _____ |
| 6. Theresa Lewis <i>Theresa Lewis</i> | 36. _____ |
| 7. Michelle Augustine <i>Michelle Augustine</i> | 37. _____ |
| 8. KEVIN BATCHELOR | 38. _____ |
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Petition of Interested Homeowners – Fayetteville, Arkansas

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- | | |
|---------------------------|-----------|
| 1. <u>Larry Curich</u> | 31. _____ |
| 2. <u>[Signature]</u> | 32. _____ |
| 3. <u>Mary Ann</u> | 33. _____ |
| 4. <u>[Signature]</u> | 34. _____ |
| 5. <u>[Signature]</u> | 35. _____ |
| 6. <u>Jennifer Melton</u> | 36. _____ |
| 7. <u>Juliusse Nalley</u> | 37. _____ |
| 8. <u>Thomas Gray</u> | 38. _____ |
| 9. <u>Susan Murty</u> | 39. _____ |
| 10. <u>A. Carmichael</u> | 40. _____ |
| 11. <u>Vincent Gentry</u> | 41. _____ |
| 12. <u>Caprice L. L.</u> | 42. _____ |
| 13. <u>[Signature]</u> | 43. _____ |
| 14. <u>Jarvison Smith</u> | 44. _____ |
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Petition of Interested Homeowners – Fayetteville, Arkansas

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- | | |
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| 1. <u>Carly</u> | 31. _____ |
| 2. <u>Angie Hamilton</u> | 32. _____ |
| 3. <u>Beauke Burke</u> | 33. _____ |
| 4. _____ | 34. _____ |
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

- Colly Ward*
- | | |
|---------------------------|-----------|
| 1. <i>Colly Ward</i> | 31. _____ |
| 2. <i>Linda L. Ward</i> | 32. _____ |
| 3. <i>Tam Ward</i> | 33. _____ |
| 4. <i>Hubert Lee Ward</i> | 34. _____ |
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

1. Cyril Hunt
2. Bill Hunt
3. Christy Hunt
4. Ben Hunt
5. Wendy Boring
6. Ken Boring
7. Marcus Rodriguez
8. Jose Ramirez
9. Tabatha Simpson
10. Randy Tull
11. Susan Miller
12. Landon Nasser
13. Joshua Duncan
14. Stacy Duncan
15. Kim Ren
16. Matthew Horns
17. Fernando Sanchez
18. Edna Lopez
19. David Hunt
20. Shirley Carter

31. Frank Hernandez
32. Brenda Ellenberger
33. Amanda Smith
34. Danica Smith
35. Deane Korb
36. Johnston Ellenberger
37. Brenda Ellenberger
38. James Brandon
39. Royce Louisa
40. Carved Love
41. Suzanna Fredrick
42. William Lovick
43. David Vitt
44. Amber Vitt
45. Omar Ruiz
46. Dallas Mullen
47. Kyle Truett
48. Neha Eshmon
49. Jon Harper
50. Don Ford
51. Barbara Ford
52. Mark Ford
53. Yan Ford
54. Hannah Huffaker
55. David Almsbury
56. David Almsbury
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59. David Almsbury
60. David Almsbury

Fayetteville Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

1. Steve Byrd
2. Carl Byrd
3. Carl Byrd
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Fayetteville Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

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| 1. <u>Mary Ann</u> | 31. _____ |
| 2. <u>John P. A.</u> | 32. _____ |
| 3. <u>Steven P. A.</u> | 33. _____ |
| 4. <u>Fayyaz Ali</u> | 34. _____ |
| 5. <u>Debra Miller</u> | 35. _____ |
| 6. <u>Martha Shepherd</u> | 36. _____ |
| 7. <u>Debbie K. Corbin</u> | 37. _____ |
| 8. <u>John Miller</u> | 38. _____ |
| 9. <u>Srinivas Jayanthi</u> | 39. _____ |
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20. Chessa B. Borsicup

21. Jason Dewitt

22. Kayla Dewitt

23. Whipple

24. Kap

25. Miles T

26. Son A

27. Sacker Johnson

28. Leann Johnson

29. S Bonomo

30. [Signature]

50. Scott Wynn

51. [Signature]

52. Angela Nelson

53. Clyde & rest

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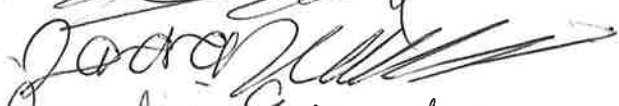




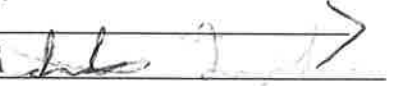
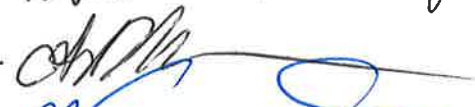



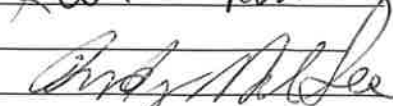
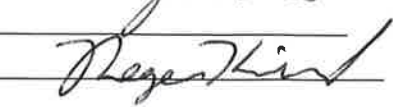

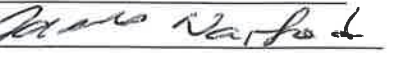
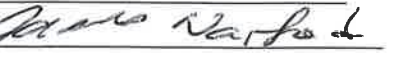
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

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| 1. Normci Diaz | 31.  |
| 2. Mano Jaimés | 32.  |
| 3. Alma Mora | 33.  |
| 4. Raul McDani | 34. Camille Emmett |
| 5. Thomas Paulson | 35. Diana Williams |
| 6.  | 36. Bryston Jack |
| 7. Stacy Parker | 37.  |
| 8.  | 38.  |
| 9.  | 39. Drew Whittton |
| 10. Clay Johnson | 40. Krister Pennington |
| 11. Nicole Johnson | 41.  |
| 12. Angel L.J. | 42.  |
| 13. Mary B. Peters | 43.  |
| 14.  | 44. Wyatt James Pon |
| 15. Kiera Purn | 45. Ellen Hansen |
| 16.  | 46. Kevin Campbell |
| 17.  | 47. Emily Heppel |
| 18.  | 48. Evan |
| 19.  | 49.  |

Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

1. 
2. *Amber Gassman*
3. *Vince Gassman*
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MARTINI

Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

1. Kara Townsend
2. [Signature]
3. Zebbie Townsend
4. [Signature]
5. [Signature]
6. [Signature]
7. [Signature]
8. Leroy Scott
9. Brandon Scott
10. [Signature]
11. [Signature]
12. [Signature]
13. Janet Uyemura
14. Juanita Carpenter
15. [Signature]
16. [Signature]
17. [Signature]
18. Rhonda Parsons
19. [Signature]
20. Amy [Signature]
21. Norma Egan
22. Katherine Bohot
23. [Signature]
24. Kathryn Wilson-Jels
25. Jimmy S. Newton
26. Clay Boy
27. Scott Pacheco
28. Cindy [Signature]
29. David [Signature]
30. [Signature]

31. [Signature]
32. [Signature]
33. [Signature]
34. [Signature]
35. [Signature]
36. Vicka Vidie
37. Candy Walker
38. Josh Husband
39. Natalie Schorf
40. Holly [Signature]
41. [Signature]
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44. [Signature]
45. [Signature]
46. [Signature]
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56. [Signature]
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59. [Signature]
60. [Signature]

1. ~~John (Dad)~~
2. Jim Barker
3. ~~Robert Johnson~~
4. Travis Vez
5. ~~Don~~
6. Michael Ruel
7. Ron Samuel
8. Madison Anglin
9. Chris Lee
10. John K. Ayers
11. Joan Schreffelt
12. Don Smith
13. ~~Don Smith~~
14. ~~Don Smith~~
15. Mercedes Powell
16. Ashley Ritchey
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Petition of Interested Homeowners – Fayetteville, Arkansas

We are residents and homeowners in Fayetteville, Arkansas. We enjoy and prefer the right to have a 2-car garage and a driveway that fits a 2-car garage instead of a 1-car garage with a smaller driveway.

1. Colley Bailey
2. [Signature]
3. [Signature]
4. [Signature]
5. [Signature]
6. Genard A. Keesey
7. [Signature]
8. Katelyn Dixon
9. Mikaela Madison
10. Gabe Galtzer
11. Emma Dyer
12. Adrian Pettigrew
13. Anna Southland
14. Anthony Evelyn
15. [Signature]
16. [Signature]
17. Hannah King
18. Bailye Pratt
19. [Signature]
20. [Signature]
21. [Signature]
22. [Signature]
23. [Signature]
24. [Signature]
25. [Signature]
26. [Signature]
27. Jeremy Harrison
28. Josh Harper
29. [Signature]
30. [Signature]

31. Amanda Bailey
32. [Signature]
33. [Signature]
34. [Signature]
35. [Signature]
36. [Signature]
37. [Signature]
38. [Signature]
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CityClerk

From: Matthew Petty - Fayetteville Ward 2 <citycouncil@matthewpetty.org>
Sent: Thursday, September 26, 2019 10:21 AM
To: Donny Story; CityClerk; City_Attorney; Norton, Susan; Marr, Don; Stoll, Garner; Jordan, Lioneld
Subject: Re: garage misinformation and propaganda

Would you please forward Mr. Story's message and my response to the Mayor, City Council, the Planning Commission? Thank you.

Mr. Story, I regret you have been misinformed, or worse you have been misled. In fact the ordinance contains no regulations limiting garages, nor forcing backyard or side garages. It fact it only affects the smallest lots and does so in a way that is calibrated to historic examples anyone can observe throughout Fayetteville and our region.

Furthermore there is a grace period and for an extra dose of due process, it doesn't apply at all in conventional zoning districts.

I respectfully suggest you reconsider the facts,
Matthew Petty

On Wed, Sep 25, 2019, 4:49 PM Donny Story <DSTORY@arvest.com> wrote:
Mr. Petty,

It is my understanding that a proposal will be discussed next Tuesday at the City Council meeting to limit the width of driveways and also the number of garages in the City of Fayetteville for future development.

I'm hopeful you will vote against this proposal. I know many in the community are very alarmed and concerned about this proposal. I know the line to speak regarding this proposal will be long and vocal next Tuesday, so I prefer to make my position known via email.

I own a home in Fayetteville now and we plan to build our retirement home next year. We have two children who live in Fayetteville and they are also considering building smaller homes for their family in the next few years. I know that all of us would need at a minimum two car garages for each of these homes.

I've got a number of concerns about the proposal. I believe it will stunt future growth in Fayetteville, it will lead to more parking on the streets, could cause security concerns with more break-ins of vehicles parked on the streets, could lead to more accidents with children with more vehicles on the street and really goes against so many other values such as property rights.

Please consider voting against this proposal. Thank you for your time and consideration and for your service on our City Council.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential or privileged material. Any review, distribution, or other unauthorized use of the information by persons or entities other than the intended recipient is prohibited. If you received this communication in error, please contact the sender and delete the material from any computer.

*** Arvest Confidential ***

CityClerk

From: Kyle Smith <citycouncil@kyle4fay.org>
Sent: Thursday, September 26, 2019 12:15 PM
To: CityClerk
Subject: Fwd: Driveway and Garage Impact Misinformation - A Map
Attachments: image.png

Sondra,

I received the same inquiry from Mr. Story. In reply, I used the city GIS data to prepare a map for him showing the specific areas of the city that are or are not impacted. Would you please make the map available to the mayor and council, as I believe it may be helpful to recognize the scope of the proposed change.

Kyle Smith

Council Member
Ward 4 Position 2
City of Fayetteville, Arkansas
citycouncil@kyle4fay.org
479.274.8881
[Facebook](#) | [Twitter](#) | [Website](#)

On Thu, Sep 26, 2019, 7:16 AM Donny Story <DSTORY@arvest.com> wrote:

Thank you for the quick response Mr. Smith and for your clarifying comments and information. I appreciate your service on the City Council.

Sent from my iPad

From: **Kyle Smith** <citycouncil@kyle4fay.org>
Date: Thu, Sep 26, 2019, 7:12 AM
Subject: Re:
To: Donny Story <DSTORY@arvest.com>

Mr. Story,

Thank you for your note. You are certainly right about the number of people alarmed by this proposal. Unfortunately, the alarm seems to have been based primarily on misinformation. There's been a lot of misleading social media chatter in the last few days about how this will limit garages, or apply city-wide. Neither of those is the case.

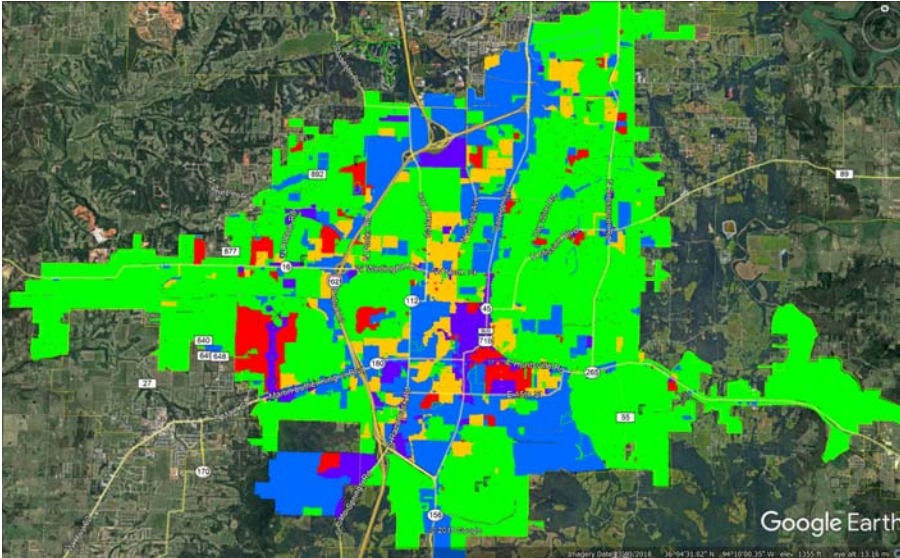
In fact, the driveway width limit applies to only 2 of the 9 single-family zoning districts within the city. (It would also apply to single-family development within mixed-use commercial zones.) Additionally, the restriction on driveway width is only within the front build-to area of these districts, with freedom to expand to whatever size garage is desired behind that line. There is no restriction on garages; only on front curb-cuts.

