

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE 7697 (“THE ZONING ORDINANCE”) TO CONFORM TO ACT 446 OF THE 92nd ARKANSAS GENERAL ASSEMBLY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, at the Regular Session of the Ninety-Second Arkansas General Assembly, the Legislature passed Act 446 regarding Municipal Regulation of Residential Building Design Elements; and

WHEREAS, Section 12.20 and Appendices C and E of Ordinance No. 7697 (the “Zoning Ordinance”) establish specific land use regulations that are impacted by the passage of Act 446; and

WHEREAS, due to the passage of Act 446, it is necessary to Amend portions of the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Section 12.20 and Appendices C and E of the Zoning Ordinance (Ordinance No. 7697) are hereby amended as follows:

Editor’s note: Deletions are denoted in “red” by ~~strikethrough~~ and additions in “blue” by underline

Section 12.20 - Single-family and Duplex Appearance Standards

- A. Building requirements:
 - 1. Residences shall be oriented in such a way that the front entrance is readily apparent from the street.
 - 2. Residences shall maintain a minimal dimension such that no facade is less than 20’ in width.
 - ~~3. Roofs of residences shall have a minimum 4:12 pitch.~~
 - ~~4. Roofs of residences shall have a minimum 12 inch eave, excluding gutters. The eave is measured from the structure wall to the outside drip edge. This restriction does not apply to manufactured homes in legally permitted zones.~~
 - ~~5. The siding of residences shall be of customary design and materials, including exterior grade plywood panel, hardboard, lumber, cedar shingles, other wood, vinyl, aluminum, steel, or masonry siding materials to be consistent with the character of existing neighborhoods. Vertical ribbed or corrugated steel siding shall not be allowed.~~

6. 3. The foundation of residences shall be solid and continuous around the perimeter of the primary structure.

7. 4. ~~All facades shall include windows, doors or other openings.~~

B. Site requirements:

1. No more than 50% of the front yard shall be impervious or paved surfaces.

2. Front yard driveway surfaces shall be of concrete, asphalt, or other solid masonry materials. Gravel is not permitted as a front yard driveway surface.

APPENDIX C

TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT

Section 1.2 - Purpose and Intent

The purpose and intent of the TND District is to establish development regulations promoting a compact, pedestrian friendly neighborhood where streets are designed to slow traffic and buildings are designed and oriented to enhance the human interest. Design features include:

A. Requiring that commercial buildings be near the front property line with parking oriented to rear yards;

~~B. Requiring residential porches near the front property line and parking oriented off rear alleys;~~

~~C. B.~~ Allowing for the mix of commercial and residential uses to generate greater opportunity for pedestrian trips,

~~D. C.~~ Providing key parcels as landmark or public spaces that frame and create a sense of place; and

~~E. Requiring that redevelopment in the TND District be constructed where buildings are of traditional architectural styles and compatible in building structure, orientation, height, and other site spatial relationships of this regulation.~~

Section 1.9 - Residential Building Standards

A. Orientation. The front façade and front door of all new residential structures shall be oriented towards the front of the lot so that access is readily determined from the adjoining street(s).

~~B. Setbacks. Front yard, covered porches shall be allowed within 7 feet of the front property line and enclosed rooms no closer than 15 feet of the front property lines. Buildings without porches shall be allowed within 15 feet of the front property line. A front yard "build to line" is required where single family residential structures shall be set no farther than 15 feet of the front property line. A screened porch is declared as not enclosed. A glassed porch is declared an enclosed room.~~

~~C. Attached garages. Residential attached garages on lots with alleys shall have the garage entrance oriented to the alley. Where no alley exists, the attached garage shall not exceed 1/3 of the front of the dwelling and the front wall of the vehicular entrance to the garage, carport, or other vehicular storage area, when oriented to the front yard, shall be constructed no closer to the street than two feet behind the front wall of the principal structure.~~

~~D. Porches. Front yard residential porches are to be encouraged to generate a greater sense of neighborhood. Porches are to be of sufficient size to create a functional, sitting space and~~

- be a minimum of 6 feet in depth and be at least 40 percent of the width of the front of the house.
- ~~E. Building Materials. Building materials are to be those common in traditional neighborhoods. Vertical, corrugated metal siding is specifically prohibited in the TND District. Specific design standards are to be adopted by a Traditional Neighborhood Design Review Board. Design and elements of the design standards are to identify acceptable materials for: shutters, siding, roofing, windows, trim, soffit, gutters, downspouts, columns, railings, and chimneys.~~
 - F. B. Fencing. Front yard fences shall be limited to 3.5 feet in height and be of wrought iron, simulated wrought iron or picket in design. All other provisions of Section 12.15 shall apply.
 - G. C. Alley access. If an existing lot is adjacent to an open and used public alley, vehicular access shall be oriented to the alley. A space wider than 20' is required to accommodate most perpendicular parking off of the alley. Accessory garages are required to be 5' from the alley.
 - ~~H. Roof pitch. Minimum roof pitch for new principal structures shall be a minimum of 4:12 ratio or greater. Open porches and dormers are excluded from this requirement.~~
 - I. D. Parking. Where alleys are present, parking is to be oriented to the alley. Where alleys are not provided, front yard driveways are allowed.
 - ~~J. Landscaping. Front lawn landscaping develops neighborhood character. Planting beds should be located at the building foundation and/or in isolated locations in the front and side yards that are visible from the public way. Street trees 30' on center, planting beds and shrubs are recommended to enhance the semi-public space.~~
 - ~~K. Accessory structures. See Section 12.2~~
 - L. E. Height: Residential buildings adjoining the Traditional Neighborhood commercial square shall be considered as commercial buildings with the commercial height limitations. All other residential buildings are to be limited to a height of 35'.

