

- The next Committee Meeting will be held on Monday, June 5th, 2023 at 5:30p.m.
- Agenda Packet will be available on the Friday before the meeting.

**SPRINGDALE CITY COUNCIL
REGULAR MEETING
TIERED TRAINING ROOM
2ND FLOOR OF CRIMINAL JUSTICE BUILDING
Tuesday, May 23rd, 2023**

5:55 p.m. Pre-Meeting Activities

Pledge of Allegiance

Invocation – Councilman Rex Bailey

1. Call to Order – Mayor Doug Sprouse

2. Roll Call – Debbie Pounders, in place of Denise Pearce.

3. Recognition of a Quorum.

4. Comments from Citizens

The Council will hear brief comments from citizens present at the meeting during this period on issues not on the agenda. No action will be taken tonight. All comments will be taken under advisement.

5. Approval of Minutes – **Tuesday, May 9th, 2023. Pgs. 212-218**

6. Procedural Motions

A. Entertain Motion to read all Ordinances and Resolutions by title only.

B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as *item number(s) **8A – 8G*** (*Motion must be approved by two-thirds (2/3) of the council members*).

7. **Employee Recognition**. Presented by Mayor Doug Sprouse.

8. Planning Commission Report and Recommendation by Patsy Christie, Director of Planning and Community Development

A. **An Ordinance** amending Chapter 32 of the Code of Ordinances of the City of Springdale, Arkansas, The Downtown District Form

Based Code; declaring an emergency; and for other purposes.

Pgs. 1-127

B. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-19) certain lands located at NE Intersection of Marchant Road and Kelly Road from Agricultural District (A-1) to High Density Single Family Residential District (SF-3) and declaring an emergency. Pgs. 128-130

C. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-20) certain lands located at 2703 Chapman Avenue from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) and declaring an emergency. Pgs. 131-133

D. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-21) certain lands located at 1749 N. 48th Street and the parcel to the North from Low Density Single Family Residential District (SF-2) to General Commercial District (C-2) and declaring an emergency. Pgs. 134-136

E. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-22) certain lands located at 875 E. Don Tyson Parkway from Agricultural District (A-1) to Low Density Single Family Residential District (SF-2) and declaring an emergency. Pgs. 137-139

F. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-23) certain lands located at 2608 Powell Street from Low Density Single Family Residential District (SF-2) to and Low/Medium Density Multi-Family Residential District (MF-4) and declaring an emergency. Pgs. 140-142

G. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning (R23-24) certain lands located at 3295 Habberton Road from Agricultural District (A-1) to Low Density Single Family Residential District (SF-2) and declaring an emergency. Pgs. 143-145

H. **A Resolution** approving a Conditional Use (C23-05) for CCO Investments, LLC at 2380 N. Mountain Road as set forth in Ordinance No. 4030. Pgs. 146-147

I. **A Resolution** approving a waiver (W23-14) of street improvements, drainage relating thereto, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to CJCJ Holdings, LLC in connection with 5503 W. County Line Road, a Single-Family Dwelling. Pgs. 148-149

9. Community Development Block Grant Program by Chairman Rex Bailey

A. **A Resolution** adopting and approving the Consolidation Plan for 2023-2028 and the 2023 Action Plan for the Community Development Block Grant Program. Forwarded from Committee with recommendation for approval. Presented by Dean Allen, Community Development Block Grant Program Manager. Pgs. 150-168

10. Finance Committee by Chairwoman Amelia Williams

A. **A Resolution** authorizing payment of an invoice for the Har-Ber Avenue Extension Project (Project No. 18BPS12). Forwarded from Committee with recommendation for approval. Presented by Colby Fulfer, Chief of Staff. Pgs. 169-170

B. **A Resolution** of intent regarding the Bond Improvement Projects. Forwarded from Committee with recommendation for approval. Presented by Colby Fulfer, Chief of Staff. Pgs. 171-172

C. **A Resolution** authorizing the purchase of Traffic Detection Program software and equipment; to waive competitive bidding, and for other purposes. Forwarded from Committee with recommendation for approval. Presented by James Smith, Public Works Director. Pgs. 173-177

D. **A Resolution** authorizing the expenditure of funds to acquire portions of land from TJ Homes, LLC., for the Don Tyson Parkway Project (HWY 112 to 56th Street), Project No. CP1518. Forwarded from Committee with recommendation for approval. Presented by Ernest Cate, City Attorney. **Pgs. 178-186**

11. Parks and Recreation Committee by Chairman Mike Lawson

A. **A Resolution** to appropriate funds for Architectural Design Services for renovations at the Springdale Parks and Recreation Facility. Forwarded from Committee with recommendation for approval. Presented by Chad Wolf, Parks and Recreation director. **Pgs. 187-202**

12. Police and Fire Committee by Chairman Brian Powell

A. **A Resolution** to appropriate funds for equipment for the Springdale Fire Department. Forwarded from Committee with recommendation for approval. Presented by Michael Bronner, Assistant Chief of Operations for the Springdale Fire Department. **Pgs. 203-207**

B. **A Resolution** to appropriate funds for the Springdale Fire Department and to waive competitive bidding. Forwarded from Committee with recommendation for approval. Presented by Jim Vaughan, Assistant Fire Chief. **Pgs. 208-211**

13. Comments from Council Members

14. Comments from City Attorney

15. Comments from Mayor

16. Adjournment

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 32 OF THE
CODE OF ORDINANCES OF THE CITY OF
SPRINGDALE, ARKANSAS, THE DOWNTOWN
DISTRICT FORM BASED CODE; DECLARING AN
EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, Chapter 32 of the Code of Ordinances of the City of Springdale, Arkansas, contains the Downtown District Form Based Code for 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 adopt revisions to the Downtown District Form Based Code for the City of Springdale, Arkansas;

WHEREAS, a public hearing was held before the Springdale Planning Commission on May 2, 2023, after notice was given of said hearing as required by law;

WHEREAS, notice of the consideration of this Ordinance was also published pursuant to Ark. Code Ann. §14-55-207;

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

Section 1. There is adopted by reference a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Springdale, Arkansas, for inspection and view by the public, and being marked and designated as the "Downtown District Form-Based Code", for the City of Springdale, Arkansas.

Section 2. All other provisions of Chapter 32 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

Section 3. Emergency Clause. It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



SPRINGDALE™
WE'RE MAKING IT HAPPEN

Downtown Springdale **FORM-BASED CODE**

CITY OF SPRINGDALE

CHAPTER 32

UPDATED April 21, 2023
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1.0

ADMINISTRATION PROCEDURES

1.0 ADMINISTRATIVE PROCEDURES

1.1 PURPOSE

- A. The Downtown Springdale Master Plan articulates the community's vision for the future of Downtown Springdale to transform it into the vibrant, regional downtown that it once was and will be again. This Form-Based Code (FBC) is 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.
- B. The Form-Based Code shall be applied to new; infill development and re-development in the established downtown area in order to achieve the vision set forth in the adopted Downtown Master Plan and to provide a mechanism to implement the following goals, using both public and private sector investment.
 - i. Capitalize on public investment in existing infrastructure.
 - ii. Promote compact, mixed use development at moderate to high densities.
 - iii. Ensure transit-supportive and transit-serviceable development.
 - iv. Require pedestrian-oriented and transit-oriented design.
 - v. Ensure a complementary relationship with surrounding neighborhoods.