The zones this would impact were designed to mimic our historic development patterns. I chose to co-sponsor of this ordinance change because I believe it's important that redevelopment in those areas be compatible with the existing homes. The city has zoned some new development in the same way to ensure that we have a variety of housing types, but the code as written hasn't consistently produced that. You can read the proposed language in full, along with some background information and photo exhibits at

https://accessfayetteville.granicus.com/MetaViewer.php?view_id=14&event_id=2257&meta_id=173675

Additionally, I've prepared a quick graphic to help you see exactly where in town the new rules would apply.

- Blue is non-residential zoning.
- Green is UNAFFECTED single-family zoning.
- Red is the affected single-family zoning.
- Yellow is multi-family zoning, and purple is mixed-use (predominantly commercial) zones, but the rules would apply to single-family development, if built.



I expect a hearty conversation at the City Council on Tuesday. We received very little developer feedback during the previous three public input sessions, or the six work sessions where the ordinance was drafted, so it is good to have that input now before it is enacted. Hopefully it will give everyone a chance to understand the limited scope of the change and to voice their concerns about how it would be implemented. I'm sure it will see some revisions based on that feedback before it is complete.

Kyle Smith
Council Member
Ward 4 Position 2
City of Fayetteville, Arkansas
citycouncil@kyle4fay.org
479.274.8881
[Facebook](#) | [Twitter](#) | [Website](#)

On Wed, Sep 25, 2019 at 4:52 PM Donny Story <DSTORY@arvest.com> wrote:

Mr. Smith,

It is my understanding that a proposal will be discussed next Tuesday at the City Council meeting to limit the width of driveways and also the number of garages in the City of Fayetteville for future development.

I'm hopeful you will vote against this proposal. I know many in the community are very alarmed and concerned about this proposal. I know the line to speak regarding this proposal will be long and vocal next Tuesday, so I prefer to make my position known via email.

I own a home in Fayetteville now and we plan to build our retirement home next year. We have two children who live in Fayetteville and they are also considering building smaller homes for their family in the next few years. I know that

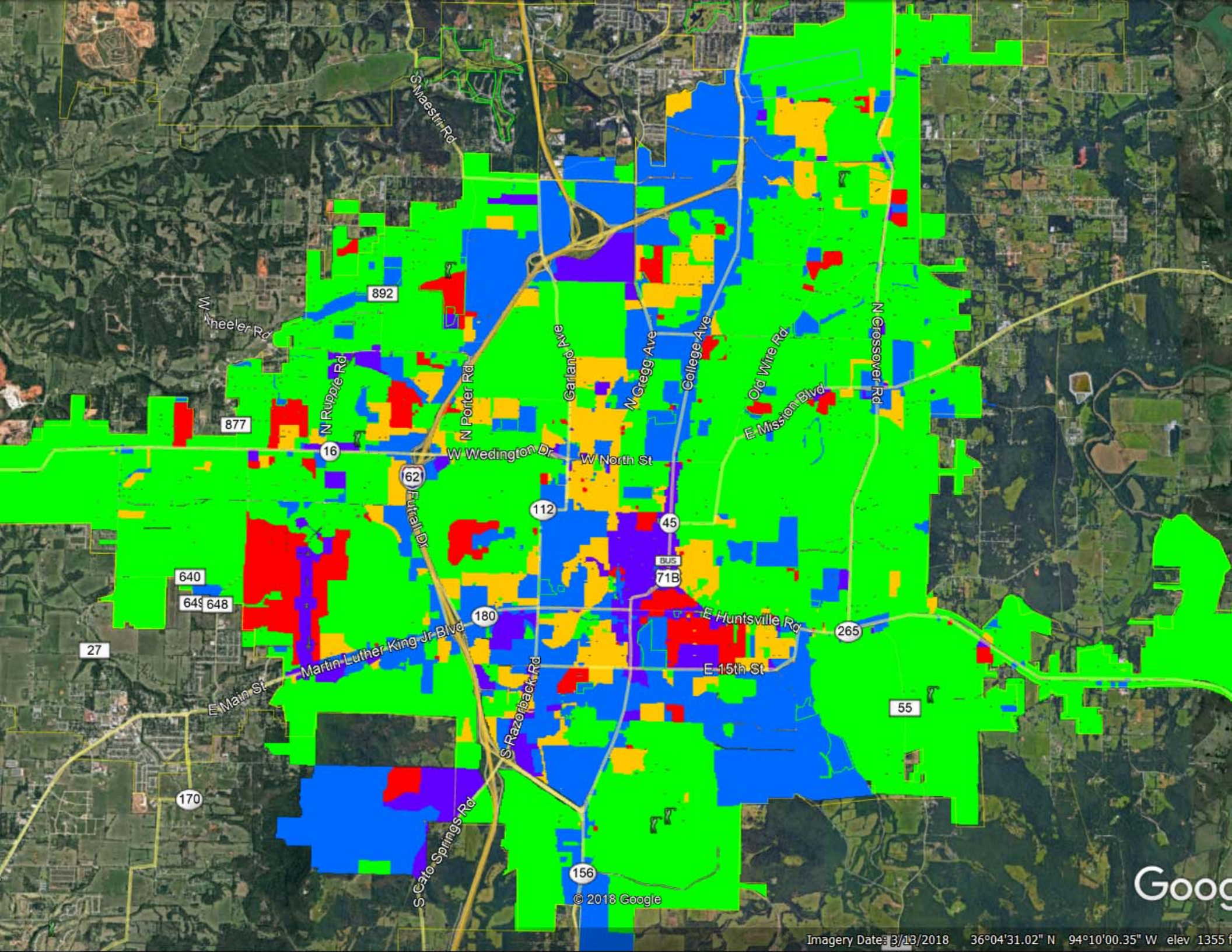
all of us would need at a minimum two car garages for each of these homes.

I've got a number of concerns about the proposal. I believe it will stunt future growth in Fayetteville, it will lead to more parking on the streets, could cause security concerns with more break-ins of vehicles parked on the streets, could lead to more accidents with children with more vehicles on the street and really goes against so many other values such as property rights.

Please consider voting against this proposal. Thank you for your time and consideration and for your service on our City Council.

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*** Arvest Confidential ***



S Maestri Rd

W Wheeler Rd

892

877

N Ruppe Rd

16

N Porter Rd

W Wedington Dr

Garland Ave

N Gregg Ave

College Ave

Old Wire Rd

E Mission Blvd

N Crossover Rd

Futrell Dr

62

112

W North St

45

BUS

71B

640

648

27

E Main St

Martin Luther King Jr Blvd

180

S Razorback Rd

E Huntsville Rd

265

E 15th St

55

170

S Cat Springs Rd

156

© 2018 Google


Google

Imagery Date: 3/13/2018 36°04'31.02" N 94°10'00.35" W elev 1355 f



Stop Single-Car Driveway/Garage Mandate in Fayetteville



 Rhonda Sims 238 Comments



We, the undersigned, are REALTOR® members of the Northwest Arkansas Board of REALTORS® and other parties who have an interest in preserving the rights of private property owners. REALTORS® in Northwest Arkansas serve many clients in Fayetteville.

The City of Fayetteville is trying to pass an ordinance that could reduce driveways down to about 10' wide, regardless of the location or house

size. This means that the future of 2+ car garages is in jeopardy. Along with this, they are also going to try to pass new legislation that could affect the orientation of houses in Fayetteville, requiring new homes to have a garage in the back of the house.

We oppose this legislation and need your support! Please mark your calendars and attend the next Fayetteville City Council meeting scheduled for Tuesday, October 1st at 5:30.

Fayetteville City Council

Tuesday, October 1st at 5:30 pm

113 West Mountain, Rm 219, Fayetteville AR 72701

Please help protect private property ownership rights by signing our petition!

904 Signatures

Goal: 2,800

SIGN THIS PETITION

Rhonda Sims

Comments

- ☒ Show my name in the online signature list
- ☒ Keep me informed on this and similar petitions

SIGN PETITION

Northwest Arkansas Board of REALTORS®

314 N. Goad Springs Road, Lowell, AR 72745

479-770-0241

www.nwarealtors.org

#	Date	Name	Comments
1	9/25/2019 5:39	Chris Demarest	
2	9/25/2019 15:06	Don McNaughton	
3	9/25/2019 15:09	Lisa Spencer	
4	9/25/2019 15:10	Janet Braden	
5	9/25/2019 15:11	Heather Keenen	
6	9/25/2019 15:13	Rhonda Sims	
7	9/25/2019 15:17	William T McKelvy	
8	9/25/2019 15:18	Sheryl Shumate	
9	9/25/2019 15:18	ken abernathy	
10	9/25/2019 15:19	Desiree Stock	
11	9/25/2019 15:20	Nate Miller	
12	9/25/2019 15:21	Julio Ibarra	
13	9/25/2019 15:22	Daniel Hawes	
14	9/25/2019 15:23	John Helm	
15	9/25/2019 15:27	Mark Kessler	
16	9/25/2019 15:28	Lacey Nickell	
17	9/25/2019 15:29	Cristen Hamilton	
18	9/25/2019 15:35	Madeline Smallwood	
19	9/25/2019 15:37	Ashley Torrey	
20	9/25/2019 15:39	Leah Risner	
21	9/25/2019 15:41	Karlie Aiken	
22	9/25/2019 15:43	Stanetta Cook	I do not agree with the proposed ordinance. Any individual who owns private property in Fayetteville, Arkansas, should be able to decide how to build on their property - within reason. This ordinance is not within reason. I believe, if passed, this ordinance will detour home owners from Fayetteville to surrounding areas
23	9/25/2019 15:50	Andrea Moran	
24	9/25/2019 15:50	Amber Parrish	
25	9/25/2019 15:51	Michael Ann Ramer	
26	9/25/2019 15:51	Gary Sams	
27	9/25/2019 15:52	Shonnie Gilbreath	
28	9/25/2019 15:53	Corey Mitchell	
29	9/25/2019 15:54	Dominick Hinds	
30	9/25/2019 15:54	Krystal McNaughton	
31	9/25/2019 15:54	Kevin kestner	
32	9/25/2019 15:55	Cathy Sanders	I believe this will greatly reduce the ability to sell these homes with one car garages. Does Fayetteville actually want to do something to fall even further
33	9/25/2019 15:55	Tyler Westbrook	
34	9/25/2019 15:55	Brandon Robison	
35	9/25/2019 15:55	Julie Hale	
36	9/25/2019 15:55	Melanie Moreau	
37	9/25/2019 15:55	Aaron Alderson	
38	9/25/2019 15:55	Tammy Richardson	
39	9/25/2019 15:55	Jennifer Skoff	
40	9/25/2019 15:55	Nancy Davidson	
41	9/25/2019 15:55	Sam Evans	
42	9/25/2019 15:55	Kayla St Pierre	
43	9/25/2019 15:55	Ronald B Stinchcomb	
44	9/25/2019 15:56	Joyce Shackelford	Ridiculous
45	9/25/2019 15:56	Eve Isbell	
46	9/25/2019 15:56	GIADWIN ochs	
47	9/25/2019 15:56	Gary McLaughlin	

#	Date	Name	Comments
48	9/25/2019 15:56	Amy Helm	
49	9/25/2019 15:56	Michael Rylee	Enough! This is still America and people have rights.
50	9/25/2019 15:56	Jason wiles	As a 18 year Realtor, I know this is not what the people of Fayetteville or looking
51	9/25/2019 15:56	John Mayer	I don't agree that all driveways going forward need to be just 10ft wide. You will run into a host of problems for people with multiple cars. This will drive developers and builders to build outside the city and result in tax loss. And
52	9/25/2019 15:56	Linda Birdsong	
53	9/25/2019 15:57	Meredith Stanford	
54	9/25/2019 15:57	Jack Hurley	
55	9/25/2019 15:57	marvin shelley	I am never surprised at anything that bunch of Looney's will do. Like spending
56	9/25/2019 15:57	Jared Peters	
57	9/25/2019 15:57	Linda Marquess	
58	9/25/2019 15:57	Marissa Barrera	
59	9/25/2019 15:57	Desirae Young	
60	9/25/2019 15:58	Mary Baggett	
61	9/25/2019 15:58	Doug Langham	
62	9/25/2019 15:58	Morris Lawson	
63	9/25/2019 15:58	Austin Mayfield	
64	9/25/2019 15:58	Amber Bauer	
65	9/25/2019 15:58	John Hagberg	
66	9/25/2019 15:59	Alison Brashears	
67	9/25/2019 15:59	Amber Nunez	My husband and I are looking to buy this coming year and a 2 car garage is a MUST! I am Realtor in the area as well and this ordinance will keep our relocation clients from moving into the area. Not to mention the many who already live in Fayetteville who are in the market to upgrade to a bigger home.
68	9/25/2019 15:59	Katherine Norton	
69	9/25/2019 15:59	Matt Blood	
70	9/25/2019 15:59	KEITH MARRS	
72	9/25/2019 16:00	Christopher Erstine	
71	9/25/2019 16:00	Korinda Edwards	
73	9/25/2019 16:00	Michael Wilson	
74	9/25/2019 16:00	Christopher Pigg	
75	9/25/2019 16:00	Greg Spencer	
76	9/25/2019 16:00	Charlie Davis	
77	9/25/2019 16:00	Eric Hutchinson	I oppose this ordinance of requiring new houses to only have a 10 ft wide
78	9/25/2019 16:00	Dave Snow	These suggested changes are not in the best interest of home owners.
79	9/25/2019 16:01	Brandee Robinson	
80	9/25/2019 16:01	Keri Bell	
81	9/25/2019 16:01	Kenneth D Childress	
82	9/25/2019 16:01	Jerry A Jay	
83	9/25/2019 16:01	Cynthia Holt	
84	9/25/2019 16:01	Jenny McBryde	
85	9/25/2019 16:01	Vanessa Hayes	
86	9/25/2019 16:01	Cheryl McCoy	
87	9/25/2019 16:02	Jeff Rylee	
88	9/25/2019 16:02	Charlie Holyfield	No small driveways!!!
89	9/25/2019 16:03	Sandy Salsbury	
90	9/25/2019 16:03	Michael Sims	I strongly disagree with the ordinance trying to mandate a single car garage and 10' wide driveway. This will hurt our ability to draw future residents that wish to have a 2 or 3 car garage. Passing this would be a huge mistake.
91	9/25/2019 16:03	Courtney Long	

