

ORDINANCE NO. 2026-02-1253

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS
AN ORDINANCE ADOPTING OVERLAY DISTRICT FOR THE CITY OF
TONTITOWN, ARKANSAS

WHEREAS, the City Council of the City of Tontitown has adopted regulations for an overlay district by the City of Tontitown, which shall be codified in Section 153.085: Overlay District of the Tontitown Municipal Code; and

WHEREAS, it has become apparent to the City Council of Tontitown that a need exists to adopt Section 153.085: Overlay District of the Tontitown Municipal Code in order to provide set standards, as set forth in the attached Exhibit "A"; and

WHEREAS, having held a public hearing on the subject, the Tontitown Planning Commission has recommended this adoption, and the City Council has determined it is in the best interest and benefit of the community to adopt Section 153.085: Overlay District of the Tontitown Municipal Code, as set forth in the attached Exhibit "A".

NOW THEREFORE, BE IT ENACTED, by the City Council of the City of Tontitown, Arkansas:

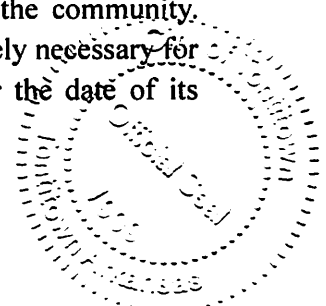
Section 1. Section 153.085: Overlay District of the Tontitown Municipal Code is hereby amended, as set forth in the attached Exhibit "A".

Section 2. The rest and remainder of the Tontitown Municipal Code not specifically amended herein shall remain in full force and effect.

Section 3. 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.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 5. Declaration of Emergency. It is hereby found and determined that there is an immediate need to adopt Section 153.085: Overlay District of the Tontitown Municipal Code to set forth updated regulations and to promote the orderly and efficient development within the City of Tontitown and to promote the health, safety, and general welfare of the community. Therefore, an emergency is declared to exist, and this Ordinance being immediately necessary for the above-stated purposes, shall become effective immediately from and after the date of its passage, to take effect as provided by the terms of this Ordinance.



PASSED AND APPROVED this 17 day of Feb, 2026.

APPROVED:

Angela Russell
Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni
Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)



Draft Ordinance: Henri de Tonti Boulevard Overlay District (350-Foot Overlay) – City of Tontitown, Arkansas

Section 1. Title & Purpose

1.1 Title

This ordinance shall be known as the *Henri de Tonti Boulevard Overlay District* (“Overlay District”) for the City of Tontitown.

1.2 Purpose

The purpose of this Overlay District is to ensure development along Henri de Tonti Boulevard in Tontitown:

- Enhances the aesthetic character, architectural identity, and visual coherence of the Boulevard.
- Encourages three-sided façade quality for buildings visible from public vantage points.
- Strengthens landscaping, buffering, and screening to improve environmental quality and reduce negative visual impacts.
- Regulates signage—size, placement, materials, lighting—to balance visibility with attractive public realm.
- Promotes safe, orderly access and lighting consistent with Tontitown’s standards.

Section 2. Jurisdiction & Applicability

2.1 Geographic Limits

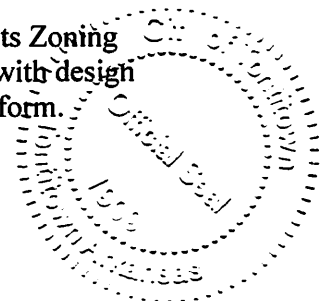
- Applies to all property lying within **350 feet** of the centerline of Henri de Tonti Boulevard (or from the edge of right-of-way, whichever is greater), on both sides of the Boulevard, within the corporate limits of Tontitown.

2.2 Applicability

- **All new construction**, or exterior expansions/renovations of existing buildings where **façade area altered exceeds 50%**.
- New signage or replacement of existing signage visible from Henri de Tonti Boulevard.
- New parking lot construction or expansions; major site redevelopment.

2.3 Relation to Tontitown’s Existing Codes

- Tontitown has provisions for **Overlay and Special-Purpose Districts** in its Zoning Regulations. § 153.085 authorizes adopting such overlay/special districts with design standards for landscaping, buffering, signage, lighting, setbacks, building form.



- Existing **Sign Regulations** in Tontitown’s Code (Chapter § 153.184 “Sign Regulations by District”, etc.) will continue to apply but may be modified or supplemented by this Overlay District.
-

Section 3. Façade / Building Form Standards

3.1 Visible Sides Requirement

- At least **three (3)** sides of any building that are visible from Henri de Tonti Boulevard, a public right-of-way, or adjacent properties shall meet the standards below.

3.2 Materials

- On each required visible façade, **at least 100%** of the area shall be constructed of primary, high-quality materials (brick, stone, architectural concrete, decorative metal, quality glass, including stucco (approved by review) & etc.).
- Plain, unadorned concrete block or simple sheet (corrugated) metal walls (without relief, texture, or architectural detailing) shall be avoided or treated via design (e.g. murals, relief panels).
- Façade colors shall be low reflective, subtle, neutral or earth tone. Building trim and accent areas may feature brighter colors, including primary colors for a maximum of 10% of the façade area.