1.2 BOUNDARIES

The boundaries of the Downtown Form Based Code District shall be noted on the official zoning map of the city as set forth in Chapter 130: Article 3 and described as following: Huntsville Avenue--northern boundary; Highway 265 (Old Missouri Road) south to Emma Avenue, airport western property line to Caudle Avenue—eastern boundary; Quandt Avenue/Caudle Avenue—southern boundary; Highway 71 (Thompson Street)—western boundary.

1.3 GENERAL REQUIREMENTS

- A. Applicability – all improvements proposed within this district shall be subject to procedures, standards, and guidelines as specified. The use requirements in the zones shall apply unless specific changes are made to this Chapter and in no case shall a use not otherwise allowed in a zone be added.
- B. References – this form based code completely replaces any and all existing zoning codes as set forth in Chapter 130 of the Code of Ordinances that currently exist in the downtown district as described in Section 1.2 above.
- C. Other Applicable Regulations -- all development must comply with relevant Federal, State and other City regulations. Whenever any provision of this Code 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 Code shall govern unless preempted by State or Federal law.
- D. Conflicts -- where apparent conflicts exist between the provisions of this Chapter 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 Chapter and the adopted Downtown Master Plan, which provisions shall govern within the Downtown Form-Based District.

1.0 ADMINISTRATIVE PROCEDURES

1.4 MINIMUM REQUIREMENTS

In interpreting and applying the provisions of the Code, they are the minimum requirements for the promotion of the purposes of this Code.

1.5 SEVERABILITY

Should any provision of this Code be decided by the courts to be unconstitutional or invalid, that decision shall not affect the validity of the Code other than the part decided to be unconstitutional or invalid.

1.6 COMPONENTS OF THE CODE

This Code places a primary emphasis on physical form and placemaking, with a secondary focus on land uses. The principal regulatory sections of this Code are described below.

- A. Administrative Procedures – covers applications for development plan approval.
- B. The Regulating Plan – is the application key for the Code. It establishes zones of a particular desired scale and bulk that will effectively regulate the form of improvements and will enhance the vibrancy and atmosphere of the neighborhood through cohesive urban form and character. It assists property owners and land developers in understanding which zone of building envelope standards apply to a specific parcel of property.
- C. Building Envelope Standards – defines the height and bulk of improvements within the Form-Based District zones in order to effectively regulate and maintain a cohesive and predictable urban form. It assists property owners and land developers in understanding the basic form requirements which apply to a specific parcel of property, including the following: building placement, building height, building types, encroachments, use requirements, and parking requirements.
- D. Building Development Standards – regulates the form of development within the Form-Based District zones in order to ensure high quality construction, infill development, and improvements that will be cohesive with the historic context of the neighborhood; while enhancing the character of the area and creating a vibrant interface between private property and the public realm. The particular purpose of the standards is to ensure that property owners and land developers utilize a series of locally and regionally appropriate building types, each of which may have a variety of different frontage types and should be constructed to an expected level of architectural standards in order to ensure the character and quality of the project.

1.0 ADMINISTRATIVE PROCEDURES

1.7 APPLICATION PROCESS AND APPEALS

- A. Applicability – all improvements proposed within this district shall be subject to procedures, standards, and guidelines as specified in this Chapter and submit an application for a Certificate of Conformity.
- B. Authority – the Planning and Community Development Director (“Director”) is hereby authorized to review and approve applications for Certificates of Conformity and any administrative adjustments as set forth in this Chapter.
- C. Plan Review – all applications for a Certificate of Conformity shall be submitted to the technical plat review (TPR) committee to ensure conformity with the requirements of the Code. The TPR committee shall be comprised of personnel from the City departments and outside agencies that have an interest in the development review and approval process and shall include representatives from the following departments of the City: Planning, Engineering, Buildings, Fire, Police, Public Works, Water and Sewer Utilities and the Downtown Springdale Alliance.

The powers and duties of the TPR Committee is as follows:

- i. Review of concept plans, site plans and any other development related applications that may be required by the Code.
- ii. Making determinations on the application and interpretation of guidelines, standards, and requirements of this Chapter.
- iii. May require the applicant to submit additional information not otherwise specifically required by the Chapter which is reasonably necessary to review and determine whether the proposed development complies with the requirements.
- iv. Is not authorized to waive or vary requirements of the Chapter or any other applicable ordinance of the City of Springdale.

1.0 ADMINISTRATIVE PROCEDURES

1.8 CERTIFICATE OF CONFORMITY

An application for approval of a Certificate of Conformity, demonstrating conformity with the provisions contained in this Chapter and the regulating plan shall be submitted to the Director.

A. Application Requirements – the application for a Certificate of Conformity shall include:

1. A brief narrative describing the Development Proposal expressing how it addresses the goals and policies of the Downtown Master Plan as set forth in Section 1.1 B above.
2. Eight (8) sets of completed plans along with a digital copy for the Development Proposal at a scale sufficient to read (Site Plans at 1"= 50', Building Plans and Elevations at 1"= 20'). Details as necessary to demonstrate FBC conformity prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect, as appropriate, and including the following information, which shall be submitted on the following sheets:
 - a. Location and dimensions of all proposed buildings and other construction;
 - b. Internal roadways, streets and/or street-spaces, alleys, common access easements, and access ways to adjacent public roadways;
 - c. Any built or proposed improvements within 200 feet of the site, including streets, drives, buildings, and drainage structures.
 - i. Location and dimensions of all parking areas,
 - ii. Utility Strategy,
 - iii. Architectural drawings of all proposed building facades
3. A completed Form-Based District Review Checklist, the form of which shall be developed, maintained, and made available by the Planning and Community Development Department, demonstrating conformity with the provisions of the FBC; and any other document and/or materials required to determine conformity with the provisions of this Chapter.

B. Review Process

1. A pre-application conference with a member of the planning staff of the Planning and Community Development Department shall be held prior to the submission of any application for a Certificate of Conformity as outlined. The applicant should provide a schematic site plan and schematic drawings of all facades for consideration by the staff. The discussions and any conclusions based thereon at such a pre-application conference are not binding on any party thereto.
2. Applicant's shall be notified no later than seven (7) business days following the submittal deadline if additional materials and studies will be required in order for review of their application to commence.
3. After the effective date of the Chapter, no property with the boundary outlined in Section 1.2 above may be developed or redeveloped without approval of a Certificate of Conformity from the Director of Planning and Community Development.

