

ORDINANCE NO. 2021-05-947

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE AMENDING SECTION 151: DESIGN STANDARDS FOR LARGE SCALE DEVELOPMENTS OF CHAPTER 152: DEVELOPMENT AND SUBDIVISION REGULATIONS OF THE TONTITOWN MUNICIPAL CODE IN ORDER TO CLARIFY THE SUBDIVISION REGULATIONS WITHIN THE CITY; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the City Council of Tontitown has subdivision regulations codified in Chapter 152: DEVELOPMENT AND SUBDIVISION REGULATIONS of the Tontitown Municipal Code; and

WHEREAS, following a public hearing with the Planning Commission and a recommendation to approve this amendment, the City Council of the City of Tontitown now finds it to be in the best interest of the citizens of the City of Tontitown to amend these subdivision regulations in order to better clarify the subdivision regulations within the city; and

WHEREAS, having fully reviewed the proposed amendment, the Tontitown City Council has determined that Section 151: DESIGN STANDARDS FOR LARGE SCALE DEVELOPMENTS of Chapter 152: DEVELOPMENT AND SUBDIVISION REGULATIONS, of the Tontitown Municipal Code should be amended as incorporated herein below.

NOW THEREFORE, BE IT ENACTED, by the Tontitown City Council (the "City Council") of the City of Tontitown, as follows:

Section 1. Section 152.151 DESIGN STANDARDS FOR LARGE SCALE DEVELOPMENTS of the Tontitown Municipal Code is hereby revised as reflected in the attached Exhibit "A". The remaining provisions of Section 152.151 not specifically reflected to be amended or replaced by this exhibit remain in full force and effect.

Section 2. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 3. Declaration of Emergency. It is hereby found and determined that Section 151: DESIGN STANDARDS FOR LARGE SCALE DEVELOPMENTS of Chapter 152: DEVELOPMENT AND SUBDIVISION REGULATIONS of the Tontitown Municipal Code should be immediately amended in order to better clarify the subdivision regulations within the city. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor. If the Ordinance is neither approved nor vetoed by the Mayor, it shall become effective on the expiration of the period of time during which the Mayor may veto this Ordinance. If the Ordinance is vetoed by the Mayor and the veto is overridden by the City Council, it shall become effective on the date the City Council overrides the veto.

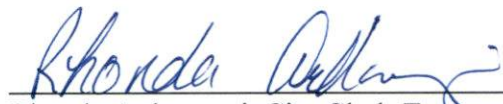
PASSED AND APPROVED this ____ day of _____, 2021.

APPROVED:



Paul Colvin, Jr., Mayor

ATTEST:



Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)

EXHIBIT

A

DRAFT

Chapter 152.151 Design Standards for Large Scale Developments

City of Tontitown

4-12-2021

§ 152.151 DESIGN STANDARDS FOR LARGE SCALE DEVELOPMENTS.

(A) *Purpose and intent.* The design standards in this section are intended to implement the city's vision for commercial, institutional, triplex, quadplex, multi-family residential, and industrial developments. The intent of these standards is to improve the overall quality of commercial, institutional, triplex, quadplex, multi-family residential, and industrial developments with surrounding land uses and enhance pedestrian safety and walkability.

(B) *Applicability.* The provisions of this section shall apply to all developments requiring large scale development approval. Properties shall only be required to meet the standards for the side(s) facing a street frontage, when added to an existing development which has existing architectural elements, when impacting a marginally compatible use, or when impacting a residential use/residential zoning category.

(C) *Exemptions.* Reserved.

(D) *Review process.* These standards shall be applied in the normal review process for large scale developments and shall be approved by the Planning Commission.

(E) *Building design: commercial, institutional, triplex, quadplex and multi-family uses.*

(1) *Material.* The primary material shall constitute at least 75% of the wall area, excluding glass. The primary exterior material shall consist of a combination of brick, textured concrete block, stucco, wood, synthetic stone or natural stone. The remaining exterior material shall be considered building trim. **TRIM** is defined as an ornamental design feature, that when removed does not significantly alter the appearance of the building. This commonly consists of moldings, cornices, parapet, frieze, sills, lintels, stringcourse, quoining, and ledgement. No masonite, asphaltic exterior wall or roof material, aluminum or steel siding (other than approved architectural metal), non-textured concrete block (ground-faced is allowed), vinyl or other similar materials shall constitute a portion of any building except trim.