3.3 Articulation & Massing

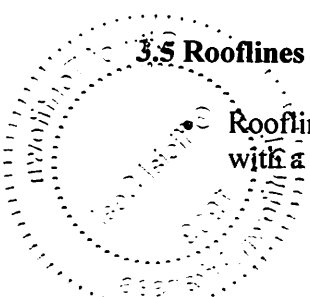
- Any façade longer than **50 feet** must include articulation every **25-30 feet** (recesses/projections, bays, awnings, canopies, roofline changes).
- Roof parapets or decorative cornices required to break up flat roof forms.
- Mechanical, rooftop equipment must be screened to be not visible from Henri de Tonti Boulevard or adjacent public vantage points.

3.4 Transparency & Openings

- Ground floor façades facing Henri de Tonti Blvd: minimum **40% glazing** (transparent windows/glass) between 2’ – 10’ above grade.
- Side façades that are “visible” from public roads or adjacent streets: minimum **20% glazing**.
- No more than two contiguous blank wall sections longer than **20 feet** without windows, door openings, or architectural detailing.

3.5 Rooflines and Form

Rooflines should include variation (pitched roof, gables, parapets, or decorative coping) with a change in height every one hundred linear feet (100’) in the building length.



- Variations shall be used to conceal flat roofs and roof tops equipment from public view.
- Alternating lengths and designs may be acceptable and be addressed during the development plan and must meet Energy Star rating or similar.

3.6 Setbacks

- Setbacks are to adhere to the current code as listed in section 153 Appendix C Design Standards
-

Section 4. Landscaping & Buffering Standards

4.1 Street Frontage Buffer

- Minimum landscaped buffer of **30 feet** from property line abutting Henri de Tonti Boulevard. This area to include canopy trees spaced no more than **30 feet on center**, shrubs, groundcover, and where appropriate understory trees/ornamental trees.

4.2 Side / Rear Buffering

- Where the side or rear of development abuts residential or less intensive zoning: buffer zone of **15 feet minimum**, with evergreen trees/shrubs sufficient to achieve year-round screening (for example, evergreens 6 feet tall planted at 10-12 foot spacing) or equivalent combination of planting + berm + fence if needed.

4.3 Parking Lot Landscaping

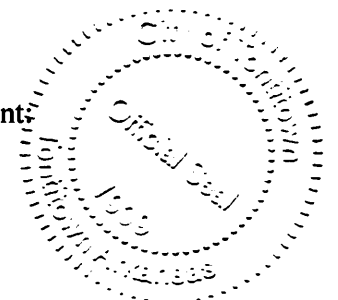
- Internal landscape islands within parking lots: required at least every 10 to 15 parking spaces.
- At least **5%** of total parking lot area must be landscaped.
- Perimeter facing Henri de Tonti Boulevard: parking screened by continuous landscaping, berm, wall, or combination, to minimum height of **3 feet**.

4.4 Tree & Planting Standards

- Street trees minimum **2.5 inch caliper** at planting. Caliper is defined as the measurement of the diameter of the trunk six inches (6") above ground level for trees up to four inches (4") in caliper size. Native or climate-adapted species favored.
- Shrubs/groundcovers appropriate to local soil, water availability.
- All landscaping to be maintained; replacement of dead/dying plant materials within two growing seasons.

4.5 Stormwater & Integration

- Landscape features should, where feasible, double as stormwater management: bioswales, rain gardens, infiltration strips.



- Existing natural vegetation preserved where possible, especially on slopes or topographic features.

4.6 Visibility / Sight Triangles

- Planting in sight triangles at intersections, driveways: shrubs under **30 inches**; taller plantings further from corners to maintain clear sightlines.
-

Section 5. Signage Standards

5.1 Monument / Freestanding Signs

- Maximum height: **20 feet** from ground to top of sign.
- Maximum sign area: e.g., **1.5 square feet** of sign face per linear foot of street frontage, up to a cap (for example, **150 sq ft**) — to be confirmed locally.
- Setback: minimum **10 feet** from property line or right-of-way, with landscaping around base of sign (at least 100% of sign perimeter planted or landscaped).

5.2 Building-Mounted Signs

- Building mounted signs on required visible façades: maximum **10-15%** of façade area per side.
- Signs should align with architectural elements (bays, windows, rooflines) and not obscure façade detailing.
- Illumination: down-lighting or back-lighting preferred; no harsh glare or off-site brightness; shielded fixtures.

5.3 Digital / Electronic Signs

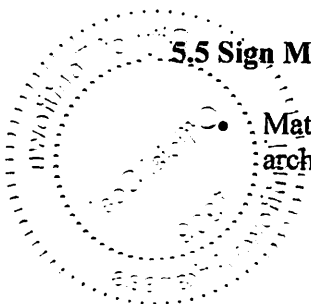
- If permitted, digital signage limited to a proportion (for example up to **25%** of allowable area of a monument sign).
- Brightness automatically dimmed after sunset; limited hours of changeable message, no rapid animation.