1.0 ADMINISTRATIVE PROCEDURES

1.9 ADMINISTRATIVE ADJUSTMENTS

A. Purpose and Intent

The purpose and intent of this section is to provide an administrative mechanism for allowing minor adjustments to limited and specific requirements of the Chapter, with the intent of providing relief where the application of a standard creates practical difficulties in allowing development to proceed. These adjustments are intended to provide relief for minor construction/survey issues; they are not intended for designed deviations from the Chapter, like those governed the deviations section below. This optional process occurs only where an applicant requests an Administrative Adjustment to a standard specified below.

B. Application and Review Procedure

An application for approval of an Administrative Adjustment shall include:

- i. A brief narrative describing the Administrative Adjustment sought;
- ii. A completed Administrative Adjustment Checklist, the form of which shall be developed, maintained, and made available by the Director, demonstrating that the adjustment sought is limited to the standards set forth below; and
- iii. Any other documents and/or materials required by the Director to determine that the adjustment sought is limited to the standards set forth below.
- iv. The Director may seek assistance from the PRC in making a determination under this Section.
- v. Within ten (10) business days of receipt of a complete application, the Director shall review the application in accordance with the Administrative Adjustment Standards below, and take one of the following actions: approve the application as submitted; approve the application with conditions; or deny the application.

C. Administrative Adjustment Standards

The Planning and Community Development Director is hereby authorized to approve Administrative Adjustment applications in strict compliance with the following standards only:

- i. Height Minimum and maximum height: up to five percent (5%) for any cumulative increase or decrease in building height.
- ii. Street wall/fence requirements: up to ten percent (10%).
- iii. Finished floor elevation: up to five percent (5%).
- iv. Siting: required building line — move forward up to six (6) inches; required building line minimum percentage built-to — reduction of up to five percent (5%) of required length.
- v. Street wall requirements: up to ten percent (10%) of the height/fenestration/access gate requirements.
- vi. Entrances (maximum average spacing): up to ten percent (10%) increase in spacing.
- vii. Architectural Standards: Primary and accent materials — up to ten percent (10%);
- viii. Window and pane dimensions: up to ten percent (10%); and shop front entry geometry: up to ten percent (10%).

1.0 ADMINISTRATIVE PROCEDURES

1.9 ADMINISTRATIVE ADJUSTMENTS, CONTINUED

A. See page 1-5

B. See page 1-5

C. See page 1-5

D. Adjustments of Unlisted Standards

Any request for relief from a required FBC standard other than those listed above shall be made through the deviation process set forth in 1.10 Deviations.

E. Applicability:

Any administrative Adjustment approved under this Section shall run with the land and not be affected by a change in ownership.

F. Effect of Certificate of Conformity Issuance

Issuance of a Certificate of Conformity by the Director allows an applicant to apply for other necessary permits and approvals which include, but are not limited to, those permits and approvals required under the Chapter 22 Buildings and Building Regulations of the Code of Ordinances.

i. Certificate of Conformity Modification

After a Certificate of Conformity has been issued, any change in the Development Proposal from the plans submitted to the Director, other than those permitted as follows shall be considered to be a Material Modification and shall be subject to the following review procedure:

1. Material Modification requests shall be submitted to the Director for review and approval, and shall include sufficient information to determine conformity with the FBC.
2. Within three (3) business days after receipt of a complete application for a Material Modification, the Director shall refer the application to the TPR.
3. The Director may administratively provide for submission and review deadlines for materials and studies required in support of any application for a Certificate of Conformity Modification.
4. The TPR shall determine if the proposal is in compliance.

1.0 ADMINISTRATIVE PROCEDURES

1.9 ADMINISTRATIVE ADJUSTMENTS, CONTINUED

- A. See page 1-5
- B. See page 1-5
- C. See page 1-5
- E. See page 1-6
- F. Effect of Certificate of Conformity Issuance, continued.
 - ii. Certificate of Conformity Expiration
 - 1. A Certificate of Conformity shall lapse twelve (12) months from its issuance if an applicant does not secure a Building Permit.
 - 2. Upon written communication by the applicant submitted at least thirty (30) days prior to the expiration of the Certificate of Conformity, and upon a showing of good cause, the Director may grant one extension not to exceed six (6) months. Upon an application for extension, the Certificate of Conformity shall be deemed extended until the Director has acted upon the request for extension.

- iii. Appeal

Disapproval of a Certificate of Conformity may be appealed to the Planning Commission. Such appeals must be submitted in written form by the applicant within fifteen (15) business days following notice of the determination. The Planning Commission shall review the proposed submittal and provide a recommendation to the City Council. Subsequent to receiving a recommendation from the Planning Commission, the appeal shall then be considered by the City Council for final determination.

1.0 ADMINISTRATIVE PROCEDURES

1.10 DEVIATIONS

A. Board of Adjustment

The Board of Adjustment is established and as set forth in section 90-30 the Planning Commission shall function as such board.

B. Public Hearing

The Planning Commission shall designate on the agenda of each regularly scheduled planning commission meeting those items in which it is functioning as the board of adjustment and shall hold a public hearing on the proposed deviation, after:

- i. At least seven (7) days notice of the time, place, and request is made to the public prior to the meeting by being given in a newspaper of general circulation in the city.
- ii. The Planning Department will post NOTICE OF PUBLIC HEARING sign(s) on said property for which a public hearing has been set at least ten (10) days prior to the hearing indicating the date and time of the hearing. Such signs shall be clearly visible, unobstructed to the passing general public, and posted on or near the front property line.
- iii. The adjacent property owners of the property seeking the deviation have been notified by certified mail, return receipt requested, at least (10) days prior to the public hearing in accordance with the following:
 1. An affidavit is submitted stating that notice has been given to all adjacent property owners of the property subject to the deviation after the application has been accepted and placed on the planning commission agenda;
 2. The petitioner shall be responsible for providing such notice by certified mail, return receipt requested, to the last known address of such record owner(s) as shown in the records of the Assessor's Office for the County in which the adjacent property is located;
 3. The required affidavit and supporting exhibits (mailing receipts, list of adjacent property owners and a copy of the notice) shall be filed with the planning office no later than seven (7) days prior to the meeting date;
 4. The City has sent notice at least ten (10) days prior to the hearing by way of the Springdale Alert Notification System to all subscribers within a one (1) mile radius from the property who have opted to receive such notices.
- iv. The minutes of the meeting will be a part of the minutes of the entire Planning Commission meeting.

1.0 ADMINISTRATIVE PROCEDURES

1.10 DEVIATIONS, CONTINUED

- A. See page 1-8
- B. See page 1-8
- C. Functions.