#	Date	Name	Comments
92	9/25/2019 16:03	Jim Phillips	Misguided and unnecessary and an infringement of property owners' rights.
93	9/25/2019 16:03	Tracy Carter	
94	9/25/2019 16:03	John Cox	How goofy.
95	9/25/2019 16:04	Mike Kopek	
96	9/25/2019 16:04	Nate Hadley	
97	9/25/2019 16:04	Robin Duncan	Too much overreach of government. Focus on things that really matter. Like housing the homeless in Fayetteville.
98	9/25/2019 16:04	Lee Kissinger	
99	9/25/2019 16:04	Michelle Moore	
100	9/25/2019 16:05	Floyd R Kendrick Jr	
101	9/25/2019 16:05	Danny Jones	Fayetteville is out of control with power hungry ideologues that need to rethink their future and the future of housing in this community
102	9/25/2019 16:06	George Marroquin	I'm a Realtor and Live in Fayetteville, this is ridiculous.
103	9/25/2019 16:06	Renee Wellcome	This makes NO sense at all!
104	9/25/2019 16:06	Jennifer Holloway	
105	9/25/2019 16:07	Lauren Zulpo	Fayetteville has lost their minds to think a single car garage on homes is feasible. Do they want to crowd streets, have people putting tools, mowers, etc. out in their yards? And talk about reducing the amount of people who would want to build or even buy a home in Fayetteville if they are limited to a one car garage. Resale value would plummet. We aren't CA or some big city, riding a bike everywhere isn't feasible. NEITHER IS A ONE CAR GARAGE ON A NEW BUILD
106	9/25/2019 16:07	Brandon Elliott	The City of Fayetteville needs leaders with common sense. Won't work for larger families with more than one car. I don't want to see people parking on
107	9/25/2019 16:07	Ben Israel	This proposal is a far reach of city government and must be stopped.
108	9/25/2019 16:07	Ashton Todd	
109	9/25/2019 16:07	Brad Hensman	This makes no sense City of Fayetteville!
110	9/25/2019 16:08	Blayne Dodson	
111	9/25/2019 16:08	Devin Fell	
112	9/25/2019 16:08	John Rhodes	
113	9/25/2019 16:09	Scarlett Sowder	
114	9/25/2019 16:09	Callee Campbell	
115	9/25/2019 16:09	CHUCK GAY	I do not approve of ordinances that take the rights away from homeowners
116	9/25/2019 16:09	Tamara Rose	I can't believe they would even try this! No one wants it, and it can't be good for disabled people in wheelchairs!
117	9/25/2019 16:09	Alex Goble	
119	9/25/2019 16:09	Mimi DeVol	
118	9/25/2019 16:09	Stephen G Beirise	
120	9/25/2019 16:10	Stephanie Laney	
121	9/25/2019 16:10	Lori Collier	I do not agree with this ordinance in any form. Fayetteville is definitely limiting the rights of its citizens and property owners. Please vote against this and let us build the homes we want and desire and not drive us out of the city.
122	9/25/2019 16:10	Tom	the government should not be able to infringe on the bundle of rights of the property owners. Extra costs of rear entry only creates allies that are costly, attract nuances of pests, allow for outlaws and thieves/ invaders to have easier/better access to private property for theft, burglary and child stealing. One car parking driveways end up hosting a second car to park in the front yard as you can see that occurs very often that can hardly be deterred by law even
123	9/25/2019 16:10	Ramon E Pineda	
124	9/25/2019 16:10	Kimberly Haines	We must preserve the rights of home owners to freely design and choose their homes based on their personal and individual needs. Government should not dictate what size of garage you can have, or how many cars you need. Isn't this

#	Date	Name	Comments
125	9/25/2019 16:11	Sean T Morris	This is a terrible idea, especially for bigger homes with multiple cars. This will end up in some areas having more street parking or people parking in yards
126	9/25/2019 16:11	Tareneh Manning	
127	9/25/2019 16:11	John A Cox	
128	9/25/2019 16:11	Chandler Buckingham	
129	9/25/2019 16:11	Katie Young	
130	9/25/2019 16:12	Misty Hawkins	
131	9/25/2019 16:12	Lisa Hayden	
132	9/25/2019 16:12	Wendel Fleming	
133	9/25/2019 16:13	Eric Hill	
134	9/25/2019 16:13	Lisa Breanneman	
135	9/25/2019 16:14	Malinda Rector	
136	9/25/2019 16:14	Claudia Young	
137	9/25/2019 16:15	Michael V Warner	
138	9/25/2019 16:16	Phillip Turley	
139	9/25/2019 16:16	Regina Hladick	
140	9/25/2019 16:16	Dale Locander	This makes no sense at all.
141	9/25/2019 16:16	Erin Patterson	
142	9/25/2019 16:17	Jacob Wilson	
143	9/25/2019 16:17	Stephanie Kear	
144	9/25/2019 16:17	Janay Nutt	
145	9/25/2019 16:18	Susan Bracy	
146	9/25/2019 16:18	Suzett Sparks	
147	9/25/2019 16:18	Courtney Glidewell	
148	9/25/2019 16:18	Natalie	
149	9/25/2019 16:19	Cindy Switzer	
150	9/25/2019 16:20	Dana McClelland	
151	9/25/2019 16:20	Rhnee Mcclung	
152	9/25/2019 16:21	Tanner Pettigrew	
153	9/25/2019 16:21	Deborah Ficociello	
154	9/25/2019 16:22	Kristin Croswhite	
155	9/25/2019 16:22	April Hamm	
156	9/25/2019 16:22	Kelsey Roemer	
157	9/25/2019 16:23	Gordon Brown	
158	9/25/2019 16:23	Jill Bell	
159	9/25/2019 16:23	Shane Macias	
160	9/25/2019 16:24	Brenda LaRoche	Single driveways will force more parking on the street I am not in favor of this given the already limited parking around town
161	9/25/2019 16:24	Jeff Kear	
162	9/25/2019 16:25	Meredith Dowse	
163	9/25/2019 16:25	Emma Bowman	
164	9/25/2019 16:25	Irina Stacy	
165	9/25/2019 16:25	James Gibson	
166	9/25/2019 16:26	Larry Matlock	
167	9/25/2019 16:27	Michael Weir	
168	9/25/2019 16:27	Robin Collins	
169	9/25/2019 16:27	Cynthia T	The government is trying to take away our rights little by little! It's time for smaller government! These proposed charges are going to create more problems
170	9/25/2019 16:28	Jaleta Boyd	
171	9/25/2019 16:28	Christy Fournier	Please don't do this!
172	9/25/2019 16:29	Leslie Wing	

#	Date	Name	Comments
173	9/25/2019 16:29	Judie Nickell	I understand that this ordinance is for certain zoning codes but it definitely needs more study and input from builders, developers and Realtors.
174	9/25/2019 16:29	Colley Bailey	
175	9/25/2019 16:29	Kathy Pierce	
176	9/25/2019 16:29	Charles white	Not a good ideal
177	9/25/2019 16:30	Linda Peak	
178	9/25/2019 16:30	Tracy Shelton	
179	9/25/2019 16:30	Linda Hobkirk	
180	9/25/2019 16:30	Terry D Wright	
181	9/25/2019 16:31	Gene Tabor	Not the right thing to do. This will create parking issues for families with multiple cars. Driveways are also used as play areas for children and adults. How would this marry up with 2 and 3 car garages? what purpose or reasoning would this
182	9/25/2019 16:31	Scott Waymire	
183	9/25/2019 16:32	Joe Ferguson	
184	9/25/2019 16:32	Michael P Colly	
185	9/25/2019 16:33	Tiffany Hanson	
186	9/25/2019 16:34	Jonathan Moore	
187	9/25/2019 16:34	Sagely	Why do you get to choose how we want our house?
188	9/25/2019 16:34	Joel Edwards	
189	9/25/2019 16:35	Sarah Van De Veer	
190	9/25/2019 16:35	Jennifer Welch	Our buyers request garages. Cars are larger and having children who drive will prove to also prevent buyers from purchasing homes in Fayetteville if they have
191	9/25/2019 16:35	Leslie Kemp	
192	9/25/2019 16:35	Fredrick Robertson	You build 10'™ wide sidewalks that no one uses then tell us you can't have a garage on the front of the house or a driveway wider than 10'™ is a joke and shows how stupid most of the things you have done really is and how it
193	9/25/2019 16:35	Tracee Williams	The City of Fayetteville has a long history of making stupid decisions which adversely affect it's citizens, and future growth. We can just add this to the list! We already have a problem with people parking on the street in our neighborhood, this will just exacerbate the problem in new neighborhoods, or
194	9/25/2019 16:37	Eric Holland	Another over reach by government especially Fayetteville city government trying to legislate/regulate everything. Probably thinking this will get people to bike
195	9/25/2019 16:37	Hunter Prowell	Families have teenage drivers. Most families have at least 2 cars. If this passes you will have more cars parked on the streets and in the yards.
196	9/25/2019 16:37	Clyde Treat	
197	9/25/2019 16:37	Kevin Lee	
198	9/25/2019 16:38	Mya Adloo	
199	9/25/2019 16:38	Amanda	
200	9/25/2019 16:39	Patsy campbell	This is a horrible idea because most people's households have two cars
201	9/25/2019 16:39	Jon Felker	I do not think that restricting driveways and garages is a good plan for future
202	9/25/2019 16:39	Michael	
203	9/25/2019 16:40	Lisa Bonine	
204	9/25/2019 16:40	Kari Hodges	
205	9/25/2019 16:40	Evan McGinnis	
206	9/25/2019 16:40	Michelle Park	
207	9/25/2019 16:40	Teresa Champion	
208	9/25/2019 16:40	Martha Carson	All homes these days need at least 2 car garages. People don't want to purchase a home with only a 1 car garage.
209	9/25/2019 16:41	Rick Pierce	BAD IDEA!

#	Date	Name	Comments
210	9/25/2019 16:41	Annette Gore	Requiring a maximum driveway space of 10 feet is dangerous. There will be even more cars parking on the streets and alleys causing more congestion. Also requiring garages to be in the back endangers our children being in a safe place to play! This forces them into the front yards where there is more exposure to strangers and being hit by traffic! It will also affect sales of new homes. In my
211	9/25/2019 16:41	Kathy Bell	
212	9/25/2019 16:41	Somer Adams	The idea of reducing the width of driveways to 10' is ridiculous. What about families that have more than 2 vehicles? What about then a home owner has visitors? This ordinance will only create more parking on streets and become an even bigger problem. It should be up to the developer or homeowner to decide what best fits their needs. MOST buyers do NOT like the idea of a rear car
213	9/25/2019 16:43	Melissa L Chick	
214	9/25/2019 16:43	Cecilia Foy	
215	9/25/2019 16:44	Shea Peterson	
216	9/25/2019 16:44	Jean Bowden	
217	9/25/2019 16:45	Dana Cash	
218	9/25/2019 16:45	James Long	
219	9/25/2019 16:45	Natalie Edwards	
220	9/25/2019 16:45	Samuel Ward	
221	9/25/2019 16:45	Rebecca Carter	
222	9/25/2019 16:46	Judith Svoboda	
223	9/25/2019 16:46	Erin Chandler	
224	9/25/2019 16:46	Addison Seifritz	
225	9/25/2019 16:47	Susie Shinn	
226	9/25/2019 16:47	Larry Kelly	Please protect property owners rights and allow us to choose the driveway and More and more frequently we are being challenged by these new, innovative, and sometimes bizarre ideas from planning gurus. Some are worth reviewing and considering. Most are not because they are just too different. Too restrictive or too unnecessary. It's been my experience that the consumer will dictate what the market desires and needs. Cities would do well to allow developers the opportunity to risk the ventures rather than making it a blanket requirement for all. Far too often a cause and effect analysis is not considered. This is an overly
227	9/25/2019 16:47	Hunter Kitchens	
228	9/25/2019 16:48	Renee Allen	Idiotic on the part of Fayetteville
229	9/25/2019 16:48	Carter Clark	
230	9/25/2019 16:49	Genoa Norris	
231	9/25/2019 16:49	June Davenport	
232	9/25/2019 16:50	Jaimie Taylor	
233	9/25/2019 16:50	Kason Franks	
234	9/25/2019 16:51	Tim Craig	
235	9/25/2019 16:52	Ryan Moll	
236	9/25/2019 16:52	Linda Krysl	
237	9/25/2019 16:52	Lori	
238	9/25/2019 16:53	Lance Martin	
239	9/25/2019 16:53	Heather Gwin	
240	9/25/2019 16:53	Nathan Cossey	
241	9/25/2019 16:53	Taylor Marquess	
242	9/25/2019 16:53	Adan Gomez	
243	9/25/2019 16:54	Ila Campbell	
244	9/25/2019 16:54	Lance Drinkard	
245	9/25/2019 16:54	Israel Schmidt	
246	9/25/2019 16:54	Rebecca Waldo	No way this should pass.

