

AGENDA REQUEST FORM

FOR: Council Meeting of December 15, 2020

FROM: Council Member Kyle Smith

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

AN ORDINANCE TO AMEND §166.22 COMMUNITY SERVICES AND § 166.24 URBAN THOROUGHFARE BY CHANGING CERTAIN PERMITTED USES TO CONDITIONAL USES

APPROVED FOR AGENDA:



12/2/2020

Council Member Kyle Smith

Date



Asst. City Attorney Blake Pennington
Approved as to form

12/2/2020

Date



Legislation Text

File #: 2020-1067, Version: 1

AMEND §161.22 COMMUNITY SERVICES AND § 161.24 URBAN THOROUGHFARE:

AN ORDINANCE TO AMEND §161.22 COMMUNITY SERVICES AND § 161.24 URBAN THOROUGHFARE BY CHANGING CERTAIN PERMITTED USES TO CONDITIONAL USES

WHEREAS, the City Council adopted City Plan 2040 with objectives to promote context sensitive corridor planning and prioritize multi-modal street designs that treat walkability and cycling as core functions (Goal 3); and

WHEREAS, City Plan 2040 includes a growth concept map designating areas of the city intended to develop into pedestrian-friendly mixed-use nodes served by current or future transit service; and

WHEREAS, the Community Services zoning district is often applied to areas where mixed-use development is desirable because its stated purpose is to encourage a mixture of residential and commercial uses in a traditional urban form; and

WHEREAS, recent examples of development in Community Services districts utilizing only Use Unit 8 “Single Family Dwellings” in patterns indistinguishable from neighboring residential zones have failed to produce the intended variety of housing types or reserve space for future commercial development; and

WHEREAS recent proposals for Community Services zones have drawn public criticism about the safety of traffic associated with Use Unit 18 “Gasoline service stations and drive-in/drive through restaurants” in areas with high pedestrian traffic or the compatibility of these uses with nearby residential areas; and

WHEREAS, the Conditional Use Permit process allows the Planning Commission to apply a higher level of discretion to ensure development of these uses is safe, compatible, and appropriate.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby amends § 161.22 **Community Services** by removing Unit 8, Single-family dwellings; Unit 9, Two-family dwellings; and Unit 18, Gasoline service stations and drive-in/drive-through restaurants from subsection (B)(1) *Permitted Uses* and adding them to subsection (B)(2) *Conditional Uses*.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends § 161.24 **Urban Thoroughfare** by removing Unit 8, Single-family dwellings and Unit 9, Two-family dwellings from subsection (B)(1) *Permitted Uses* and adding them to subsection (B)(2) *Conditional Uses*.