The board of adjustment is authorized in accordance with the provision of this chapter, to hear appeals from the decision of the administrative officers of this chapter; and may affirm or reverse, in whole or in part, said decision of the administrative officer. In addition, the board is responsible for hearing requests for deviations from the literal provisions of this chapter in instances where strict enforcement of this chapter would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such deviations only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of this chapter. The board of zoning adjustment shall not permit, as a deviation, any use in a zone that is not permitted under this chapter. The board of adjustment may impose conditions in the granting of a deviation to ensure compliance and to protect adjacent property. In carrying out the purpose and intent of this chapter, the board shall be governed by the specific powers and prohibitions provided in this section, and may impose conditions in the granting of a deviation to ensure compliance and protect adjacent properties.

- D. Powers and duties.

The board has the following powers:

- i. Administrative review.
 - 1. To interpret the application of the provisions of this chapter in such a way as to carry out its stated purpose and intent.
 - 2. To interpret boundary lines for zones in this chapter where the street layout actually on the ground varies from the street layout shown on the accompanying map.
 - 3. To hear and decide appeal where it is alleged there is error in any order, requirement, decision, determination or interpretation made in the administration or enforcement of this chapter.
- ii. Deviations.
 - 1. The board may grant upon application in specific cases such deviations from the building placement; building height; encroachments and parking requirements of this chapter as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship. A deviation from the terms of this chapter shall not be granted by the board unless and until:
 - a. A written application for a deviation is submitted demonstrating:
 - (i) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or building in the same district.

1.0 ADMINISTRATIVE PROCEDURES

1.10 DEVIATIONS, CONTINUED

- A. See page 1-8
- B. See page 1-8
- C. See page 1-9
- D. Powers and duties, continued.
 - (ii) That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter.
 - (iii) That the special conditions and circumstances do not result from the actions of the applicant.
 - (iv) That granting the deviation requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in other districts shall be considered grounds for the issuance of a deviation.
 - (v) No nonconforming use of adjacent lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a deviation.
- b. The public hearing shall be held and public notice shall be given as set forth in the subsection above.
 - (i) To grant a deviation the board must find that the requirements of the subsection above have been met by the applicant for a deviation.
 - (ii) That the reasons set forth in the application justify the granting of the deviation, and that the deviation is the minimum deviation that will make possible the reasonable use of the land, building or structure.
 - (iii) That the granting of the deviation will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
- c. In granting any deviation, the board may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the deviation is granted, shall be deemed a violation of this chapter.
- d. Under no circumstances shall the board grant a deviation to allow a use not permissible under the terms of this chapter in the zone involved, or any use expressly or by implication prohibited by terms of this chapter is said zone.

1.0 ADMINISTRATIVE PROCEDURES

1.10 DEVIATIONS, CONTINUED

- A. See page 1-8
- B. See page 1-8
- C. See page 1-9
- D. Powers and duties, continued.
 - e. Under no circumstances shall the action of the board be considered to grant a deviation of any provision of any other protective code adopted by the city.
 - (i) The board may grant, as a hardship deviation, relief to any property owner who has a vested interest in a previously devised plan which conformed to the chapter in effect prior to the passage of this chapter. The owner must show proof of the previous intent including, but not limited to, development plans and specifications for that specific site. The board will not allow as a part of this process any use in any zone which is not allowed within that zone.
- E. Appeals. Any persons or person, or any board, taxpayer, department, or board of the city aggrieved by any decision of the board of adjustment may seek review by a court of record of such decision, in the manner provided by the laws of the state.
- F. Duties of planning and community development director, board of adjustment, city council and courts on matters on appeal. It is the intent of this chapter that all questions of interpretation and enforcement shall be first presented to the planning and community development director, and that such questions shall be presented to the board only on appeal from the decision of the planning and community development director, and that recourse from the decision of the board shall be to the courts as provided by state law. It is further the intent of this chapter that the duties of the city council in connection with this chapter shall not include hearing and deciding questions of interpretation and enforcement that may arise. This procedure of deciding such question shall be as stated in this chapter.

1.0 ADMINISTRATIVE PROCEDURES

1.11 NON-CONFORMITIES

A. Intent

The purpose of this article is to establish regulations and limitations for exceptions to the continued existence of uses, lots and structures which were established prior to the effective date of this chapter, as amended, which do not conform to the provisions of this chapter. Such non-conformities may continue, but the provisions of this article are designed to curtail enlargement or expansion of such non-conformities and to encourage their eventual elimination in order to preserve the integrity of the district and the regulations established by this chapter.

B. Continuation

Any non-conforming use, structure or lot which legally existed prior to the effective date of this chapter or any use, structure or lot which has been rendered nonconforming by the provisions of this chapter may continue to be utilized in the same fashion as existed prior to the adoption of these regulations, provided that the nonconforming use, structure or lot is not made to be more non-conforming.

C. When non-conforming structures are altered or repaired the following shall apply: **(SEE NON-CONFORMING STRUCTURE GUIDELINES ON PAGE 1-13)**

D. Additions greater than fifty percent (50%) of the square footage of a non-conforming structure or which exceeds seventy-five percent (75%) of the appraised value of the non-conforming structure shall be made in conformance with the code. Non-conforming site improvements must also be brought into complete conformity with these FBC.

E. Existing structures destroyed by fire, explosion, act of God, or the public enemy may be replaced with a structure of comparable height that otherwise meets the requirements of the code.

1.0 ADMINISTRATIVE PROCEDURES

Non-Conforming Structure Guidelines	3.0 Building Envelope Standards						3.0 Building Development Standards					4.3 Architectural Standards
	I. Building Placement	II. Building Height	III. Building Types	IV. Encroachments	V. Use Requirements	IV. Parking Requirements	II. Access	III. Outdoor Space	IV. Primarily Materials	V. Massing & Articulation	VI. Frontage Type	
Type of Development												
COMMERCIAL, CIVIC/INSTITUTIONAL, MULTI-FAMILY												
New Construction (1)	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Expansion of Existing Footprint (for expansion only) (2) (3)	◆	◆	◆	◆	◆	◆			◆	◆	◆	◆
Existing Building Remodel (without expansion of building footprint) (2) (3)	The element(s) being modified must meet the codes applicable to the specific element(s). Building height requirements will not apply to Existing Building Remodels.											
Expansion of Parking Footprint						◆	◆	◆				
SINGLE-FAMILY RESIDENTIAL												
New Construction (1)	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆	◆
Expansion of Existing Footprint (for expansion only) (2) (3)	◆	◆	◆	◆	◆	◆			◆	◆	◆	◆
Existing Building Remodel (without expansion of building footprint) (3)	The element(s) being modified must meet the codes applicable to the specific element(s). Building height requirements will not apply to Existing Building Remodels.											