#	Date	Name	Comments
247	9/25/2019 16:55	Belinda Williams	
249	9/25/2019 16:56	Martha Williams	
250	9/25/2019 16:56	Kevin Shipp	
251	9/25/2019 16:57	Katie Robinson	
252	9/25/2019 16:57	Melanie Silvey	
253	9/25/2019 16:58	Kendall Riggins	
254	9/25/2019 16:58	Lacy Langley	
255	9/25/2019 16:58	Christy Davis	
256	9/25/2019 16:59	Teresa Sanderson	
257	9/25/2019 16:59	Allison Penzo	
258	9/25/2019 16:59	Nick Ashford	
259	9/25/2019 16:59	Fred Wanger	There are people out there who want to dictate what you can and cannot do
260	9/25/2019 17:00	Selina Leigh	
261	9/25/2019 17:00	Madison	
262	9/25/2019 17:00	Sherrie Foster	
263	9/25/2019 17:01	Nick Reinel	
264	9/25/2019 17:01	Larry Arterberry	
265	9/25/2019 17:02	Carol W Greene	
266	9/25/2019 17:03	Heather Blaylock	
267	9/25/2019 17:03	Sharon Swalve	I do believe that there are some areas that some restrictions such as these would be applicable, however the broad spectrum of these regulations decided me to
268	9/25/2019 17:04	Peter Randall Kelderman	Please stop this action it is goes against everything that goes with private
269	9/25/2019 17:06	Rachel Helton	
270	9/25/2019 17:06	Lauren Lowery	
271	9/25/2019 17:07	Danny Proffitt	Enough is enough!
272	9/25/2019 17:08	Tiffany Terral	
273	9/25/2019 17:08	Gaylene Shipp	
274	9/25/2019 17:09	Donna	This is ludicrous and I would think against const. Rights
275	9/25/2019 17:10	Alex Gondolfi	
276	9/25/2019 17:10	Sheri Zimmerman	
277	9/25/2019 17:10	Alicia Ledden	
278	9/25/2019 17:10	Eileen Robertson	This restriction would cause more people to park on the street which is a big
279	9/25/2019 17:10	Sara McCarty	
280	9/25/2019 17:10	Taylan Davidson	
281	9/25/2019 17:11	Elizabeth Wintercorn	Who came up with this dumb idea? Do they live alone with one vehicle? Do they hate having a backyard? Sounds like they need to live in an apartment instead of
282	9/25/2019 17:11	Adriana Lopez	
283	9/25/2019 17:13	Tayler Scott	
284	9/25/2019 17:13	Wendi Jones	
285	9/25/2019 17:13	Kimberly Short	
286	9/25/2019 17:14	Traci Owens	I oppose the legislation to reduce driveways and 2 car garages
287	9/25/2019 17:15	Mel Reed	Property owners should have the right to park 2 or more cars at their house. If the plans are approved, it fits on the lot, government over-reach is never
288	9/25/2019 17:16	Robert Y Speed	Stop this.
289	9/25/2019 17:17	Tyron pappas	Stop this intrusiveness
290	9/25/2019 17:18	Paige Crockett	No to the ordinance. This is ridiculous.
291	9/25/2019 17:18	Sandy Flaming	This is going to hurt builders as well as buyers that want to come to our area.
292	9/25/2019 17:18	Ann Martin	This is not appropriate. I lived in Fayetteville for over 10 years, built homes to sell, remodeled homes, and was in real estate there. Property owners must have
293	9/25/2019 17:20	Robert McCarthy	
294	9/25/2019 17:21	ROCK FLORIDA	

#	Date	Name	Comments
295	9/25/2019 17:21	Felicia Johnson	
296	9/25/2019 17:22	Amos Richards	
297	9/25/2019 17:23	Jonathan Ross	This is getting insane. The over-reach of the Fayetteville city council has to stop. They are only hurting the city by regulating new homes and business to go to
298	9/25/2019 17:24	Debra R McNair	Not in favor of this at all. These choices should be for the builder & future
299	9/25/2019 17:25	Stephen Fulton	
300	9/25/2019 17:26	Mark Linker	
301	9/25/2019 17:26	Jacklyn Perry	
302	9/25/2019 17:28	Linda R Necessary	This is ridiculous legislation!!
303	9/25/2019 17:28	James A Carter	This must be defeated. Limiting a mid-size single family residence to one car drive / garage through building codes deprives two-wage-earner families of
304	9/25/2019 17:28	Braden P Yoakum	This is another boneheaded idea! Along with all the speed tables and bike route
305	9/25/2019 17:28	Toby Crawford	
306	9/25/2019 17:28	Rob Ahrent	
307	9/25/2019 17:28	Amy Rollins	
308	9/25/2019 17:28	Mitch Weigel	As a Realtor helping families buy and sell homes in Fayetteville for over 20 years, I can assure you that this is not what the real estate market needs to remain strong and viable. Buyers deserve choices and this isn't the right one. This also represents grave overreach by the Fayetteville City Council in its attempt to
309	9/25/2019 17:29	Jason McClure	
310	9/25/2019 17:29	Brock Dassero	
311	9/25/2019 17:29	Elizabeth Oxford	
312	9/25/2019 17:29	Trish cruz	
313	9/25/2019 17:30	Craig	Can't imagine why this would pass, most families have a min of 2 vehicles... single car garages leave very little extra space for storage. Imagine a 4,000 sq. ft. home with a single car garage, that would hurt re sell value or the original sale. Streets would fill with spillover vehicles or in the yards. Plus IF the garage had to be in the back "why" restrict to a one vehicle garage then... Nobody would see the
314	9/25/2019 17:30	Johnathon Rife	Not your property, not your business.
315	9/25/2019 17:30	Joe Smith	Of all the stupid, unnecessary legislation, this is up there. Absolute nonsense.
316	9/25/2019 17:30	Haley Campbell	
317	9/25/2019 17:30	Tressa DeMiranda	
318	9/25/2019 17:31	Janice Holland	
319	9/25/2019 17:31	Sydney Smith	
320	9/25/2019 17:31	Russell King	
322	9/25/2019 17:32	Kristie Morrison	
323	9/25/2019 17:32	Paisley S	
324	9/25/2019 17:32	Chris May	
325	9/25/2019 17:33	Rhonda Marsh	
326	9/25/2019 17:34	Sandra Danehower	Against this - it will hurt the real estate market here in NWA
327	9/25/2019 17:34	Aimee Crawford	
328	9/25/2019 17:34	Misty Simpson	Please just stop!!! I live here because it is funky and different. Please stop trying to use every patch of grass and adding cracker box houses!!
329	9/25/2019 17:34	Jenna Ruhe	
330	9/25/2019 17:35	Chance Schubert	
331	9/25/2019 17:36	Mark Watkins	
332	9/25/2019 17:36	Nishanthi Abeyagunawardene	
333	9/25/2019 17:36	Michael Cardenzana	Come on Fayetteville really?
334	9/25/2019 17:37	Doug Lossing	
335	9/25/2019 17:37	Mollie Menges	
336	9/25/2019 17:37	Kristen Hayford	

#	Date	Name	Comments
337	9/25/2019 17:37	June B Ball	I oppose this ordinance. Living in a neighborhood is not all about looks it's
338	9/25/2019 17:38	Steven Brown	
339	9/25/2019 17:38	Julianne DeLong	
340	9/25/2019 17:39	Sarah Farmer	
342	9/25/2019 17:40	Derry Birdsong	
343	9/25/2019 17:40	Cara Gullede	
344	9/25/2019 17:40	Maria Fairchild	This legislation will not only affect the real estate market in Fayetteville, it will affect families. Most households have 2 or more cars. Makes no sense.
345	9/25/2019 17:43	louis williams	This is liberal BS from the Peoples Republic of Fayetteville. Next election is time to elect some normal people.
346	9/25/2019 17:43	John Sandy	
347	9/25/2019 17:43	Tracy Richards	This is an overreach of city government and will negatively impact families and
348	9/25/2019 17:43	KarrLa Elliott	
349	9/25/2019 17:44	Jonathan	WhUT
350	9/25/2019 17:45	Brandy Pool	
351	9/25/2019 17:46	Jason Benham	
352	9/25/2019 17:47	Lisa Lovejoy	
353	9/25/2019 17:48	Stephanie Aldridge Luttrell	
354	9/25/2019 17:48	Jim Gallagher	This does not work for my clients
356	9/25/2019 17:49	jessica kolman	
357	9/25/2019 17:50	FRED GRIESENAR	
358	9/25/2019 17:51	Rebekah S Murphy Cox	
359	9/25/2019 17:51	Rylan Sims	
360	9/25/2019 17:51	justin igo	people move here to get away from the huge metros codes, dont ruin the nwa
361	9/25/2019 17:52	Shannon	Ludicrous is what it is
362	9/25/2019 17:52	Debra A DeGiso	
363	9/25/2019 17:52	Scott E Franklin	
364	9/25/2019 17:53	Sarah Anderson	I find it absurd that this mandate would even be a consideration.
365	9/25/2019 17:53	Loren L Smith	We as home owner should have the right to say how big our driveway is ! We are the ones paying for it anyway along with property taxes!
366	9/25/2019 17:53	LeeAnn Stottle	
367	9/25/2019 17:53	William L Speer	
368	9/25/2019 17:54	Race Hobson	
369	9/25/2019 17:54	Martin Pedraza	
370	9/25/2019 17:55	ben carson	
371	9/25/2019 17:55	Barbara Powers	
372	9/25/2019 17:56	Christine Cook	
373	9/25/2019 17:57	Landra Bench	
374	9/25/2019 17:57	Sam Niccum	
375	9/25/2019 17:57	Michael Simmons	
376	9/25/2019 17:58	Donna Williams	
377	9/25/2019 17:58	David Pfeifler	
378	9/25/2019 17:58	Sean Hill	
379	9/25/2019 17:58	Hailey	
380	9/25/2019 17:58	Angela Paarker	
381	9/25/2019 17:59	Arlene	I oppose this restriction
382	9/25/2019 17:59	Sherri Fry	
383	9/25/2019 17:59	Denise Yates	
384	9/25/2019 18:00	Ron Gilbert	
385	9/25/2019 18:01	Mike Speights	
386	9/25/2019 18:01	Zach Jones	

#	Date	Name	Comments
387	9/25/2019 18:01	Pamela Candler	
388	9/25/2019 18:02	Mike Henry	
389	9/25/2019 18:02	Courtney Johnson	
390	9/25/2019 18:03	Falinda Duncan	
391	9/25/2019 18:04	Flemming Aase	
392	9/25/2019 18:04	Jean Ann Gilbert	
			This is a waste of time and waste of resources. For families with more than one vehicle, because both spouses work, where should we park the other vehicle? In the grass, no? That's against ordinance. In the road? That's also against the rules. Let's try this, instead of trying to limit the tax payers property and fucking driveway's, that we pay for not you, go and spend our fucking money on other
393	9/25/2019 18:04	Mitchell Davis	
394	9/25/2019 18:04	Janis McHaney	
395	9/25/2019 18:04	Leslie Keeling	
396	9/25/2019 18:05	Andrew Keeling	
			This ordinance would only further frustrate the citizens of Fayetteville and slow the growth and development of Fayetteville.
397	9/25/2019 18:05	Brian Hester	
398	9/25/2019 18:05	Joy Ellis	
			This is an absolutely meaningless ordinance that clearly the people trying to get it passed do not have an understanding of REALITY.. sounds just like so many other things the government is trying to pass that only effect peaceful, law abiding citizens ... government oversight is NEVER the solution.. and only leads to
399	9/25/2019 18:07	Brent Morgan	
400	9/25/2019 18:08	Bill Beck	
			It could help lower Fayetteville property values as families will chose surrounding towns to call home that donâ€™t mandate driveway size etc.
401	9/25/2019 18:08	Michala Woodring	
402	9/25/2019 18:10	Matthew Reith	As a real estate investor, I will not invest in Fayetteville if this passes.
403	9/25/2019 18:11	Amber Moser	
404	9/25/2019 18:11	Stephanie Ray	No!!
			This legislation would drive prices up on existing homes that offer better layouts and garage space, further damaging the affordable housing market.
405	9/25/2019 18:11	Nicki Rogers	
406	9/25/2019 18:12	Michael Anderson	
407	9/25/2019 18:12	Susan Lippincott	I oppose this restriction as it does NOT benefit public interests.
408	9/25/2019 18:12	Keith Hoggard	Please vote against this mandate. It is bad for our community.
409	9/25/2019 18:13	Angie Dean	
410	9/25/2019 18:13	Will hart	
411	9/25/2019 18:14	Julie Rusch	
412	9/25/2019 18:16	Dennis Peterson	No
413	9/25/2019 18:17	Joanna McCall	NO small driveways or rear garages!
414	9/25/2019 18:17	Brooke Peterson	
415	9/25/2019 18:17	Christina Payton	This infringes upon property owners' rights. Do not pass!
416	9/25/2019 18:18	Blake Smith	
			This is extreme overreach and will make Fayetteville family friendly no longer. This makes absolutely no sense for long term growth and sustainability.
417	9/25/2019 18:19	Stacy Hull	
418	9/25/2019 18:19	Megan Day	
419	9/25/2019 18:21	Sue Truitt	
420	9/25/2019 18:23	Fred Rausch	
421	9/25/2019 18:24	Jeff McGregor	
422	9/25/2019 18:25	Kala Rath	
423	9/25/2019 18:25	John Crow	
424	9/25/2019 18:25	David Johnson	Way to much overreach by the City.
425	9/25/2019 18:26	Martha Prowell	I cannot understand the reasoning behind this proposal. Regardless the size of the house, most families are at least a 2 car family. Required for transportation