5.4 Prohibited Signs

- Roof-mounted signs that extend above roofline unless part of architectural design.
- Pole signs above 20 feet, or exceeding area caps.
- Flashing, rotating, or excessively animated signs (unless specifically approved).

5.5 Sign Materials & Design

- Materials/colors to harmonize with building façades. Signs should be integrated architecturally, not just “bolt-on.”



- Plastic “can box” signs discouraged except custom design and scaled properly.
-

Section 6. Other Site & Access, Lighting, Maintenance

6.1 Driveway Access / Curb Cuts

- Limit number of curb cuts along Henri de Tonti Blvd: ideally one per **200 feet** of frontage, or as per traffic engineer’s determination.
- Encourage shared driveways / shared access points among adjacent parcels.
- Minimum spacing between driveways: **150 feet** or per local traffic standard.

6.2 Lighting & Glare

- Applicants must submit a lighting plan subject to these lighting standards.
- Exterior lighting fixtures must be full-cutoff, downward directed, shielded.
- Parking lot poles do not exceed **40 feet** in height (or match local base zoning maximum if lower).
- Light trespass onto adjacent properties / public rights-of-way limited to **0.5 foot-candles** at property line (or local code equivalent).

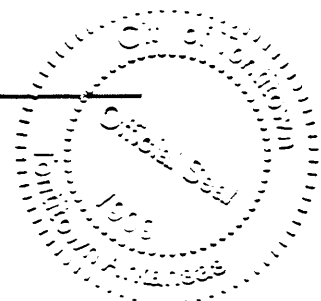
6.3 Maintenance

- Building façades must be maintained: no peeling paint, broken windows, damaged siding, etc.
- Signage maintained; broken or nonfunctional signs repaired or removed within **90 days** of notice.

6.4 Fencing

- Fencing materials permitted are wood, vinyl, masonry, decorative wrought iron or aluminum fencing and other materials approved by the Planning Commission consistent with the purpose of the district and comply with Tontitown Code § 153.215.
- Notwithstanding and provision in the code, no new fencing after the effective date of the ordinance within the Henri De Tonti Blvd Overlay District shall be constructed using chain-link, corrugated metal panels or other exposed metal mesh materials.
- Repairs or replacements of an existing lawful fence that contains chain-link or metal materials may be maintained or replaced in kind only if a building permit is obtained and the new code does not materially enlarge the fence footprint. Complete replacement of a fence may comply with this Section.

Section 7. Design Review, Compliance & Variances



7.1 Design Review Process

- All projects within the Overlay District (new builds, renovation exceeding threshold, signage, etc.) must go through City of Tontitown Planning & Zoning review. Submittals to include site plan, all visible façades, materials samples, lighting plan, landscaping plan, and signage plan.

7.2 Compliance

- Certificate of Occupancy (or equivalent) withheld until all required improvements (façades, landscaping, signage) are in place and inspected.

7.3 Variances

- Variance from any standard may be granted if strict compliance causes undue hardship due to lot shape, topography, or other physical constraints.
- Any granted variance must still meet the intent: attractive façade, buffering, minimal visual disruption, compatibility.

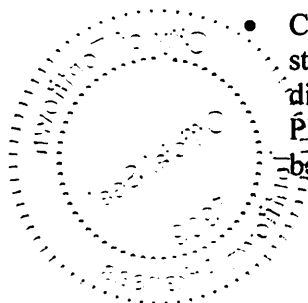
7.4 Exemptions

- Non-conforming structures – If non-conforming structures is to be retained, then the structure shall not be rebuilt, altered or undergo major rehabilitation if such construction would exceed fifty percent (50%) of its replacement cost. If rebuilding, alteration, or repair of a non-conforming structure exceeds fifty percent (50%) of the replacement cost, then the building shall be required to conform to all provisions of the Overlay District.

Major rehabilitation shall mean any renovation, restoration, modification, addition or retrofit of a structure that exceeds fifty percent (50%) of the current appraised value of any structure as established by Washington County. Rehabilitation costs shall be aggregated over a five-year period to determine the development is subject to these rules effective on the date of this ordinance.

Major rehabilitation shall not include maintenance and repair of a structure or other feature on the surrounding site, such as roof replacement or general repairs to a parking area or other site feature.

- Non-conforming Uses – If an existing use is to stay in place as an existing non-conforming use, then the use shall not be changed. If the use is changed, then building which houses the use shall be required to conform to the provisions of the Overlay District at the time of the use is changed.
- Change in Use Designation – a change in the use unit designation of existing structure or structures on a tract or parcel of land that exists at the time approval of this overlay district will be determined by the most current business license of record in the City Planning Office. If a business license has not been acquired for the tract of parcel it will be assumed to be a change in use must meet the design standard.



Section 8. Effective Date & Phasing

8.1 Effective Date

This ordinance shall take effect on [insert date here] after adoption by Tontitown City Council and publication as required by law.