◆ = Shall meet the requirements of the Section () = See accompanying note

NOTES:

1. New Construction must meet the Downtown Springdale Form Based Code in full.
2. Expansion of existing non-conforming structures must meet the code only for the expanded portion unless the expansion is greater than 50 percent of the square footage of the building and/or 75 percent of the assessed value of the building. If the expansion is greater than 50 percent of the building and/or 75 percent of the building's assessed value, the expansion and existing building must be brought fully up to code as if it were a new construction. Parking requirements in Sec. 3.0 Building Envelope Standards apply.
3. Any changes made to the Primary Building Materials (See Sec. 4.0 Building Development Standards) on any building, including Existing Building Remodel without expansion of building footprint, that impact façades facing primary and side streets must use approved Primary Building Materials and be extended throughout those façades in their entirety.

2.0

THE REGULATING PLAN

2.0 THE REGULATING PLAN

2.1 THE REGULATING PLAN

WHAT IS THE PURPOSE OF THE REGULATING PLAN?

The purpose of the Regulating Plan is to establish zones of a particular desired scale and bulk within the Form-Based District in order to: (1) effectively regulate the form of improvements, and (2) enhance the vibrancy and atmosphere of the neighborhood through cohesive urban form and character. The Regulating Plan assists property owners and land developers in understanding which zone of Building Envelope Standards apply to a specific parcel of property.

HOW DO I USE THE REGULATING PLAN?

If you would like to determine the regulations applicable to the parcel(s) of property, the following sequence of steps should be performed in order to correctly use the Regulating Plan:

1. LOCATE THE PARCEL

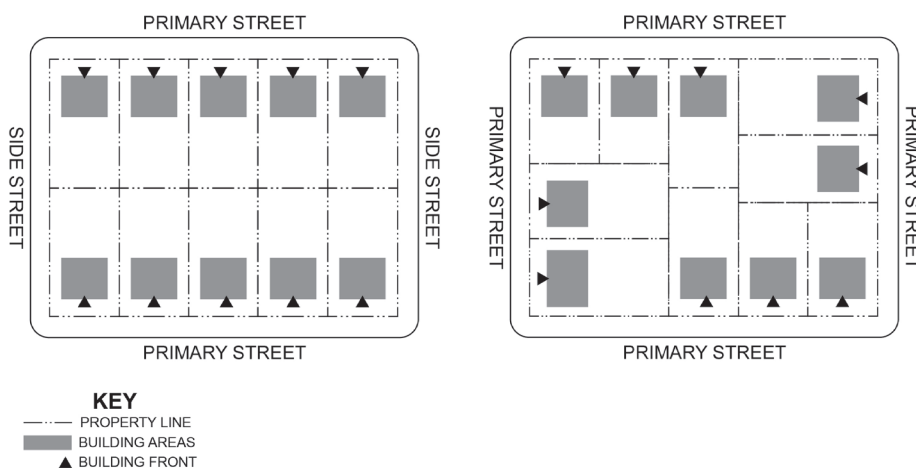
Locate the parcel(s) of property on the Regulating Plan which is located in *Section 2.1: The Regulating Plan* on Pages 2-2 and 2-3 of this document.

2. DETERMINE APPLICABLE BUILDING ENVELOPE STANDARDS

Once the parcel(s) of property are located, use the color legend that is located beneath *Section 2.1: The Regulating Plan* on Pages 2-2 and 2-3 of this document to determine which Building Envelope Standards apply to the property.

3. DETERMINE THE STREET FRONTAGE CLASSIFICATION OF THE PARCELS

Once the parcel(s) of property are located, use the color legend that is located beneath *Section 2.2: Street Frontage Classification Plan* on Pages 2-2 and 2-5 of this document to determine the street classification of the frontage street(s) of the parcel(s), namely:



Primary Streets have one (1) or more buildings with the front of the building oriented toward said street.

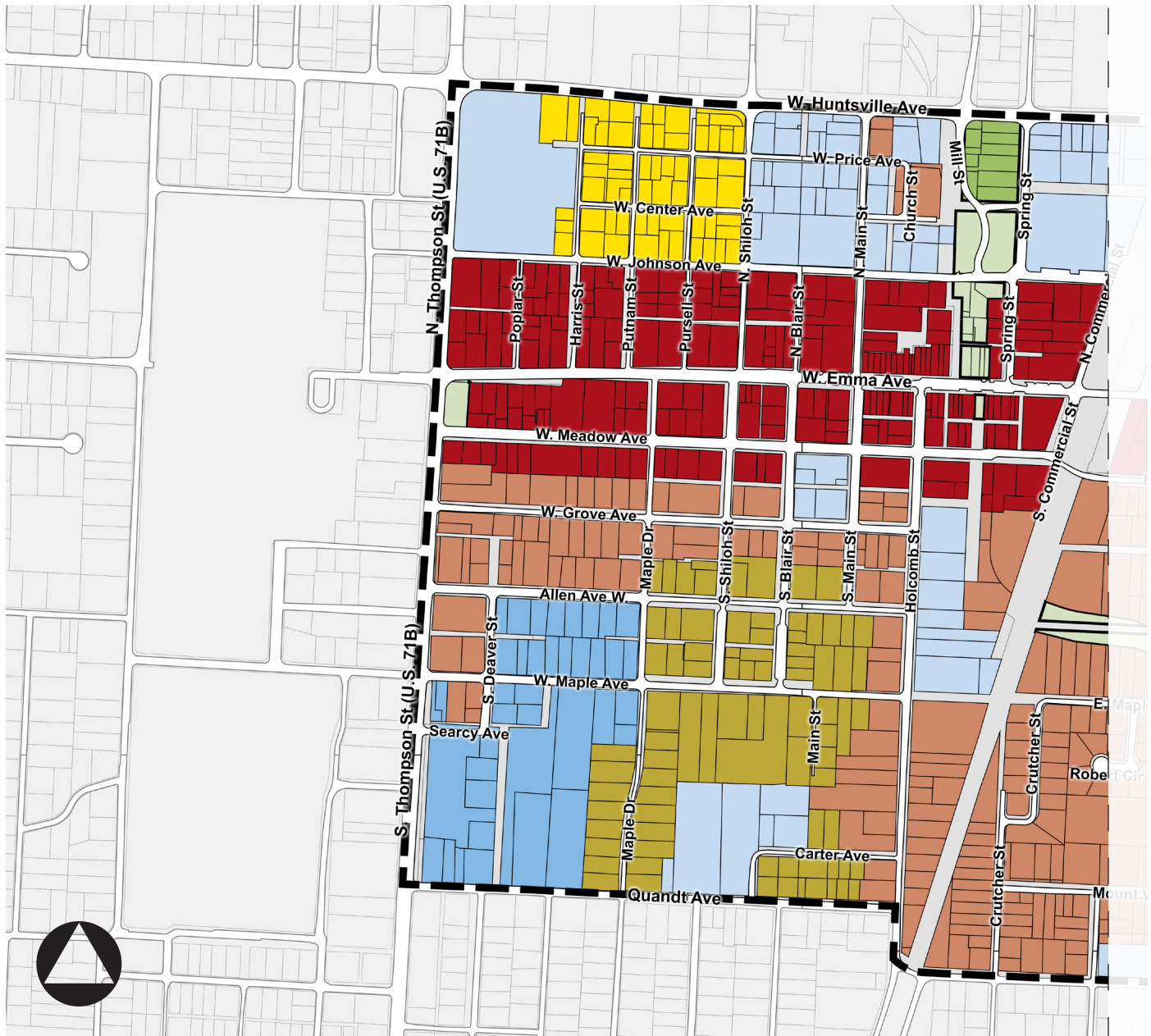
Side Streets have only the sides of buildings oriented toward said street. Side Streets have no fronts of buildings oriented toward said street.