#	Date	Name	Comments
426	9/25/2019 18:26	Carolyn Campbell	
427	9/25/2019 18:27	Rhonda Hill	
428	9/25/2019 18:29	Kelley A Davidson	
429	9/25/2019 18:30	Jeremy Cupp	Terrible idea.
430	9/25/2019 18:32	Holly McMaster	My main concern would be that it would force homeowners (who may own more than 1 car) to park cars on the streets, which would become unsightly and
431	9/25/2019 18:34	Toni Luneau	
432	9/25/2019 18:37	Brandon Hamilton	
433	9/25/2019 18:37	Louis Dale Scarbrough	
434	9/25/2019 18:38	Bryan Young	
435	9/25/2019 18:39	Cheryl Freeman	This would cause more street traffic and create more problems than it would
436	9/25/2019 18:39	Melinda Stutes	
437	9/25/2019 18:40	Jackelyn Cepparo	
438	9/25/2019 18:41	Karen Willems	
439	9/25/2019 18:42	Tanner	
440	9/25/2019 18:42	Alice Penner	
441	9/25/2019 18:43	Melissa Arndt	
442	9/25/2019 18:43	Felicia Jarrett	
443	9/25/2019 18:44	Todd Crane	City of Fayetteville please stop creating problems so you can create a solution that creates more problems! Stop infringing on free enterprise and private
444	9/25/2019 18:46	Brandi Mooneyhan	
445	9/25/2019 18:46	Francis Poole	
446	9/25/2019 18:46	Destiny Scott	
447	9/25/2019 18:47	Sue Calaway	No No No
448	9/25/2019 18:48	Dee Smurth	
449	9/25/2019 18:49	Claudia Adamson	
450	9/25/2019 18:49	Kim Kendrick	
451	9/25/2019 18:50	Ric Stripling	
452	9/25/2019 18:53	Melissa Ludwick	
453	9/25/2019 18:55	Sarah Sweetser	
454	9/25/2019 18:55	Randall Carney	
455	9/25/2019 18:56	Jenny Miller	
456	9/25/2019 19:00	Brenda Cunningham	This will cause driveways to lol junky . People need more space
457	9/25/2019 19:01	Liliana Farley	Please help us protect the rights of homeowners in NWA, particularly the part of the population that is most vulnerable.They are the ones who work hard every day to educate our children, serve in restaurants, care of the elderly, fix our cars, etc. They keep coming to our beautiful part of the world because they dream of having dignified housing. It is because of them that we have a thriving economy
458	9/25/2019 19:01	Timothy Salmonsens	Please don't pass this senseless ordinance. Property owners rights should not
459	9/25/2019 19:02	mark Dismore	
460	9/25/2019 19:02	Vicki L Bronson	
461	9/25/2019 19:04	Zach Eichenberger	
462	9/25/2019 19:04	Leta Castleman	
463	9/25/2019 19:04	Elizabeth Webster	
464	9/25/2019 19:07	Daniel Naranjo	Government over reach much!! Geez let people Build the homes they want not what the city wants! Do you want to stop growth? This is a great way to do that.
465	9/25/2019 19:08	Paul D Harrill	What were they thinking?
466	9/25/2019 19:11	Todd Ring	
467	9/25/2019 19:12	Tina Coats	
468	9/25/2019 19:13	Jeff Budd	This is an unusually imposing proposal that should not be passed.
469	9/25/2019 19:13	Colten Harris	

#	Date	Name	Comments
470	9/25/2019 19:15	Joseph Morrow	
471	9/25/2019 19:16	Katie Book	
			Property owners should have the right to construct whatever they wish, within existing building codes. This sounds like a needless ordinance, which would give builders and potential homeowners ammunition to build elsewhere. Is this what
472	9/25/2019 19:17	Edward P Briolat	
473	9/25/2019 19:20	Zachary hashagen	
474	9/25/2019 19:21	Wendy johnston	
475	9/25/2019 19:21	KRhodes	
476	9/25/2019 19:24	Jordan eddleman	
477	9/25/2019 19:25	Jerry Allen Kitterman	
478	9/25/2019 19:26	Shannon Ridley	
479	9/25/2019 19:26	CharLee Sloan	
480	9/25/2019 19:26	Kim Carter	
481	9/25/2019 19:27	Cindy Sloan	
482	9/25/2019 19:28	Ethan Rogers	
483	9/25/2019 19:30	Karen Colbert Hurlbut	
484	9/25/2019 19:33	Michael Douthit	
485	9/25/2019 19:38	Atina King	I strongly oppose this. Youâ€™ll run homeowners out of Fayetteville.
486	9/25/2019 19:38	Mitch Erwin	
487	9/25/2019 19:39	Francisco Diaz	On behalf of my large family, Realtors, and students of University of Arkansas, we
488	9/25/2019 19:40	Jennifer Elder	
489	9/25/2019 19:40	Rebecca Garrett	
490	9/25/2019 19:41	Becky Arterberry	
491	9/25/2019 19:42	Rick Hawes	
492	9/25/2019 19:43	Chuck Fawcett	
493	9/25/2019 19:44	Sandy Mahaffey	Rediculous!
494	9/25/2019 19:44	Allison Tritt	
495	9/25/2019 19:44	Andres De Santiago	
496	9/25/2019 19:46	Esbeidy vela	
497	9/25/2019 19:46	Niki Hargrove	
498	9/25/2019 19:47	Kathy Scharff	
499	9/25/2019 19:47	Keifer Holt	
500	9/25/2019 19:49	Jamey sims	
501	9/25/2019 19:50	Christi Campbell	
502	9/25/2019 19:50	Lori Odell	
503	9/25/2019 19:50	Paul Crawford	
			What a dumb idea to come up with. Imposing a one-car garage limit on new houses will turn homebuilders and buyers away from Fayetteville toward other growing towns in the area. The lifestyle here requires two jobs and two cars for most couples/partners. Our town hasnâ€™t got the type of high-speed public transport infrastructure that enables people to commute. Only a few people live
504	9/25/2019 19:51	Alice M Hayre	
505	9/25/2019 19:51	Donna Lukas	
506	9/25/2019 19:51	Beci Martin	
507	9/25/2019 19:53	RYAN RUSSELL	This is a ridiculous ordinance proposal that infringes on a property owners
508	9/25/2019 19:54	Debbie Harsh	
509	9/25/2019 19:56	Kyle Pattillo	
510	9/25/2019 19:56	Betty Brandon	2 car garages are a necessity! Let homebuilders have the decision.
511	9/25/2019 19:57	Kriston Barnes	
512	9/25/2019 19:58	Dana Davis	
513	9/25/2019 19:59	Janet M Snyder	
514	9/25/2019 20:03	Brian Kirk	

#	Date	Name	Comments
515	9/25/2019 20:05	Kevin Higgins	This is insane. We have enough trouble parking in the city as it is and now you want to limit parking on a persons private real estate. Sorry, no way.
516	9/25/2019 20:07	Rita Collis	I support the petition
517	9/25/2019 20:08	Michelle Cooper	
518	9/25/2019 20:09	Joyce Caldwell	
519	9/25/2019 20:10	Nancy Budensiek	This proposed ordinance is so absurd it is embarrassing.
520	9/25/2019 20:11	AMANDA Whitson	
521	9/25/2019 20:13	Tami L Chiu	
522	9/25/2019 20:13	Lisa Schilling	
523	9/25/2019 20:14	Betty Bomar	
524	9/25/2019 20:15	Rebecca Smith	
525	9/25/2019 20:16	Marla Roberds	
526	9/25/2019 20:17	Mandie Fraser	
527	9/25/2019 20:21	Kyle Garen	
528	9/25/2019 20:21	Lisa Vickery	I do not live in Fayetteville but have many friends that do that I visit often and will need a place to park when I visit. That will be a huge hassle for families with
529	9/25/2019 20:23	Dan Ashley	
530	9/25/2019 20:23	Rhonda King	
531	9/25/2019 20:24	Patricia Moore	This is crazy Please rethink your position.....
532	9/25/2019 20:24	Traci Jardin	How about trying to be NOT part of the parking problem. Just two months ago people where there complaining about having no driveway or place to park because of college students or local businesses. I know its in the old part of town but soon its going to be everywhere. Lets no go backwards and have the same
533	9/25/2019 20:25	Haley Palarino	I am very against this! The main reason we bought a house is for a big backyard to have people over and for our dog.
534	9/25/2019 20:26	Stephanie Back	
535	9/25/2019 20:26	Kenny Blume	lame, unreasonable, drives up costs with larger lots needed. Renders existing investments worth Less as smaller houses would likley be needed to allow for rear garage. In the end, more concrete is sold and less green. more concrete as
536	9/25/2019 20:28	Carl Collier	So important to stop single car driveways
537	9/25/2019 20:28	Adam k Steenken	I'm progressive an applaud reducing auto emissions. This is not the way to do it unless you want cars illegally parked on the streets.
538	9/25/2019 20:29	Julie Rheay	
539	9/25/2019 20:32	Joseph Ryan Smith	Ridiculous that the city is even focusing on this, itâ€™s a horrible proposal. Why donâ€™t they do something constructive and focus on funding for additional
540	9/25/2019 20:33	Haleigh Geels	
541	9/25/2019 20:34	Bill	
542	9/25/2019 20:35	Moore Jason R	
543	9/25/2019 20:35	John Ervin	Too many families are multi car families out of necessity. Limiting driveway ingress and egress would seriously impact future home development in Fayetteville and push new homes to other communities thereby eroding the Fayetteville tax base. This ordinance may seem progressive but itâ€™s bad
544	9/25/2019 20:35	Nancy Selman	Itâ€™s America!!
545	9/25/2019 20:37	David Stobaugh	
546	9/25/2019 20:38	Jennifer McLelland	Ridiculous!!!!
547	9/25/2019 20:39	Justin Bode	
548	9/25/2019 20:40	Janet Johnson	
549	9/25/2019 20:40	Helen M Murphy	I support 2 car garages and driveways supporting more than 1 car
550	9/25/2019 20:40	Chad Hartsfield	
551	9/25/2019 20:41	Dr Tom Schiller	I support 2 car garages for property rights in Fayetteville.
552	9/25/2019 20:42	Linda Gaddy	

#	Date	Name	Comments
553	9/25/2019 20:42	Leigh Anne Yeargan	
554	9/25/2019 20:42	Shana Kasperek	
555	9/25/2019 20:42	Taylor Kella	
556	9/25/2019 20:43	Stive Palma	
557	9/25/2019 20:45	Michael Herring	
558	9/25/2019 20:45	earl spillman	
559	9/25/2019 20:45	Randall Cale	Completely unnecessary
560	9/25/2019 20:45	Troy Thompson	
561	9/25/2019 20:46	Maura Griesse	
562	9/25/2019 20:46	Dianne Baer	
563	9/25/2019 20:47	Candace Nelson	Alleys are not pretty. This doesn't sound family friendly when the children
564	9/25/2019 20:47	Patricia Warford	Stop this craziness!
565	9/25/2019 20:47	Justin Doherty`	
566	9/25/2019 20:48	BOB LIDDELL	
567	9/25/2019 20:48	Teresa Hudson	I am not for this
568	9/25/2019 20:48	Ben Booth	Another attempt by the City Council to discriminate against housing that doesn't fit their agenda....a shame
569	9/25/2019 20:48	Cory Baxley	
570	9/25/2019 20:49	Brently Howell	This would cause more on-street parking, causing more possibilities for pedestrians to be hit walking around cars parked in the street.
571	9/25/2019 20:49	Lee Scarlett	A ten foot wide driveway is just silly. Today's homes have 3 car garages more often than not. With land costs going up, how do you expect a home owner with say a 3000 sq. ft. home to only have a one or two car garage, and then only a ten foot wide approach? I'm sure there are much more pressing issues that the City
572	9/25/2019 20:50	David	This is stupid beyond words...
573	9/25/2019 20:50	Haley Nicodemus	
574	9/25/2019 20:51	Maggie Goodsole	
575	9/25/2019 20:52	Samantha Beam	
576	9/25/2019 20:52	Damon Hill	This is just absurd. What in the world could be precipitating this useless ordinance? Can't we first fix some of the more glaring issues in this city besides trying to limit and encroach upon decisions which should be left to
577	9/25/2019 20:53	Christopher Palmer	
578	9/25/2019 20:53	shelby walker	
579	9/25/2019 20:53	Nina Stoecker	this would heart the communities for home owners in low income that could not
580	9/25/2019 20:53	Bret Aldridge	
581	9/25/2019 20:54	Sierra Cooley	
582	9/25/2019 20:55	Nic Smith	
583	9/25/2019 20:56	David w Ward	
584	9/25/2019 20:57	Ayren Howell	
585	9/25/2019 20:59	Stephanie Chism	
586	9/25/2019 20:59	Michael Partee	
587	9/25/2019 20:59	April ONeal	
588	9/25/2019 21:00	Wayne George	Will accomplish 2 things, 1. Force cars to park on the streets resulting in Crowded streets which could impede first responders 2. Increase the population of surrounding towns as people will choose to live in towns that respect
589	9/25/2019 21:00	Chris A Wimberly	
590	9/25/2019 21:00	Mark Marquess	
591	9/25/2019 21:00	Sonja Barnett	This is ridiculous.
592	9/25/2019 21:01	Sheridan Mercer	
593	9/25/2019 21:01	Philip Lobb	
594	9/25/2019 21:02	Mitchell Styles	

#	Date	Name	Comments
595	9/25/2019 21:04	Jennifer Sims	
596	9/25/2019 21:05	Miki Ma	Please stop pass single car driveway and car garage on the back! It is bad for
597	9/25/2019 21:06	Neal Hefner	
598	9/25/2019 21:07	Robin Hesington	
599	9/25/2019 21:08	Libby Palmer	I do not agree with this ordinance.
600	9/25/2019 21:09	Eric Arndt	
601	9/25/2019 21:12	Shawn Smith	
602	9/25/2019 21:13	Nathan Bell	
603	9/25/2019 21:14	Marshall Yantis	
604	9/25/2019 21:16	Sam Mckellips	
605	9/25/2019 21:19	Catalina Herrera-Oteh	
606	9/25/2019 21:19	Shannon Jones	Why would we narrow driveways when there are already times when mutiple cars need to park in driveways. Do we want our neighborhood streets lined with cars which could potentially cause more of an issue. Please reconsider.
607	9/25/2019 21:19	Crystal Roten	This is absurd! This will decrease property value, while causing visual destruction & yard crowding! Parking on streets will be forced due to limited driveway and will become a HUGE ROAD HAZARD! Most families have multiple drivers in a
608	9/25/2019 21:20	Jack Avery	I do not agree with this. It will only cause more congestion with more vehicles parked on streets. Fayetteville is a commuter city with no use of mass transit.
609	9/25/2019 21:21	Carla Spainhour	This type of stuff is exactly why Fayetteville has not progressed as much as Benton county cities and why restaurants do not want to put locations in
610	9/25/2019 21:23	TJ Mohler	
611	9/25/2019 21:24	Kirby Johnson	
612	9/25/2019 21:25	Trey Holloway	
613	9/25/2019 21:26	Allie Verdery	
614	9/25/2019 21:28	Leisa Gebhart	
615	9/25/2019 21:30	Richard lange	
616	9/25/2019 21:34	Marcy McCroskey	
617	9/25/2019 21:34	Kelly isham	
618	9/25/2019 21:36	Topher Moore	
619	9/25/2019 21:37	Arlis Herriman	The houses/duplexes/condos have too little off street parking withe the current
620	9/25/2019 21:38	Patty Hatfield	
621	9/25/2019 21:41	Monica Barnett-Wakefield	
622	9/25/2019 21:43	Glenn Trammell	This is not a good or helpful idea.
623	9/25/2019 21:44	Caroline Srygley	
624	9/25/2019 21:45	Mary Grace Alexander	
625	9/25/2019 21:45	Jennifer Huffaker	
626	9/25/2019 21:49	Renee Hudock	This just seems too controlling & bad for real estate.
627	9/25/2019 21:52	Lauren Taylor	
628	9/25/2019 21:54	Gig Siemens	
629	9/25/2019 21:54	Dana Harvey	
630	9/25/2019 21:55	WADE WINN	
631	9/25/2019 21:56	Patricia Walker	
632	9/25/2019 21:57	Charli Lawson	
633	9/25/2019 22:06	Van Thomas	
634	9/25/2019 22:09	Octavio Alexis Guevara Mendez	
635	9/25/2019 22:12	Alyssa Drain	
636	9/25/2019 22:12	Patsy Chance	
637	9/25/2019 22:13	Rommy Greer	
638	9/25/2019 22:15	Tamara Brickey	
639	9/25/2019 22:16	Rebeca Wuetig	