(2) *Color.* The building's exterior color scheme shall utilize primarily muted, neutral, or earth tone type colors. The primary use of bright, intense, or extreme colors not consistent with the adjoining developments shall not be permitted. This regulation is not intended to prohibit the use of these colors for specifically approved architectural detailing.

(3) *Compatibility.* All commercial, institutional, triplex, quadplex, and multi-family structures shall be designed in a manner compatible with other structures in the surrounding vicinity. The exterior building design, including roof style, color, materials, architectural form and detailing, shall be consistent among all buildings in a common commercial development and on all elevations of each building to achieve design harmony and continuity within itself.

(4) *Scale and bulk.* The height and scale of new buildings shall be consistent or compatible with the height and scale of adjacent buildings. Special care, however shall

be taken to achieve the compatibility of larger buildings next to small scale buildings; techniques shall include limited size, building articulation, and shadow patterns. The scale of the building shall also consider building setback, lot size and relationship to street width.

(5) *Wall articulation.* Buildings shall avoid long uninterrupted façade planes and/or blank walls. All commercial, institutional, triplex, quadplex, and multi-family buildings with facades greater than 50 feet in length shall incorporate wall plane projections or recess that are at least two feet deep. Projections/recess must be at least 25% of the length of the façade. No uninterrupted length of a façade may exceed 50 feet in length.

(6) *Facades.* All commercial, institutional, triplex, quadplex, and multi-family structures shall be architecturally finished on all sides with same materials, detailing, and features when visible from the public realm or adjacent residential areas. The degree of visibility from the public realm shall be evaluated using the following criteria:

- (a) The degree of visibility from all adjacent public ways;
- (b) Possible visibility from future buildings and public ways;
- (c) Internal overall appearance in relation to the site; and
- (d) If adjacent to, and visible from, residential uses, residential zoning categories, or other marginally compatible uses.

(7) *Roofs.* Roof lines and/or parapets shall be varied with a change in height every 100 linear feet in the building length. Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and rooftop equipment from public view. Alternative lengths and designs may be acceptable and may be approved by Planning Commission.

(8) *Entrances.* Each primary building on a site, regardless of size, shall have clearly defined, highly visible customer entrances featuring no less than two of the following:

- (a) Canopies or porticos;
- (b) Overhangs;
- (c) Recesses/projections;
- (d) Arcades;
- (e) Raised corniced parapets over the door;
- (f) Peaked roof forms;
- (g) Arches;
- (h) Architectural detail such as tile work and moldings integrated into the building structure and design;
- (i) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting; or

(j) Other architectural features approved by Planning Commission.

(9) *Architectural details.* All buildings except in agriculture and industrial zones shall be designed to incorporate no less than three of the architectural elements from the list below, in addition to regulations regarding the design of entrances above. Buildings over 50,000 square feet shall include a minimum of five of the referenced architectural elements. Buildings over 100,000 square feet shall include a minimum of six of the referenced architectural elements.

(a) Canopies, awnings, or porticos;

(b) Recesses/projections;

(c) Arcades;

(d) Peaked roof forms;

(e) Arches;

(f) Display windows;

(g) Accent materials (minimum of 15% of exterior façade);

(h) Architectural details (such as tile work and moldings) integrated into the building façade;

(i) Articulated cornice line;

(j) Articulated ground floor levels or base;

(k) Varied roof heights; or

(l) Other architectural features approved by Planning Commission.

(F) *Utility and mechanical equipment screening: commercial, institutional, triplex, quadplex and multi-family uses.*

(1) Screening of service yards, utility meters and hardware, mechanical equipment, refuse areas, and/or other potentially unattractive places from public view, shall be accomplished by the use of walls, fencing, planting, or a combination of the measures that follow. Screening shall be equally effective in the winter and the summer seasons. For rooftop equipment, parapet walls or other screening methods approved by Planning Commission are required along street frontages and bordering residential areas.

(a) Adjusting the architectural or landscape profile to screen those elements from view.

(b) Placing those elements on service courts or other locations usable by the general public.

(c) Integrating those elements into the architecture or landscaping of the site.

(2) The degree of visibility and screening of service yards, utility meters and hardware, mechanical equipment, refuse areas, and/or other potentially unattractive places shall be evaluated using the following criteria:

- (a) The degree of visibility from all adjacent public ways;
- (b) The architectural compatibility of the design and color of the yards, meters and equipment of the building;
- (c) Possible visibility from future buildings and public ways;
- (d) Internal overall appearance in relation to the site; and
- (e) If adjacent to and visible from residential uses, residential zoning categories, or other marginally compatible uses.