4. PROCEED TO THE BUILDING ENVELOPE STANDARDS

Once the applicable Building Envelope Standards are determined, proceed to *Section 3.0: Building Envelope Standards* of this document.

2.0 THE REGULATING PLAN

2.1 THE REGULATING PLAN

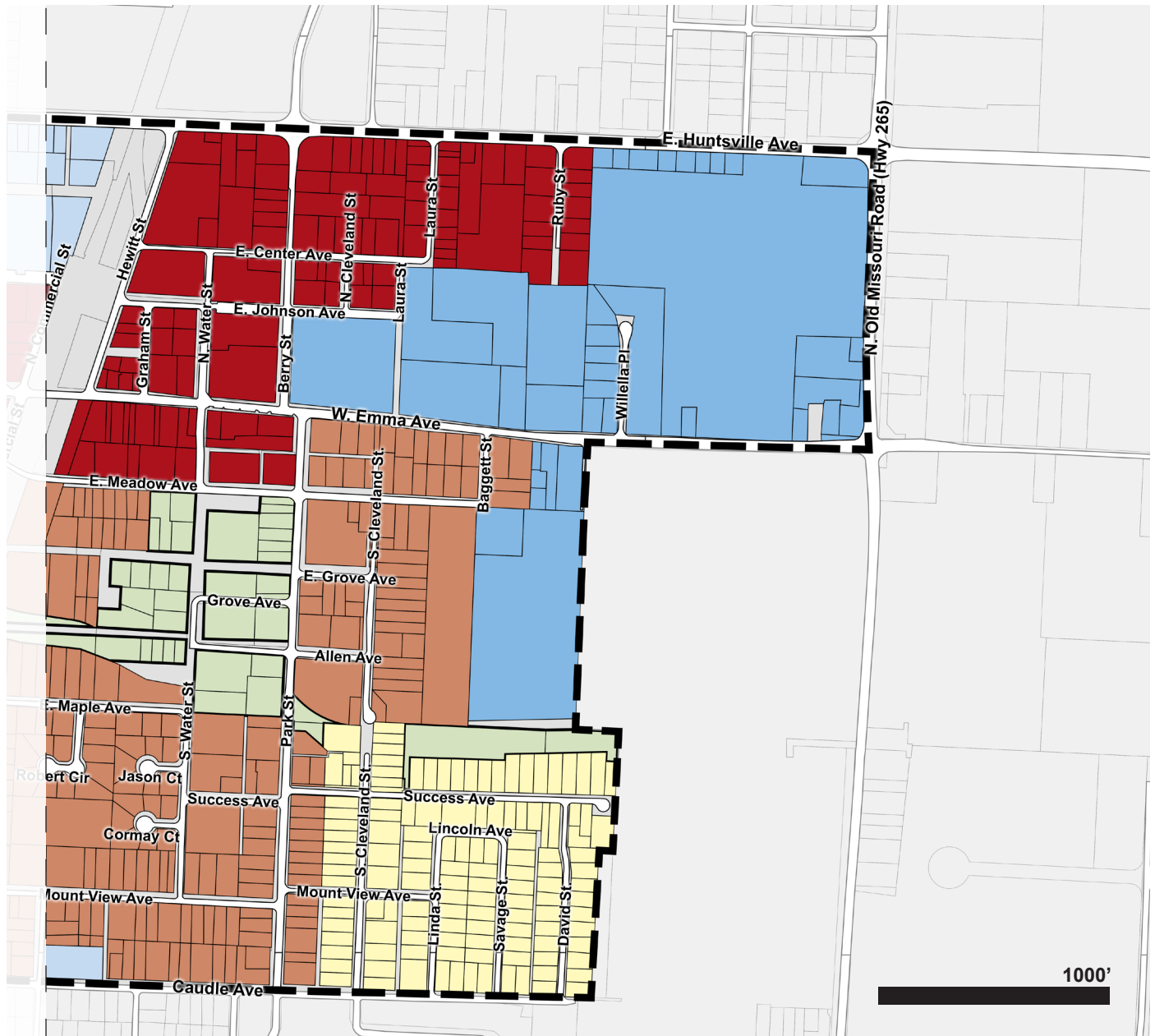


COLOR LEGEND

	NEIGHBORHOOD RESIDENTIAL TYPE 1 (SEE PAGE 3-3)		Existing Public Parks (City-Owned)
	NEIGHBORHOOD RESIDENTIAL TYPE 2 (SEE PAGE 3-7)		Future Park / Public-Use Space
	NEIGHBORHOOD RESIDENTIAL TYPE 3 (SEE PAGE 3-11)		
	NEIGHBORHOOD CENTER TYPE 1 (SEE PAGE 3-15)		
	NEIGHBORHOOD CENTER TYPE 2 (SEE PAGE 3-19)		
	CAMPUS TYPE 1 (SEE PAGE 3-23)		
	CAMPUS TYPE 2 (SEE PAGE 3-27)		

MATCH LINE

2.0 THE REGULATING PLAN



MATCH LINE

2.0 THE REGULATING PLAN

2.2 STREET FRONTAGE CLASSIFICATION PLAN



COLOR LEGEND

- PRIMARY STREETS
- SIDE STREETS

2.0 THE REGULATING PLAN



2.0 THE REGULATING PLAN

2.3 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 co-

2.0 THE REGULATING PLAN

hesive 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.

2.0 THE REGULATING PLAN

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.

2.3.1. 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.

2.3.2. 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 lines 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.

3.0

BUILDING ENVELOPE STANDARDS

3.0 BUILDING ENVELOPE STANDARDS

3.1 BUILDING ENVELOPE STANDARDS

WHAT IS THE PURPOSE OF THE BUILDING ENVELOPE STANDARDS?

The purpose of the Building Envelope Standards is to define the height and bulk of improvements within the Form-Based District in order to effectively regulate and maintain a cohesive and predictable urban form. Building Envelope Standards assist property owners and land developers in understanding the basic form requirements which apply to a specific parcel of property, including the following: building placement, building height, building types, encroachments, use requirements, and parking requirements.

WHAT ARE THE DIFFERENT TYPES OF BUILDING ENVELOPE STANDARDS?