#	Date	Name	Comments
640	9/25/2019 22:16	Mark Flake	
641	9/25/2019 22:20	Kerri Turner	Please vote no regarding the Driveway limitation legislation and the orientation of houses in Fayetteville legislation.
642	9/25/2019 22:22	camilla williamson	
643	9/25/2019 22:22	Brandon D Long	
644	9/25/2019 22:23	Michael Arcana	We need to vote in an entire change at all levels of this city
645	9/25/2019 22:28	Charles Wade	
646	9/25/2019 22:33	Gwen Wiley	
647	9/25/2019 22:33	Scott Miller	
649	9/25/2019 22:34	Rhonda Balmer	Horrible idea!!!
648	9/25/2019 22:34	Stacy Keenan	
650	9/25/2019 22:35	Barbara Aldridge	Please no.
651	9/25/2019 22:36	Ann Gray	This sounds crazy!
652	9/25/2019 22:36	Randy Roth	I say No to 10' wide driveways.
653	9/25/2019 22:36	Kelly Sanford	
654	9/25/2019 22:37	April Moody	
655	9/25/2019 22:38	Ruben Paulino	
656	9/25/2019 22:40	Bill Bush	This is not good for property values or citizens! Actually just a totally dumb over
657	9/25/2019 22:49	Diane Schultz	
659	9/25/2019 22:52	Sara McKay	
660	9/25/2019 22:53	lawrence finn	
661	9/25/2019 22:58	Mark rouse	A horrible idea. Will adversely affect housing in Fayetteville
662	9/25/2019 23:02	Rachel Harr	
663	9/25/2019 23:02	Rachel Allen	
664	9/25/2019 23:04	Sooky Brigance	
665	9/25/2019 23:04	America Aranda-Hull	
666	9/25/2019 23:21	Molly Hunt	
667	9/25/2019 23:21	Andrew Shobe	
668	9/25/2019 23:26	Nancy Holland	
669	9/25/2019 23:32	Robert Henry	
			I have been a broker/owner of a real estate company in Fayetteville for over 34 years. I do not understand how this could be a mandatory building ordinance. Let a builder decide on one car or two car garage. Plus it should be mandatory in a subdivision that is already established with 2 and 3 car garages. The working public of 2 adults supporting a family need two cars to commute to work. How can they do this. A driveway full of cars. Or parking on the grass ?? Please voice my strong opinion against this Thank you Mary Bassett Bassett Mix and
670	9/25/2019 23:32	Mary Bassett	
671	9/25/2019 23:34	Mike Cassels	
672	9/25/2019 23:35	Scott Owen	
673	9/25/2019 23:37	Terri McNaughton	
674	9/25/2019 23:39	Roger Walker	
675	9/25/2019 23:44	Brittanie f	Leave the people alone it's a driveway for Pete's sake! Find something more
676	9/25/2019 23:45	Jason f	Leave the people alone it's a driveway for Pete's sake! Find something more
677	9/25/2019 23:46	Scott Dodson	Absolutely insane idea. Please stop!
678	9/25/2019 23:50	Sandy Bates	I feel this is an infringement to owner's property rights and would be
679	9/25/2019 23:54	Tamara Waddell	
680	9/25/2019 23:54	Jon willett	
681	9/25/2019 23:56	Danielle Best	
682	9/25/2019 23:56	Angie Childers	
683	9/26/2019 0:00	Marla Hargus	
684	9/26/2019 0:02	Michele Watkins	

#	Date	Name	Comments
685	9/26/2019 0:05	Lenore Cottrell	
686	9/26/2019 0:06	Joan Terral	
687	9/26/2019 0:10	Tami Marks	
688	9/26/2019 0:11	Cayden Hollingsworth	This makes no sense why they would want to do that and how would a garage in the back of the house even work? How would you get your car in and out of it
689	9/26/2019 0:11	Mark Brewer	
690	9/26/2019 0:12	rocky walker	I own property in Fayetteville and have and am developing subdivisions there and build houses there, this would hinder our ability to provide housing to many
691	9/26/2019 0:15	Laura murphy	
692	9/26/2019 0:24	Leanne Bowles	Bad decision. Our city government needs to take its time and allow all homeowners the chance to learn more about this and have input.
693	9/26/2019 0:28	James Rushing	
694	9/26/2019 0:32	Gary Brewer	Why make the home owner put up with ridiculous ordinances that have no logic behind them. Most of the neighborhoods I drove through the streets are already so skinny you can't get through and two cars side-by-side why on earth would you want to take away driveways and garages and create more chaos in
695	9/26/2019 0:33	Kevin	Why is it any of your damn business how big my garage is???
696	9/26/2019 0:37	Lindsay Wallace	
697	9/26/2019 0:41	Keith Miller	
698	9/26/2019 0:41	Martha R Johnson	This is the most ridiculous thing I've heard of. Reduce property value and people will pay less taxes. How does that help the economy of Fayetteville. Watch how
699	9/26/2019 0:48	Kathi Frieberg	
700	9/26/2019 0:49	Steve Abshier	
701	9/26/2019 0:49	Melissa Broyles	
702	9/26/2019 0:52	Barbara Tillman	This is a crazy idea without merit. Most families have 2 cars because they have to go to work. Rear entry garages make pretty neighborhoods, but that is none
703	9/26/2019 0:52	Cathy Luo	Please keep our home to have beautiful back yard the landscaping
704	9/26/2019 0:58	Robin Grisso	Totally unnecessary and ridiculous.
705	9/26/2019 0:59	Catherine Herzog	
706	9/26/2019 1:03	Angela Lynn Warner	
707	9/26/2019 1:15	Tracie Floyd	
708	9/26/2019 1:16	David Floyd	
709	9/26/2019 1:18	Pragya Mathur	
710	9/26/2019 1:25	KaCee Rogers	
712	9/26/2019 1:36	Amanda Carson	
713	9/26/2019 1:46	Emily wheeler	
714	9/26/2019 1:48	Joyce Eubanks	Idiotic, ludicrous, and just plain stupid!
715	9/26/2019 1:49	Kimberly Bell	
716	9/26/2019 1:50	Amanda Wells	
717	9/26/2019 2:03	Donna Katzfey	
718	9/26/2019 2:05	Jared Greer	Ludicrous.
719	9/26/2019 2:14	Anthony Crowsey	
720	9/26/2019 2:24	Adam Hutchens	
721	9/26/2019 2:27	Heather Hammel	
722	9/26/2019 2:27	Sarah McKenzie	
723	9/26/2019 2:33	Jonathan Janacek	
724	9/26/2019 2:35	Jessica Serrano	Stop this ordinance!
725	9/26/2019 2:35	Manting ZHANG	
726	9/26/2019 2:45	Aaron K Wilkerson	
727	9/26/2019 2:50	Ben Van De Veer	
728	9/26/2019 2:53	Casey Baker	

#	Date	Name	Comments
729	9/26/2019 2:53	Justin Bounds	Single car driveways are not a smart idea & people buying a starter homes want
730	9/26/2019 3:04	Barbara Kildow	
731	9/26/2019 3:04	Kim Piepenbrok	
732	9/26/2019 3:08	Lisa Darling	Why are we doing this?
733	9/26/2019 3:08	Kramer Stewart	
734	9/26/2019 3:37	Timothy Campbell	Home and land owners should decide what and how they build on their own property NOT "nanny state" politicians!!
735	9/26/2019 3:40	Carole Kelley	
736	9/26/2019 3:54	Alec Tahy	
737	9/26/2019 3:55	Ricky Doyle	
738	9/26/2019 4:04	Rhoda Mcguire	This is insane!!!
739	9/26/2019 4:05	John Faucette	City Administration has gone completely nuts
740	9/26/2019 4:08	Kdora Couch	
741	9/26/2019 4:20	Tina Presley	
742	9/26/2019 4:32	Helen Dansker	The larger behicles would not fit in this sort of situation and 2 car garages would
743	9/26/2019 5:19	Denise Carrigan	
744	9/26/2019 5:22	Jor	
745	9/26/2019 5:40	Rush Shah	A house should be made and maintained as the owner of the property wants.
746	9/26/2019 5:55	Nadean	Stupid left wing socialist democrat idea controlling our freedom to make our own
747	9/26/2019 6:24	Richard Ayres	
748	9/26/2019 6:40	Melody R Troutman	Are you just trying to stunt the growth of Fayetteville?
749	9/26/2019 7:06	Rosemary Kohrig	Please do not approve these terrible narrow driveways and rear-load-only
750	9/26/2019 7:15	Katie Marquess	
751	9/26/2019 8:16	Andrea Smithers	
752	9/26/2019 8:29	Judith Royce	
753	9/26/2019 8:50	Carri Schwartz	
754	9/26/2019 9:49	Laurie Crowsey	What are you trying to do, make everyone leave Fayetteville? City of Fayetteville has gone crazy. Stop the insane madness of our city council.
755	9/26/2019 10:28	Daniel Sparks	
756	9/26/2019 10:34	Daryl Ottaviano	
757	9/26/2019 10:52	GARY STRIEGLER	
758	9/26/2019 10:55	Lei'Andrea Mathews	
759	9/26/2019 11:17	Fenn Wimberly	
760	9/26/2019 11:19	jennifer srygley	
761	9/26/2019 11:19	Thomas Conner	
762	9/26/2019 11:26	Anthony Campbell	
763	9/26/2019 11:36	Justin Parker	
764	9/26/2019 11:44	rich davis	This will hurt affordable housing the most. I don't recommend passing this.
765	9/26/2019 11:59	Mike Adams	Get real!!!!
766	9/26/2019 12:00	Jordan Greer	
767	9/26/2019 12:02	Ward Harris	
768	9/26/2019 12:07	Corie Greer	
769	9/26/2019 12:26	Cory Robertson	
770	9/26/2019 12:28	Tanner Langham	
771	9/26/2019 12:31	Ashley Patrick	
772	9/26/2019 12:35	Brandi Bass	Stop telling people how many cars they can have. This is a direct thought from the ridiculous Green New Deal that is at the heart of it, a bill for socialism. A complete dictatorship of the government telling people what they can and can't have. It will not ever become law, and those in our city trying to enact this ridiculous limit on garages, is only to put more control on the people in
773	9/26/2019 12:39	Brenda Varvil	

#	Date	Name	Comments
774	9/26/2019 12:46	Phil madison	My wife and I both work for a living. We must have two cars for two different
775	9/26/2019 12:52	William P Burckart	
776	9/26/2019 12:53	Don Willard	10' wide driveways may be appropriate for some developments but certainly not up to the government to make those decisions for all developments or
777	9/26/2019 12:59	Meredith Suttle	
778	9/26/2019 13:02	Kendra Lambright	
779	9/26/2019 13:03	Jimmy Riggins	
780	9/26/2019 13:08	Natasha Dawes	
781	9/26/2019 13:16	Kaleigh Haber	
782	9/26/2019 13:19	Gina Bailey	
783	9/26/2019 13:19	Natasha Yarbrough	
784	9/26/2019 13:20	Andrew Nelson	
785	9/26/2019 13:21	Emily O'Rourke	
786	9/26/2019 13:27	Sam Mayes	
787	9/26/2019 13:29	Brandy Carr	
788	9/26/2019 13:31	Pavel Onishenko	This is just stupidity. Who comes up with this kind of stuff?
789	9/26/2019 13:34	Lane Riggins	
790	9/26/2019 13:41	Frances Jason	
792	9/26/2019 13:47	Jamie Cornett	
793	9/26/2019 13:48	Megan Gage	
794	9/26/2019 13:48	Natalie Burchit	Most families own 2, sometimes 3, cars. This would only force the average homeowner to park "extra" vehicles on the streets creating more issues.
795	9/26/2019 13:49	Lance C Johnson	
796	9/26/2019 13:55	J Henry Rowland	
797	9/26/2019 13:55	Leigh Anne Beck	
798	9/26/2019 13:55	Jake Helton	
799	9/26/2019 14:06	James Birkes	This would raise the price of homes to where most people including myself would not be able to afford one. My understanding you were doing this because the state bill 170 is what I'm being told. I read that bill Ennis to protect affordable housing for buyers. It is not right that you as local politicians try to
800	9/26/2019 14:26	Jose Banderas Jr	
801	9/26/2019 14:27	Danny Darrough	
802	9/26/2019 14:32	Beverly Chapin	People should have the right to have choose a home that is right for them. They are paying for it. The City should not take peoples right to own the home they
803	9/26/2019 14:37	JOHN DUNN	
804	9/26/2019 14:38	Julia Glasper	
805	9/26/2019 14:41	Denise Power	
806	9/26/2019 14:44	Lyndsay Gallaher	
807	9/26/2019 14:46	Charles Mont Mitchell	Stop government intervention of private ownership
808	9/26/2019 14:55	Jane Ryan	
809	9/26/2019 15:00	jes	
810	9/26/2019 15:19	Kraig Jimenez	
811	9/26/2019 15:26	kristine schuchardt	
812	9/26/2019 15:27	Rachel Kitterman	
813	9/26/2019 15:28	Christopher Libby	
814	9/26/2019 15:31	Barbara J Hart	
815	9/26/2019 15:32	Tracy King	

