

ORDINANCE NO. 5575

AN ORDINANCE AMENDING ARTICLE 4, SECTION 5 OF THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Article 4, Section 5 of the Zoning Ordinance of the City of Springdale, Arkansas, contains regulations for the various special zoning districts in the City of Springdale, Arkansas;

WHEREAS, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to add a new special zoning district to Article 4, Section 5 of the Zoning Ordinance of the City of Springdale, Arkansas, to be known as the Springdale Elective Enhancement District;

WHEREAS, a public hearing was held before the Springdale Planning Commission on March 2, 2021, after notice was given of said hearing as required by law.

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

Section 1: Article 4, Section 5 of the Zoning Ordinance of the City of Springdale, Arkansas, is hereby amended to add a new subsection, Section 5.5, to read as follows:

5.5 SEED – Springdale Elective Enhancement District

PURPOSE

In 2015, the City Council of the City of Springdale passed an ordinance establishing the Downtown Master Plan. The intent of the Downtown Master Plan was to promote, preserve, and enhance the development, preservations, and beautification of downtown Springdale. A collaborative effort was undertaken to develop regulations for downtown Springdale to ensure the goals of the adopted Master Plan. The Downtown District Form-Based Code was created and designed to foster a setting for economic growth and development in a sustainable mixed-use pattern integrating residential with employment and commercial uses as well as civic and recreational opportunities.

The Downtown District Form-Based Code was applied to new, infill development and re-development in a designated downtown area in order to achieve the vision set forth in the Downtown Master Plan and to provide a mechanism to implement the goals enumerated in the Downtown District Form-Based Code using both public and private sector investment that would serve to enhance the aesthetic beauty of the City and the economic value of property and general welfare of the citizens in the City.

The Downtown District Form-Based Code was created by Ordinance No. 5152, adopted by the Springdale City Council on March 28, 2017, and completely replaced any and all existing zoning codes for any property within the boundaries as designated in the Downtown District. The Downtown District Form-Based Code is codified as Chapter 32 of the Code of Ordinances of the City of Springdale, Arkansas.

The Downtown District Form-Based Code created a core area for implementation that is different than traditional zoning. Traditional zoning regulates development primarily by use (residential, industrial, commercial) where districts are filled by a primary use category. This categorization makes mixed-use, pedestrian-oriented development difficult or even illegal. Traditional zoning results in dispersed land

uses with excessive land consumption and pedestrian unfriendly streets. Form-based codes de-emphasizes land use in favor of building form and typology encouraging a greater mix of uses and housing types and while placing stronger emphasis on the design of the public realm.

The Springdale Elective Enhancement District (SEED) is a special zoning district designed to unify outlying neighborhoods of the downtown Springdale area into the thriving, livable community vision set forth within the Downtown District Form-Based Code by establishing a framework for incremental progress towards an application of the Downtown District Form-Based Code in a specifically outlined area. Areas adjacent to the Downtown District Form-Based Code areas are mapped and identified below giving individual properties the option to request the provision of the SEED or develop under the standard provision of the adopted zoning map of the City.

The SEED district provides developers and property owners with the tools and creative flexibility found within the Downtown District Form-Based Code in areas of the city which are currently regulated under the traditional zoning boundaries. By allowing for high quality development which serves the growing need for a variety of housing options and overly housing affordability, the SEED district creates increased opportunity for infill-focused development.

The SEED district is designed to promote quality infill that exhibits sustainable construction and excellence through architectural design, preserving significant aspects of the natural character of the land creating cohesive and engaging communities through the use of pedestrian oriented design elements. With the ability to use single or multiple land use activities organized in a comprehensive manner developers and business owners are able to better serve the needs of the community while keeping with the context of the surrounding neighborhood.

The SEED district permits flexibility in the choice of building envelope standards along with building development standards that places a primary emphasis on physical form and placemaking, with a secondary focus on land uses as outlined and contained in the adopted Downtown District Form-Based Code, as amended from time to time.

Similar to the Planned Unit Development (PUD) district, the SEED district is established to permit the development and zoning review into one process. The combined review permits a development proposal to be acted upon simultaneously by the developer and the city to effectively regulate in a cohesive, consistent, and predictable manner. The SEED development remains intact even if transfer in ownership occurs and represents a joint commitment by both the developer and the city.

APPLICATION PROCESS

A request for a Springdale Elective Enhancement District shall follow the rezoning procedures initiated by private parties set forth in Article 2, Section 11 of this Chapter. In addition, the application for certificates of conformity outlined in the Downtown District Form-Based Code referred to above shall be included with the rezoning application for the areas authorized for SEED development.

The following factors shall be used for the evaluation of a request for a Springdale Elective Enhancement District:

- a. Evaluation of the existing structures of the area at the block or neighborhood level, specifically in regards to compatibility of typical bulk, form, and architectural character.
- b. Reference to the existing subdivision plat (if available) for historical context of the area.

- c. Ability of the proposed development to function cohesively within the surrounding area or neighborhood to create quality placemaking based on the proposed building envelope type.
- d. Location of the proposed development in relation to nearby amenities such as public parks, schools, and trail systems.