There are seven (7) zones of Building Envelope Standards established within the Form-Based District which establish various characters, they are as follows:

- 3.1** **Neighborhood Residential Type 1** (*SEE PAGE 3-3*)
- 3.2** **Neighborhood Residential Type 2** (*SEE PAGE 3-7*)
- 3.3** **Neighborhood Residential Type 3** (*SEE PAGE 3-11*)
- 3.4** **Neighborhood Center Type 1** (*SEE PAGE 3-15*)
- 3.5** **Neighborhood Center Type 2** (*SEE PAGE 3-19*)
- 3.6** **Campus Type 1** (*SEE PAGE 3-23*)
- 3.7** **Campus Type 2** (*SEE PAGE 3-27*)

HOW DO I USE THE BUILDING ENVELOPE STANDARDS?

After determining which Building Envelope Standards apply to the parcel(s) of property, the following sequence of steps should be performed in order to correctly use the Building Envelope Standards:

- 1. PROCEED TO THE APPLICABLE BUILDING ENVELOPE STANDARDS**
Turn to the correct page of this document with the applicable Building Envelope Standards.
- 2. READ AND UNDERSTAND THE INTENT OF THE BUILDING ENVELOPE STANDARDS**
On the first page of the Building Envelope Standard, there is an intent statement. This statement is not regulatory, but is recommended that the intent is read and understood.
- 3. ENSURE COMPLIANCE TO EACH REQUIREMENT OF THE BUILDING ENVELOPE STANDARDS**
On the remaining pages of the Building Envelope Standard, there are a series of requirements with which the property must comply. Read and ensure compliance with each requirement.

PRIMARY STREETS VS SIDE STREETS?

Primary Streets include the following streets within the District: *Refer to Pages 2-4 and 2-5.*

Side Streets include the following streets within the District: *Refer to Pages 2-4 and 2-5.*

3.0 BUILDING ENVELOPE STANDARDS

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3.0 BUILDING ENVELOPE STANDARDS

3.1 NEIGHBORHOOD RESIDENTIAL TYPE 1 (NR1)

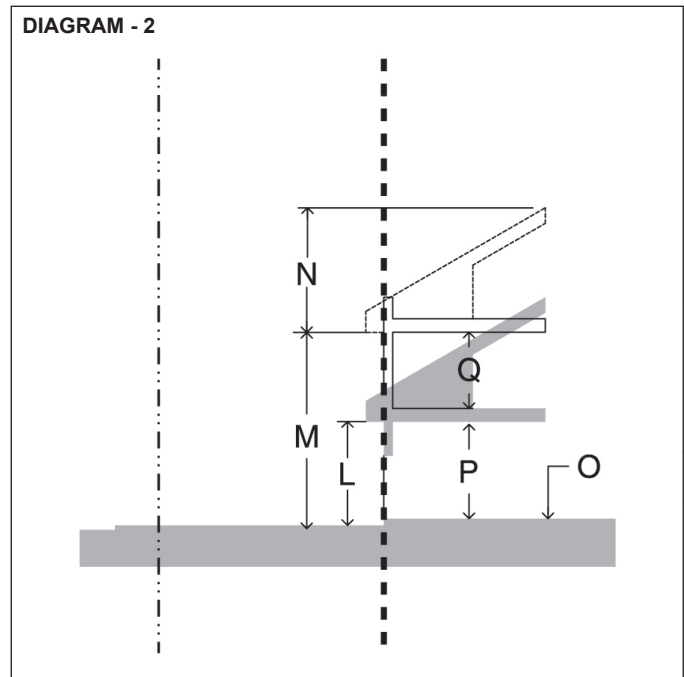
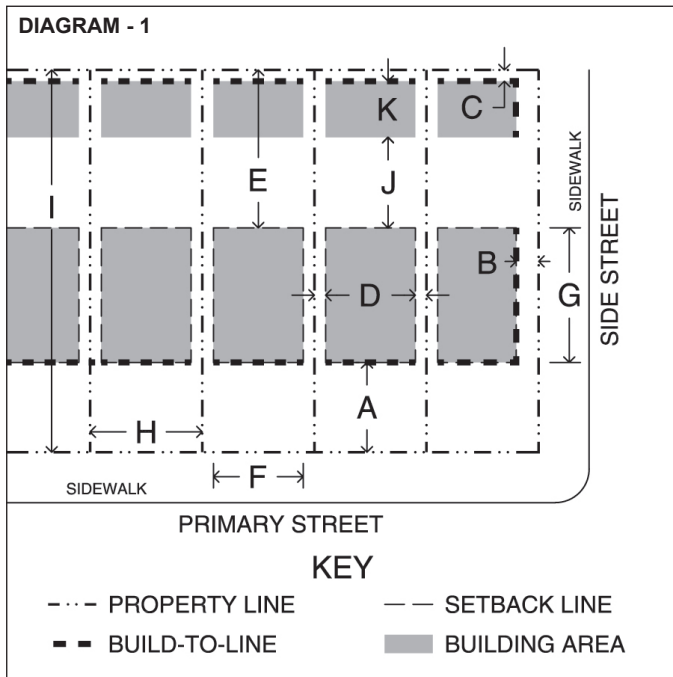


INTENT STATEMENT:

The intent of this Building Envelope Standard is to regulate the physical form of the Neighborhood Residential Type 1 areas in order to preserve and enhance the integrity and quality of this primarily single-unit, and duplex residential area of the district. The area is designed to provide for sensitive and respectful infill development which allows for the variety of building types, forms, and front yards found in the district. This intent statement and the images shown below are advisory only.

EXAMPLES OF CHARACTER





I - BUILDING PLACEMENT

BUILD-TO-LINE:

[A] PRIMARY STREET:	25' Min 50' Max (1)
[B] SIDE ST., ANC. & MAIN BLDG	10' Min 25' Max
[C] REAR LOT LINE, ANC. BLDG:	5'

NOTE:

1. The Build-to-Line must match the average Front Facade Line of the Block Face; and lots with NO Primary Street or Side Street frontage (abutting adjacent properties) are exempt from the Primary Street Build-to-Line dimensional requirements, and are only required to have a five foot (5') setback on said frontage.