(G) *Site planning: commercial, institutional, triplex, quadplex and multi-family uses.*

(1) *Building placement.* Place as much of the building width at the front of the lot as possible to maximize front façade exposure to the public. The front façade shall be kept parallel with the street. On corner lots, place as much building mass near the intersection as possible to help anchor the lot and take advantage of high visibility.

(2) *Parking placement.*

(a) *Commercial and Institutional uses.* No more than 60% of the off-street parking area for the entire property shall be located between the front façade within the front yard of the principal building and the primary abutting street unless the principal building and/or parking lots are screened from view by outlot development and additional tree plantings or berms. Whenever possible, attempt to link with adjacent parking lots or provide shared parking areas which can serve neighboring buildings simultaneously. Shared drives and cross access between properties shall be required to adjacent developed and undeveloped properties. Access easements shall be shown on the site plan to provide cross access to adjacent properties. The location of this cross access shall be approved by the Planning Official. Parking lots shall be designed in regular, rectangular shapes.

(b) *Triples, Quadplex, and Multi-family uses.* Parking is to be primarily interior to the development with the building façade along the street, unless the parking lots are screened from view by additional landscape buffering. If a primary street is required for connectivity, parking may be placed along this street, but must be clearly defined by landscaped curb bump outs between buildings, or every 20 parking spaces. Shared drives and cross access between properties shall be required to adjacent developed and undeveloped properties. Access easements shall be shown on the site plan to provide cross access to adjacent properties. The location of this cross access shall be approved by the Planning Official.

(3) *Pedestrian circulation.* Clearly defined pedestrian walkways or paths shall be provided from parking areas to primary building entrances. Design walkways and parking lots so that pedestrians do not have to cross parking aisles and landscape islands to reach building entries. All internal walkways shall be distinguished from

driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Painted crosswalks shall not be considered sufficient definition of the pedestrian path from the driving surface.

(H) *Amenities: triplex, quadplex, and multi family uses.*

(1) All triplex, quadplex, and multi-family developments with over 40 units shall provide at least one of the following amenities:

(a) Pool - sized appropriately. To be reviewed by the Planning Official and approved by the Planning Board;

(b) Club house;

(c) Private park with at least one piece of children's playground equipment, park benches, and landscaping sized appropriately. To be reviewed by the Planning Official and approved by the Planning Board;

(d) Splash pad park;

(e) Dog park with appropriate facilities;

(f) Sports facility. Can include bocce court, volleyball court, basketball court, tennis court, soccer field, disk golf course, or other facility approved by the Planning Board;

(g) Hiking or biking trails; and/or

(h) Other amenity approved by the Planning Board.

(2) All triplex, quadplex, and multi-family developments with over 100 units shall provide at least two amenities. All triplex, quadplex, and multi-family developments with over 200 units shall provide at least three amenities. For every 150 units over 200, an additional amenity shall be required.

(3) These amenities must be centrally placed and accessible by internal walkways.

(4) All amenities shall be maintained by the apartment complex manager.

(I) *Building design: industrial uses.* The division applies to buildings within industrial zones only.

(1) *Material.* All industrial buildings shall at a minimum have a decorative wainscot of no less than four feet tall, and entry façade at the main entrance that extends to the roofline. The wainscot and entry façade material shall consist of a combination of brick, textured concrete block, stucco, wood, synthetic stone, or natural stone. The remaining exterior material shall not include masonite, asphaltic exterior wall or roof material, aluminum or steel siding (other than approved architectural metal), non-textured concrete block (ground-faced is allowed), vinyl, or other similar materials. Building trim shall also be included. **TRIM** is defined as an ornamental design feature, that when removed does not significantly alter the appearance of the building. This commonly

consists of moldings, cornices, parapet, frieze, sills, lintels, stringcourse, quoining, and ledge ment.

(2) *Color.* The building's exterior color scheme shall utilize primarily muted, neutral, or earth tone type colors. The primary use of bright, intense, or extreme colors not consistent with the adjoining developments shall not be permitted. This regulation is not intended to prohibit the use of these colors for specifically approved architectural detailing.

(3) *Compatibility.* All industrial structures shall be designed in a manner compatible with other structures in the surrounding vicinity. The exterior building design, including roof style, color, materials, architectural form and detailing, shall be consistent among all buildings in a common development and on all elevations of each building to achieve design harmony and continuity with itself.