APPLICABILITY

Upon approval of a SEED zoning as set forth in Article 2, Section 11 of this Chapter on a parcel or combination of parcels, all proposed improvements thereon shall be subject to procedures, standards, and guidelines as specified in the Downtown District Form-Based Code. The use requirements in the zones shall apply unless specific changes are made to the Downtown District Form-Based Code and in no case shall a use not otherwise allowed in a zone be added.

REFERENCES

The Downtown District Form-Based Code above completely replaces any and all existing zoning codes as set forth in this chapter that would currently exist with the previous zoning. In interpreting and applying the provision of the Downtown District Form-Based Code, they are the minimum requirements.

OTHER APPLICABLE REGULATIONS

All development must comply with relevant Federal, State and other City regulations. Whenever any provision of this section imposes a greater requirement or a higher standard than is required in any State or Federal statute or other City ordinance or regulation, the provisions of this section shall govern unless preempted by State or Federal law.

CONFLICTS

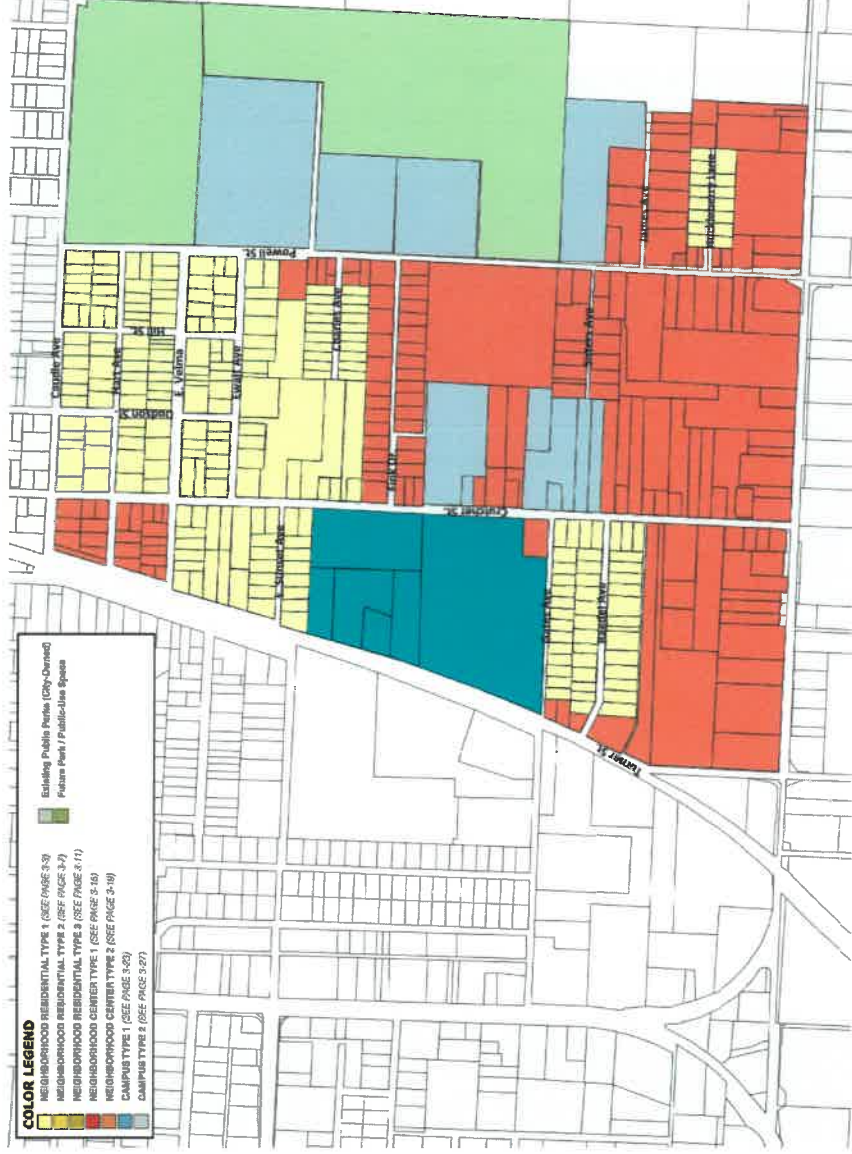
Where apparent conflicts exist between the provisions of this section and other existing ordinances, regulations, or permits, or by easements, covenants, or agreements the Planning Director shall determine, based on which best meets the requirements of this section which provisions shall govern.

DESIGNATED SEED AREAS

Two areas adjacent to the downtown district have been identified as potential areas of transition between the downtown core, with its mixed use emphasis to the lower density residential neighborhoods on the outskirts or edge of the defined downtown and areas of greatest potential for infill and redevelopment.