#	Date	Name	Comments
			This ordinance proposal is a counterproductive and overbearing effort to reduce the number of automobiles owned by a family. If passed it will just cause the the second car in the family to be parked on the grass. Then oil will be seep in to the water aquifer. Alternatively, the second car will be parked on the street causing traffic issues (reducing a 2 lane road to a congested 1 lane parking lot) an/or may cause children to be injured. The consequences for this Ordinance are
816	9/26/2019 15:33	Rodger Lecy	
817	9/26/2019 15:37	Felecia Bowen	Thats a really dumb idea. Most families have more than one car
818	9/26/2019 15:40	Lynnetta Penson	
819	9/26/2019 15:41	Aspen Vaught	
820	9/26/2019 15:53	Steve Sasso	
821	9/26/2019 15:58	Stephanie Oswald	
822	9/26/2019 15:58	jim Barnes	Strongly oppose this ordinance
823	9/26/2019 15:59	Whitney Leichner	
824	9/26/2019 16:05	Mason C Lester	
			The city of Fayetteville is getting really out of hand in the direction they are going. We have, sometimes very hard cold winters here, people are not going to be biking year around. We also have people moving here from up North that want 3 car garages for storage since we don't have the basements like they do up
825	9/26/2019 16:06	Misty S Barnes	
826	9/26/2019 16:07	Josh Difani	
828	9/26/2019 16:16	Rachel Henry	
827	9/26/2019 16:16	TROY W JACOBS	DO NOT PASS THIS
829	9/26/2019 16:21	MATT BRYANT	
830	9/26/2019 16:22	Jacob	This is horrible and not for the people of the city and community!
831	9/26/2019 16:23	Jessi L Howell	
			People should have the right to design and build houses, including their drive way as it seems most beneficial to their needs. Many families stay together for longer lengths be children move on their own. This ordinance would cause many
832	9/26/2019 16:25	Andrew McGraw	
833	9/26/2019 16:40	Amber Squires	Creating a negative desirability for Fayetteville is a terrible business model/plan.
834	9/26/2019 16:41	Amy Hutcherson	
			What in the world?? Why would you set a mandatory of less than a 2 car garage? Craziest thing I've heard all week
835	9/26/2019 16:53	Brett Price	
836	9/26/2019 17:01	Diane Mawby	
837	9/26/2019 17:02	Stephanie McClain	
838	9/26/2019 17:03	Megan Eden	
			Continuing to create a better Fayetteville is a great goal. This ordinance needs edits in order to do that. Please consider improvements to this before passing. It's just not ready and is too stringent on the few builders Fayetteville has left. Take the time to develop it so they can continue to provide development for
839	9/26/2019 17:05	Jason Smith	
840	9/26/2019 17:16	Brad Ledden	
842	9/26/2019 17:20	Eric OBryan	
843	9/26/2019 17:31	William Booth	
844	9/26/2019 17:32	Rhonda Cook	
845	9/26/2019 17:40	Kim Gookin	
846	9/26/2019 17:40	alex hickmon	
847	9/26/2019 17:45	Mary Benz	
			I am strongly opposed to this proposed ordinance. Limiting the size of the driveway will create congested streets with parked cars. As an alternative, cars could be parked in yards and I know in my neighborhood, that would not go over
848	9/26/2019 17:48	Anna Nelson	
849	9/26/2019 17:49	Cheryl Eck	Totally ridiculous!!!
850	9/26/2019 17:55	Jennifer Shapley	
851	9/26/2019 17:56	Scott Shapley	

#	Date	Name	Comments
852	9/26/2019 17:58	Stephanie Chaney	
853	9/26/2019 18:01	Frances Fitzgerald	
854	9/26/2019 18:03	Cheri Marks	
855	9/26/2019 18:04	Lisa Hill	I can't begin to understand why Fayetteville would do this!!! I would believe it would hurt the market!! What family wants a single car garage- the logistics of having to move cars around since we aren't allowed to park in the street
856	9/26/2019 18:09	Andi Stephens	
857	9/26/2019 18:10	Anna Isfalt	
858	9/26/2019 18:11	Tommy Isfalt	
859	9/26/2019 18:11	Tina Stanley	
860	9/26/2019 18:12	Joseph Ross	Please add my name to the petition to STOP this from happening
861	9/26/2019 18:15	Mike D Lamberth	
862	9/26/2019 18:20	Tara	
863	9/26/2019 18:23	Myra Small	Totally against!
864	9/26/2019 18:34	Diane Vanhook	need option to have freedom of more driveway space
865	9/26/2019 18:43	Stephanie Hubbard	
866	9/26/2019 18:50	Rickey Jones	100% against this.
867	9/26/2019 18:53	Vickie Briolat	
868	9/26/2019 18:58	Brenda Price	
869	9/26/2019 19:14	Linda Parnell	This is insane!
870	9/26/2019 19:17	Kim Minor	This will have long term negative effects on development and cause a rise in
871	9/26/2019 19:32	Jacob Tankersley	
872	9/26/2019 19:40	Margaret Schloss	
873	9/26/2019 20:02	Peggy C Lucero	
874	9/26/2019 20:05	Dusty Rhodes	
875	9/26/2019 20:08	Rena Ross	
876	9/26/2019 20:13	Jacki Hudak	
877	9/26/2019 20:19	Phillip Savidge	
878	9/26/2019 20:23	Jennifer Siebert	
879	9/26/2019 20:33	Truman Wayne Vanhook	
880	9/26/2019 20:34	Debbie Chalfant	Just were are the children going to play? In the front yard! How about backyard BBQ's....only for the rich who can afford to live in a different place? Terrible
881	9/26/2019 20:35	Amanda Felkamp	
882	9/26/2019 20:39	Josh Williams	Small lots and no-parking streets makes this untenable. When those historic district houses were built with their cute narrow drives, only one person in those households worked. Growing up in a family where mom worked nights and dad worked days, the first thing they did to each house we lived in was widen the
883	9/26/2019 20:55	Jake Davison	
884	9/26/2019 20:55	Lisa Fisher	
885	9/26/2019 20:57	Page Ralston	This will negatively effect buyers from considering Fayetteville, Ar as a place called home. This should not be a limitation to building a new home or driveway and should be neighborhood specific as it is in most cities. This should not be a
886	9/26/2019 20:57	Linda K Wright	Totally disagree with this kind of interference with property rights.
887	9/26/2019 20:59	Steve Bercher	
888	9/26/2019 21:00	Ellen Mitchell	Buyers won't buy these homes and builders will stop building in Fayetteville and go to surrounding areas to build. Talk about tax revenue loss for Fayetteville!
889	9/26/2019 21:00	Sumer Brandon	
890	9/26/2019 21:02	Jenee Boetel	

#	Date	Name	Comments
891	9/26/2019 21:03	David Mix	This ordinance will shut down the ability to sell property. As a leading Real Estate Broker in Fayetteville for over 35 years I have never heard of anything more concerning than this. Our general public will move to surrounding areas and our tax base will be affected. This is a idea that does not conform to normal Real Estate practices in this area or anywhere in the Country. This would be a
892	9/26/2019 21:03	Patrick N McGee	That's Fayetteville as usual!?!?
893	9/26/2019 21:06	John Darren Owen	
894	9/26/2019 21:10	michael-elizabeth swofford	
895	9/26/2019 21:13	Laura J Gomez	Far too many couples must work to provide, food, and family necessities just to get by and need two cars. Let's not put more cars outside garages on tiny driveways or on the streets. Let's think about our Fayetteville family first.
896	9/26/2019 21:27	Joe McCart	
897	9/26/2019 21:31	Kori Nicholas Ford	I want a huge driveway and you cant stop me
898	9/26/2019 21:34	Bailey Tahy	
899	9/26/2019 21:35	Don Davidson	



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Jodi Batker
Paralegal

TO: Mayor Jordan
City Council

CC: Don Marr, Chief of Staff
Paul Becker, Finance Director
Garner Stoll, Development Services Director

FROM: Kit Williams, City Attorney

DATE: October 8, 2019

RE: Regulatory Takings Issue for Restrictive Driveway Proposal

NOR SHALL PRIVATE PROPERTY BE TAKEN
FOR PUBLIC USE, WITHOUT JUST COMPENSATION

Until about a century ago, the *Takings Clause* of the *Fifth Amendment* only required the government to pay for "the 'classic taking' in which the government directly appropriates private property for its own use." *Tahoe-Sierra Preservation Council v. Tahoe Regional Planning Agency*, 535 U.S. 302, 324 (2002).

"It was Justice Holmes' opinion in *Pennsylvania Coal Co. v. Mahon*, 260 U.S. 393, 67 L. Ed. 322, 43 Ct. 158 (1922), that gave birth to our regulatory takings jurisprudence. In subsequent opinions we have repeatedly and consistently endorsed Holmes' observation that 'if regulation goes too far it will be recognized as a taking.' *Id.* at 415. Justice Holmes did not provide a standard for determining when a regulation goes 'too far,' but he did reject the view expressed in Justice Brandeis' dissent that there could not be a taking because the property remained in the possession of the owner and had not been appropriated or used by the public. After *Mahon*, neither a physical appropriation nor a public use has ever been a necessary component of a regulatory taking." *Id.* at 325-326.

In a 2014 Federal District Court case in Arkansas, the plaintiff claimed that the Federal Government's regulation governing payments to hospice providers constituted a regulatory taking in violation of *Amendment 5* to the *United States Constitution*.

"SEARK primarily challenges the Secretary's regulation under the *Takings Clause of the Fifth Amendment*, which provides that private property

shall not 'be taken for public use, without just compensation.' *U.S. Const. amend. V*. Courts have recognized so-called 'regulatory takings' under the *Takings Clause*. 'The general rule at least is that while property may be regulated to a certain extent, if regulation goes too far it will be recognized as a taking.'" *Southeast Arkansas Hospice, Inc. v. Sebelius*, 1 F. Supp. 3d 915, 923 (Eastern Dis. of Ark. 2014)

PENN CENTRAL ANALYSIS OF REGULATORY TAKING

Most "regulatory takings challenges are governed by the standards set forth in *Penn Central Transportation Co. v. New York City*, 438 U.S. 104 (1978). The Court in *Penn Central*...identified 'several factors that have particular significance.' Primary among those factors are '(t)he economic impact of the regulation on the claimant and, particularly, the extent to which **the regulation has interfered with distinct investment-backed expectations.**'" *Lingle, Governor of Hawaii v. Chevron U.S.A., Inc.* 544 U.S. 528, 538-539 (2005) (emphasis added).

The most likely regulatory analysis a landowner might claim for the new narrow (one lane) driveway regulations would be the *Penn Central* analysis.

"*Penn Central* required the court to consider (1) the economic impact of the regulation on the claimant; (2) the extent to which the regulation has interfered with distinct, investment-backed expectations; and (3) the character of the government regulation." *Iowa Assurance Corp. v. City of Indianola*, 650 F.3d 1094, 1096 (8th Cir. 2011)

The nature and extent of the economic impact upon various affected landowners, developers, home builders and home buyers should be examined from various perspectives. It is also important to analyze whether the driveway width limitation has interfered with distinct, investment-back expectations of home buyers, land owners, builders and developers. First, let us look at the practical problems and economic impacts of this long narrow driveway regulation.

EXTENT OF IMPACT OF PROPOSED DRIVEWAY RESTRICTION

The proposed driveway width limitation from the right of way line all the way (25 feet) back to the end of the "build to" zone would cause design and construction issues as well as necessary encroachment upon a house's backyard. Although its proponents seem to want to downplay the effect of their proposed narrow driveway regulation, it actually will affect twice as many zoning districts in which building a single family house is specifically authorized as a "build by right" than the older, traditional zoning districts with "setbacks" rather than "build to" zones.

With hundreds of acres along Ruppel Road all zoned with “build to” zones being developed for single family neighborhoods as well as additional substantial residential redevelopment occurring within the Walker Park Neighborhood Master Plan area, the Fayette Junction Master Plan area and the Downtown Master Plan area, hundreds of single family houses are being platted and planned for construction in Fayetteville in the near future in “build to” required districts. Additional hundreds of homes are being built or planned for construction on Markham Hill and the former large cow pasture between Huntsville Road and 15th Street within “build to” residential zoning districts. Thus, the reach of this proposed driveway limitation for actual ongoing single-family house development is far more than the 2% figure suggested by its proponents. To support the constitutionality of this proposed driveway limitation regulation, proponents should argue for its benefits rather than downplay its reach and effect. Proposed new development regulations should be supported for rational and compelling reasons, not “spun” with misleading rhetoric implying: “Don’t worry, this probably won’t affect you anyway.”

INTERFERENCE WITH INVESTMENT-BACKED EXPECTATIONS

There are some clear investment-backed expectations of developers, builders and home buyers which the City should be careful not to adversely impact with a driveway limitations regulation. Statements of developers/builders reveal that substantial numbers of home buyers (probably exceeding 100) have already selected their desired house carefully designed to fit onto the developer’s building lots in conformance with existing regulations and placed deposits on the lot and house. The City should not interfere with the construction of any of these houses by imposing new driveway limitations which are not what the home buyers paid for (with a deposit) nor what the future homeowner desires. Failure to exempt **at a minimum** these lots from a new driveway limitation would almost certainly expose the City to a regulatory taking claim from not only the developer/builder, but hundreds of future homeowners.

I also believe that the investment-backed expectations of developers who have made multi-million dollar investments in land purchase, infrastructure construction, architectural designs, marketing and other development costs also must be considered for the extent that this driveway limitation may interfere with these expectations. The exposure of the City could be very large if the Court finds a regulatory taking.

To better understand how the limitations of a driveway width to ten feet for the full distance from the right of way all the way to the back of the build to zone can adversely affect both the home builder and home buyer who wants a two car or larger garage, we need to look at real world effects of a limited ten foot driveway to the back of the build to zone. Since the house is required to be built no further back than the back of the build to zone, if a garage is built on the same frontage as the house (or anywhere in front of the house), the garage can only be served by a ten-foot-wide driveway. This means that the garage cannot be wide enough for two cars without forcing the

homeowner to drive across his front lawn to reach the second bay of the garage (which probably would not be allowed by other development regulations and would certainly result in an unattractive muddy mess).

In order to stay on a paved driveway, the homeowner would have to move the garage back several feet (encroaching upon the house's current floorplan and into the backyard) to provide space for the driveway to expand to serve the two car garage and probably necessitating a turn-around area to exit on the narrow driveway. I believe none of the several house designs marketed and ready to be built for homeowners has such a strange design.