(4) *Scale and bulk.* The height and scale of new buildings shall be consistent or compatible with the height and scale of adjacent buildings. Special care shall be taken to achieve the compatibility of larger buildings next to small scale buildings; techniques shall include limited size, building articulation, and shadow patterns. The scale of the building shall also consider building setback, lot size, and relationship to street width.

(5) *Wall articulation.* Buildings shall avoid long uninterrupted façade planes and/or blank walls. All industrial buildings with façades greater than 300 feet in length shall incorporate wall plane projections or recesses that are at least two feet deep. Projections/recesses must be at least 25% of the length of the façade. No uninterrupted length of a façade may exceed 300 feet in length.

(6) *Façades.* All industrial structures shall be architecturally finished on all sides, as detailed in (1)(1) with the same materials, detailing, and features when visible from the public realm or adjacent to residential areas. The degree of visibility from the public realm shall be evaluated using the following criteria:

- (a) The degree of visibility from all adjacent public ways;
- (b) Possible visibility from future buildings and public ways;
- (c) Internal overall appearance in relation to the site; and
- (d) If adjacent to, and visible from, residential uses, residential zoning categories, or other marginally compatible uses.

(7) *Roofs.* Roof lines and/or parapets shall be varied with a change in height every 300 linear feet in the building length. Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and rooftop equipment from public view. Alternative lengths and designs may be acceptable and may be approved by the Planning Commission.

(8) *Entrances.* Each primary building on a site, regardless of size, shall have clearly defined, highly visible customer entrances featuring no less than two of the following:

- (a) Canopies or porticos;

- (b) Overhangs;
- (c) Recesses/projections;
- (d) Arcades;
- (e) Raised corniced parapets over the door;
- (f) Peaked roof forms;
- (g) Arches;
- (h) Architectural detail such as tile work and moldings integrated into the building structure and design;
- (i) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting; or
- (j) Other architectural features approved by the Planning Commission.

(J) *Utility and mechanical equipment screening: industrial uses.* This division applies to buildings within industrial zones only.

(1) Screening of service yards, utility meters and hardware, mechanical equipment, refuse areas, and/or other potentially unattractive places from public view, shall be accomplished by the use of walls, fencing, planting, or a combination of the measures that follow. Screening shall be equally effective in the winter and the summer seasons. For rooftop equipment, parapet walls or other screening methods approved by the Planning Commission are required along street frontages and bordering residential areas.

(a) Adjusting the architectural or landscape profile to screen those elements from view.

(b) Placing those elements on service courts or other locations usable by the general public.

(c) Integrating those elements into the architecture or landscaping of the site.

(2) The degree of visibility and screening of service yards, utility meters and hardware, mechanical equipment, refuse areas, and/or other potentially unattractive places shall be evaluated using the following criteria:

- (a) The degree of visibility from all adjacent public ways;
- (b) The architectural compatibility of the design and color of the yards, meters, and equipment of the building;
- (c) Possible visibility from future buildings and public ways;
- (d) Internal overall appearance in relation to the site; and
- (e) If adjacent to and visible from residential uses, residential zoning categories, or other marginally compatible uses.

(K) *Site planning: industrial uses.* This division applies to buildings within industrial zones only.

(1) *Building placement.* Buildings shall be placed so that they have the least amount of impact on surrounding properties. Buffering, landscaping, and setbacks should be used to enhance compatibility when and industrial use is abutting a commercial use, marginally compatible use, or when abutting a residential use/residential zoning category.

(2) *Parking placement.* No more than 60% of the off-street parking area for the entire property shall be located between the front façade within the front yard of the principal building and the primary abutting street, unless the principal building and/or parking lots are screened from view by outlot development and additional tree plantings or berms. Whenever possible, attempt to link with adjacent parking lots or provide shared parking areas which can serve neighboring buildings simultaneously. Parking lots shall be designed in regular, rectangular shapes. Shared drives and cross access between properties shall be required to adjacent developed and undeveloped properties. Access easements shall be shown on the site plan to provide cross access to adjacent properties. The location of this cross access shall be approved by the Planning Official.

(3) *Pedestrian circulation.* Clearly defined pedestrian walkways or paths shall be provided from parking areas to primary building entrances. Design walkways and parking lots so that pedestrians do not have to cross parking aisles and landscape islands to reach building entries. All internal walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Painted crosswalks shall not be considered sufficient definition of the pedestrian path from the driving surface.