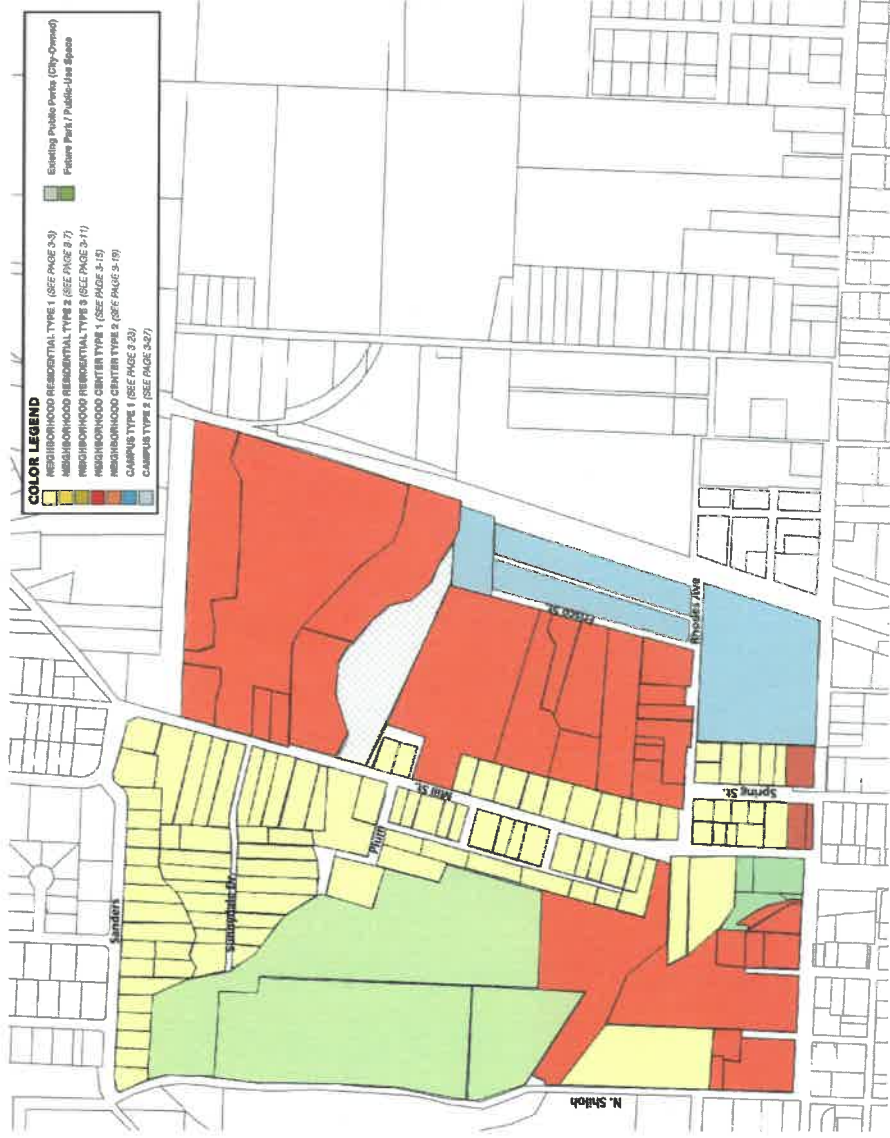
5.5.1 Powell Street SEED

- a. District Boundary: Beginning at the intersection of Thompson Avenue (Highway 71B) and Quandt Avenue east to Holcomb Street; south on Holcomb Street to the intersection of Caudle Avenue; east on Caudle Avenue to Ellis Lane (western boundary of the Springdale Municipal Airport property); western boundary of the Springdale Municipal Airport to Robinson Avenue (Highway 412 E); Robinson Avenue west to South Turner Street; north on Turner Street to Quandt Avenue
- b. Regulating Plan: The purpose of the Regulating Plan for the district is to establish zones of a particular desired scale and bulk within the Downtown District Form-Based Code in order to effectively regulate the form of improvements and to enhance the atmosphere of the neighborhood through cohesive urban form and character.



5.5.2 Mill Street SEED

- a. **District Boundary:** Beginning at the intersection of Huntsville Avenue and N. Shiloh Street; north along Shiloh Street to Sanders Avenue; Sanders Avenue east to Mill Street; continuing east along a property line to the western right-of-way of the Arkansas Missouri Railroad; south along the western right-of-way line to Huntsville Avenue; west along Huntsville Avenue to N. Shiloh Street.
- b. **Regulating Plan:** The purpose of the Regulating Plan for the district is to establish zones of a particular desired scale and bulk within the Downtown District Form-Based Code in order to effectively regulate the form of improvements and to enhance the atmosphere of the neighborhood through cohesive urban form and character.



Section 2: All other provisions of Article 4, Section 5 of the Zoning Ordinance of the City of Springdale, Arkansas, not specifically amended by this Ordinance shall remain in full force and effect.

Section 3: Emergency Clause: The implementation of the amended ordinance will be unreasonably delayed if not allowed to take affect immediately, and therefore an emergency is hereby declared to exist and this ordinance shall become effect immediately upon its passage and approval.

PASSED AND APPROVED this 9th day of March, 2021.

ATTEST:

Denise Pearce
Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate
Ernest B. Cate, City Attorney

Doug Sprouse
Doug Sprouse, Mayor