The developers and home builders have stated that the vast majority of their potential purchasers want their standard house with a two car or larger garage that is not recessed behind the house. Since this was allowed when the developers decided to purchase and develop hundreds of acres for single family home development, the developers could make a strong argument that the narrow driveway limitation has substantially interfered with their distinct investment-backed expectations when they purchased and developed the land and paid architects to design several houses to accommodate currently permitted designs. Failing to exempt all single-family house development on property purchased by developers when normal driveways serving two car garages were allowed could expose our taxpayers to significant damages pursuant to a Regulatory Takings lawsuit.

RECOMMENDATIONS

If the City Council desires to impose a ten-foot minimum driveway width, it can do so without much fear of a regulatory takings claim if the width limitation is confined to the portion of the driveway within the City's right of way. This would mean that pedestrians on the sidewalk would cross a narrower driveway width while still allowing homebuyers the right to purchase the house and garage that they prefer. This would be in conformance with Fayetteville's official city flag hanging in front of City Hall emblazoned with "Regnat Populus" which means: "The People Rule." This is also Arkansas's official State Motto.

To ensure our citizens will not have to pay for a regulatory taking if the City Council decides to enact this proposed driveway limitation, I recommend that **all land purchased by developers for single-family house construction prior to the effective date of the ordinance should be permanently exempted from this new development regulation.** Later purchases of land could not meet the "distinct, investment-backed expectations" necessary to support a valid takings claim.



October 14, 2019

Office of the Mayor

Honorable Lioneld Jordan

113 W. Mountain Street

Fayetteville, AR 72701

Dear Mayor Jordan:

The National Association of Home Builders (NAHB) submits this letter in response to the City of Fayetteville's proposed changes to the Residential Design Standards. The proposed aesthetic changes to the City's Standards, among other things, dictate the size and location of driveways and garages. This proposal is very likely a violation of Arkansas State Law and certainly a violation of what the home buying marketplace is seeking. If the city proceeds with this proposal to limit who owns a home in Fayetteville, the legal system will decide if it is a violation of Act 446. The *effect* of these ordinances, however, goes much deeper. NAHB is concerned that the proposed amendments to the City's Standards will substantially increase the cost and price of homes in the area. These proposals are a form of exclusionary zoning that will price out certain groups of prospective homeowners from the Fayetteville housing market.

NAHB is a Washington, D.C.-based trade association that includes as part of its federation more than 700 affiliated state and local associations in all fifty states, the District of Columbia, and Puerto Rico. The Builders Association of Northwest Arkansas is part of the NAHB federation. The NAHB mission is to protect the American Dream of housing opportunities for all. Our thousands of builder members are proud to construct over 80 percent of the housing units produced every year in the United States. Our members include small-volume builders, production builders, multifamily builders, modular housing companies, and residential remodelers. In addition, NAHB includes associate members who span the spectrum of the housing industry, including suppliers, service providers, and product manufacturers.

NAHB works to ensure that all Americans have access to safe, decent, and affordable housing. A healthy housing market includes housing that serves buyers at all socioeconomic levels, including houses for first time homebuyers and lower- to middle-income purchasers. In particular, many of these middle-income purchasers include those in the military, teachers, and first responders. The location and availability of affordable housing has a major influence on the overall health of a family unit, and determines what schools children can attend, proximity to jobs, access to child care, and even affects how much time a family spends together at the end of the day.

Lower- and middle-income families find access to affordable housing increasingly difficult as the cost of developing a lot and building a home has increased over the past decade. Regulation imposed by all levels of government now accounts for an average of 24.3 percent of the final price of a new single-family home built for sale. During the construction phase of a house, meaning after a builder has acquired or developed the underlying lot, regulation on average accounts for 14.5 percent of construction costs. This includes actual hard costs of fees paid by the builder, as well as the cost of changes to construction codes and design standards. While some of the cost of regulation is absorbed by the builder, almost 10 percent of the final sales price of a home passed on to the homebuyer and is directly attributable to the regulatory costs imposed during construction. Thus, government regulations have a clear and direct impact on housing affordability by influencing house prices. The City's proposed Standards go above and beyond the normal changes to codes and design standards described in the table below.¹

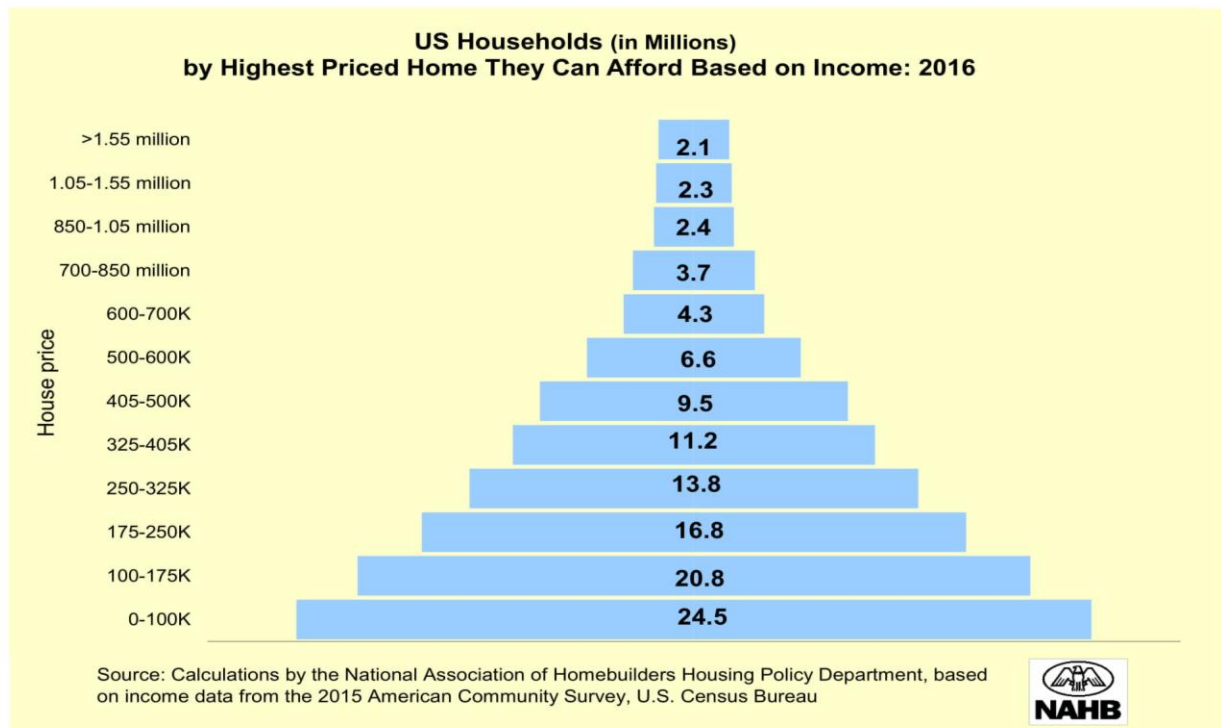
Regulatory Costs Imposed During Construction			
A. Costs as a percentage of the builder's construction costs			
	Lower Quartile	Average	Upper Quartile
Permit, hook-up, impact, other fees paid by builder	2.0%	5.3%	7.0%
Changes in codes / standards over past 10 years	4.0%	9.2%	10.0%
Total	6.0%	14.5%	19.0%
B. Costs as a share of final price of the home sold to the ultimate buyer			
	Lower Quartile	Average	Upper Quartile
Permit, hook-up, impact, other fees paid by builder	1.3%	3.5%	4.7%
Changes in codes / standards over past 10 years	2.7%	6.1%	6.7%
Total	4.0%	9.7%	12.7%
Source: Survey used to generate the NAHB/Wells Fargo HMI, March 2016;			

Undoubtedly, the City's proposed Standards will raise the price of a new home in Fayetteville. In turn, many low- and middle-income families who could have afforded a mortgage at today's market price, will be "priced out" of the Fayetteville housing market if the proposed Standards go into effect. Even a modest increase in the price of a home has drastic effects on housing affordability for a large number of potential home buyers.

¹ For more information, go to:

http://www.nahbclassic.org/generic.aspx?sectionID=734&genericContentID=250611&_ga=1.154188152.1111877392.1422299172.

Nationally, a \$1,000 increase in home price leads to about 152,903 households priced-out of the market for a median-priced new home.² The initial affordability of a new home is an important element in determining the size of the priced out effect. On a percentage basis, priced out effects are higher in areas where new homes are more affordable. The housing affordability pyramid³ demonstrates how more people will be priced out for entry-level housing product, as compared to a high-priced custom home.



The proposed changes to the City's Standards will raise the price of a home far more than \$1,000. Other costs associated with purchasing a home will also increase. This includes increased mortgage and interest costs, escrowed property taxes, and homeowner's insurance. Simply put, while some families will be able to absorb these higher costs, many potential homebuyers in Fayetteville will not.

Certainly, some the additional costs of housing imposed by localities service important health, safety, and welfare purposes, such as reasonable zoning, environmental, and permitting regulations. These restrictions have been long accepted by courts as a legitimate exercise of police power. See *Village of Euclid v. Amber Realty Co.*, 275 U.S. 365 (1926).

² Natalia Siniavskaja, *Households Priced-Out By Higher House Prices and Interest Rates*, available at <https://www.nahb.org/en/research/housing-economics/housings-economic-impact/households-priced-out-by-higher-house-prices-and-interest-rates.aspx>.

³ For more information about the housing affordability pyramid, go to: <https://www.nahb.org/en/research/housing-economics/housings-economic-impact/households-priced-out-by-higher-house-prices-and-interest-rates.aspx>.

On the other hand, “exclusionary zoning” ordinances are treated differently by courts, as they serve an arbitrary or irrational purpose, or serve a purpose completely different than the one claimed by the government. Exclusionary zoning refers to “zoning which . . . has as its real purpose, or its actual result or effect, not the promotion of the health, safety, morals, or the general welfare of a community, but rather the achievement of a form of economic segregation by restricting land usage to low population density, high-cost, residential development which is in turn calculated to block, or at least limit, the influx into a community . . . of persons having low or moderate incomes....” J.R. Kemper, Comment Note – Exclusionary Zoning, 48 A.L.R. 3d 1210, 1212 (1973) (citing Davidoff & Davidoff, Opening the Suburbs: Toward Inclusionary Land Controls. 22 Syracuse L. Rev. 509, 519 (1971)). The U.S. Supreme Court has noted that such provisions may be impermissible, as they are “arbitrary and unreasonable, having no substantial relationship to the public health, safety, morals or general welfare.” *Euclid* at 365. In other words, exclusionary zoning regulations “show that instead of providing for the public welfare, it [provides for] the private welfare of the well-to-do.” B. Siegan, *Other People’s Property* 139, at 31-32 (1976).

The City’s proposed Standards may serve to increase the value of the housing stock, and ensure that homes are attractive and of high quality but this is a form of exclusionary zoning. See, e.g., *Corder v. City of Sherwood*, 579 F.Supp. 1042, 1045 (E.D. Ark. 1984)(noting that “[a] zoning or land use enactment may not be upheld unless it is a valid exercise of the police power, and such an enactment must bear a definite relation to the health, safety, morals, and general welfare of the inhabitants of that part of the city where the property zoned is situated.”). Specifically, the proposed changes restrict common and affordable designs of garages and driveways and that increase the building costs without any benefit to the public’s health, safety, and welfare.

Finally, NAHB urges the City to study not only how low- and moderate-income households will be negatively impacted by the proposed Standards, but also whether certain racial or national origin demographics will be disparately impacted. Disparate impact is a legal doctrine under the Fair Housing Act that allows a court to consider a policy or practice discriminatory if it has a disproportionate “adverse impact” against any group based on race, national origin, religion, sex, familial status, or disability. In 2015, the U.S. Supreme Court affirmed the availability of disparate impact as a cause of action under the Fair Housing Act in *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project, Inc.*, 135 S.Ct. 2507 (2015). In this case, the plaintiffs claimed the government’s process of selecting Low Income Housing Tax Credit projects created a disparate impact because more projects were approved in lower income areas than higher opportunity areas. While the government had no intention of discriminating against minorities, the Supreme Court nonetheless stated held that “antidiscrimination laws must be construed to encompass disparate-impact claims when their text refers to the consequences of their actions and not just to the mindset of actors” *Id.* at 2518. Importantly, the Court states that “the availability of disparate-impact liability . . . has allowed private developers to vindicate the FHA’s objectives and to protect their property rights by stopping municipalities from enforcing arbitrary and, in practice, discriminatory ordinances barring the construction of certain types of housing units.” *Id.* at 2522.

NAHB remains hopeful that the City of Fayetteville can create ordinances which promote the health, safety, and welfare of its citizens without pricing out scores of potential homeowners. Examples of ways to work in favor of homeownership can be found at www.nahb.org/housingforall.

Sincerely,

Karl Eckhart

keckhart@nahb.org / 202-266-8319



October 14, 2019

Mayor Jordan and City Council Members:

The Mortgage Bankers Association of Arkansas (MBAA) represents 74 member organizations and affiliates across the state who originate, process, underwrite, or service mortgages. We are proud of the role we play in helping Arkansans realize the dream of home ownership and the fundamental rights that go with it. We are writing in opposition to the proposed ordinance to limit the width of residential driveways in all Neighborhood Conservation Zoning Districts to 20 percent of a lot's width. The measure creates an undue burden on the rights of property owners, and it will likely discourage many future homeowners from choosing to build and live in Fayetteville.

During the last legislative session, the Arkansas General Assembly passed Act 446, which prohibits local governments from regulating residential building design elements, including the location, design, and placement of garage doors and garage "structures." Though the proposed ordinance addresses *driveways*, in most cases it would also *effectively* restrict a homeowner's ability to build a double car garage onto their home— the exact kind of aesthetic design regulation Act 446 is meant to protect homeowners against.

This measure is bad public policy, and it will discourage prospective builders and homeowners from choosing to build their homes in Fayetteville. MBAA urges you to vote AGAINST this ordinance.

Sincerely,

Greg Ramer
President - Mortgage Bankers Association of Arkansas