APPENDIX E RIVER ROAD OVERLAY DISTRICT

Section 1.5 Residential building standards

- A. Orientation. The front façade of all new residential structures shall be oriented towards the front of the lot so that access is readily apparent from the adjoining street.
- B. Façade.
 1. Residences shall maintain a minimal dimension such that no façade is less than 20 feet in width.
 - ~~2. All facades shall include windows, doors, or other openings.~~
- C. Foundation and floor elevation.
 1. The foundation of residences shall be solid and continuous around the perimeter of the primary structure.
 2. Floor height: The finished floor height of all new principal structures shall be a minimum of eighteen 18 inches above the finish grade at the front building face and must meet all applicable storm water requirements.
- ~~D. Front Porch.~~

1. ~~Covered porches shall be encouraged; a minimum of 6 feet in depth and may encroach the front setback line to within 7 feet of the front property line.~~
2. ~~Porches must be at least 40 percent of the width of the front of the house.~~

~~E.~~ D. ~~Roofs.~~

1. ~~The minimum roof pitch for new principal structures shall be a minimum 6:12 pitch. Open porches and dormers are excluded from this requirement.~~
2. ~~Roofs of residences shall have a minimum 12 inch eave, excluding gutters. The eave is measured from the structure wall to the outside drip edge.~~
3. 1. ~~Height of residential buildings is limited to 35 feet.~~

~~F.~~ ~~Materials. Below are recommendations for approved materials. In no instance will materials in conflict with the guidelines of Section 12.20 be allowed. Material List for All Styles:~~

1. ~~Shutters. Vinyl and Hardwood~~
2. ~~Siding. The siding of residences shall be of customary design and materials, including exterior grade plywood panel, hardboard, lumber, cedar shingles, other wood, vinyl, aluminum, steel, stone, stucco, brick or masonry siding materials to be consistent with the character of existing neighborhoods. Vertical ribbed or corrugated steel siding shall not be allowed.~~
3. ~~Roofing. Asphalt, fiberglass, stone, clay, or wood shingles, standing seam metal roofs, zinc coated.~~
4. ~~Windows. Energy efficient vinyl, aluminum, wood.~~
5. ~~Foundations. Common brick, concrete block, or stucco is acceptable. The foundation of residences shall be solid and continuous around the perimeter of the primary structure.~~
6. ~~Chimneys. Common brick, stone, or stucco.~~

Section 1.6 Residential site requirements

- A. ~~Setbacks. Front yard setback lines for residential property shall be 15 feet from the property line for enclosed rooms of the residence. ~~Front yard covered porches shall be allowed within 7 feet of the front property line.~~ The underlying zoning district shall define all other setback requirements.~~
- ~~B. Accessory structures. See Section 12.2~~
- ~~C. Attached garages.~~
 1. ~~On residential lots with alleys, the attached garage shall be oriented to the alley.~~
 2. ~~Where no alley exists, the attached garage shall not exceed 1/3 of the front of the dwelling and the structural edge of the vehicular entrance to the garage shall be constructed no closer to the street than 2 feet behind the front wall of the principal structure.~~
- ~~D. Fencing. All residential provisions of Section 12.15 shall apply.~~
- ~~E.~~ B. ~~Alley access. If an existing lot is adjacent to an open and used public alley, vehicular access to the site from the alley is required as the primary access point.~~
- ~~F.~~ C. ~~Parking. Where alleys are present, parking is to be oriented from the alley. No driveway shall be constructed from the road to the front yard face of the principal structure unless providing vehicular access to an attached garage or carport.~~
- ~~G.~~ D. ~~Landscaping.~~

- ~~1. Landscaping should be irrigated properly, and maintained to include weeding, pruning, mulching, and mowing.~~
- ~~2. Front yards may be grass lawns, landscaped gardens, or a balance of both, similar in depth to neighboring houses.~~
- ~~3. Planting beds should be located at the building foundation and/or in isolated locations in the front and side yards that are visible from the public way.~~
- ~~4. Street trees, planting beds and shrubs are recommended to incorporate a sense of semi-public space.~~
5. 1. No more than 50 percent of the front yard shall be impervious or paved surfaces.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held to be invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It is hereby found and determined that the establishment of the herein described amendments are immediately necessary for the orderly development of the City and the public health, safety and welfare and to comply with a recently enacted State Act; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSORS:




 Mayor Joe A. Smith *by AF*

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:



 Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY

FILED	<u>10:35</u> A.M.	_____ P.M.
By	<u>A. Fields</u>	
DATE	<u>6-18-19</u>	
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas		
RECEIVED BY	<u>S. Ussey</u>	