SETBACK:

[D] SIDE, ANC. & MAIN BLDG	10' Min 20' Max
[E] REAR, MAIN BLDG:	30' Min

BUILDING FORM:

[F] PRIMARY STREET:	At least 60% of Build-to-Line
[G] SIDE ST., MAIN BLDG:	At Least 25% of Build-to-Line
[H] LOT WIDTH:	Per Existing
[I] LOT DEPTH:	Per Existing
[J] BETWEEN BLDGS:	25' Min b/t Main & Anc. Buildings
[K] DEPTH OF ANC. BLDG:	30' Max

II - BUILDING HEIGHT

[L] BUILDING HEIGHT MINIMUM:	1 Story or 15'
[M] BUILDING HEIGHT MAXIMUM:	2 Stories or 35'
[N] MAX FROM B.O. EAVE TO T. O. PARAPET OR ROOF:	15' Max
[O] FINISHED GRND FLOOR LEVEL:	1' Min 3' Max Above Back of Sidewalk or Adjacent Lot Level
[P] FIRST FLOOR CEILING HTS:	8' Min (F to C)
[Q] UPPER FLOORS CEILING HTS:	8' Min (F to C)
[R] ANC. BLDG. MAX. HEIGHT	2 Stories or 30' (2)

NOTE:

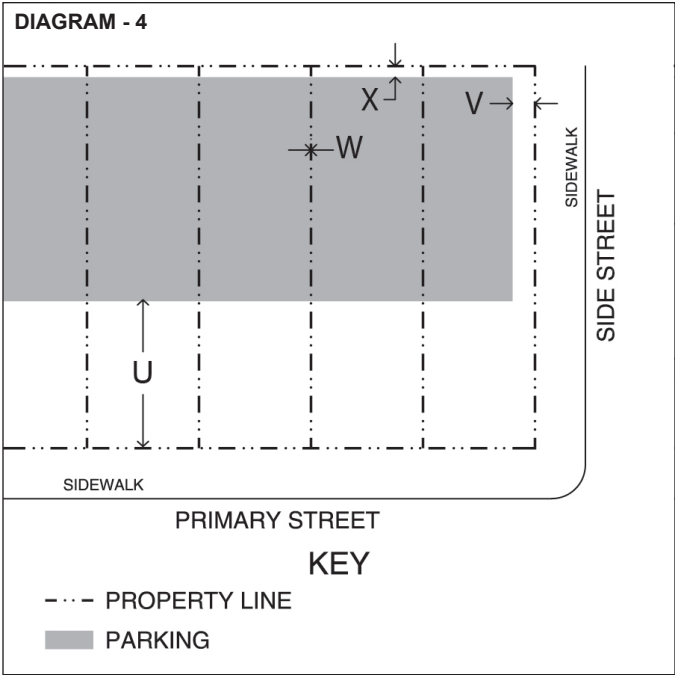
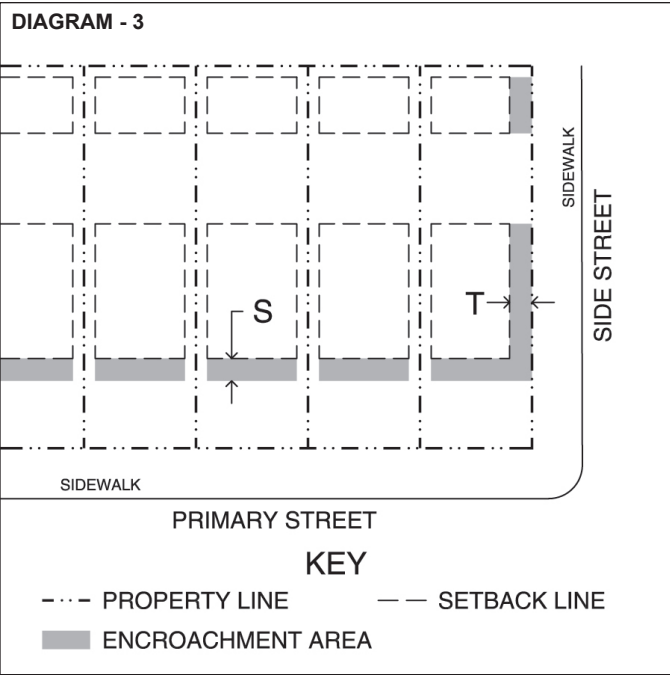
2. In no case shall the Ancillary Building have a height greater than that of the Main Building.

III - BUILDING TYPES

Detached Single Family Dwelling
Detached Single Family Bungalow
Duplex
Duplex Bungalow
Rear Garage

See Section 4.0: Building Development Standards for further details.

3.0 BUILDING ENVELOPE STANDARDS NEIGHBORHOOD RESIDENTIAL TYPE 1



IV - ENCROACHMENTS

LOCATION:

[S] PRIMARY STREET:	12' Max
[T] SIDE STREET:	10' Max

V - USE REQUIREMENTS

GROUND FLOOR USES:	Residential
	Civic / Institutional (3)
	Utilities and Services (3)
	Special (3)

UPPER FLOOR(S) USES:	Residential
	Civic / Institutional (3)
	Utilities and Services (3)
	Special (3)

See Section 5.0: Use Tables for further details.

NOTE:

3. Conditional Use.

VI - PARKING REQUIREMENTS

LOCATION:

[U] PRIMARY SETBACK:	Primary Street Build-To Line
	[A] plus 30' Min
[V] SIDE STREET SETBACK:	10' Min
[W] SIDE SETBACK:	0' , If Surface Lot; Per Main Building if Structured Parking
[X] REAR SETBACK:	5' Min

REQUIRED SPACES:

RESIDENTIAL USES:	One (1) Off-Street Parking (4)
	Space Per Studio /
	1-Bedroom Dwelling Unit
	Two (2) Off-Street Parking (4)
	Space Per 2-Bedroom and
	larger Dwelling Unit
	One (1) Off-Street Parking (4)
	Space Per Cottage Court
	Overlay Dwelling Unit

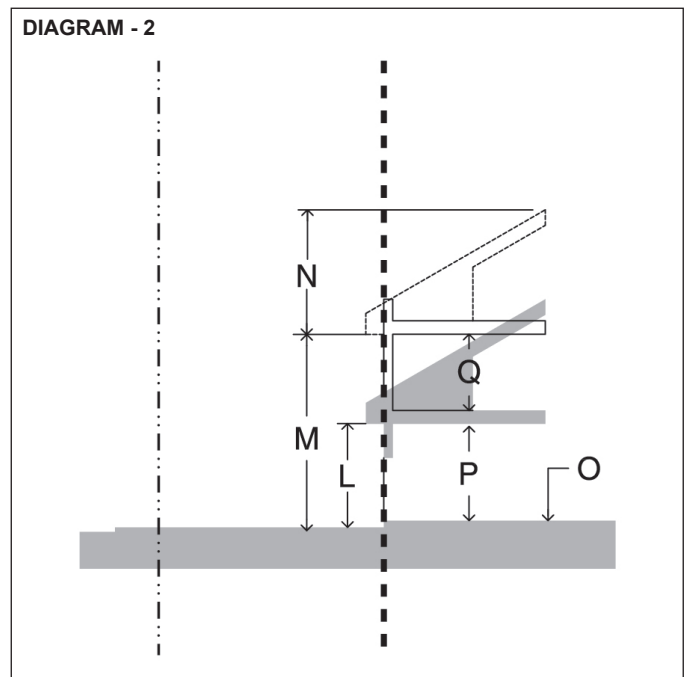
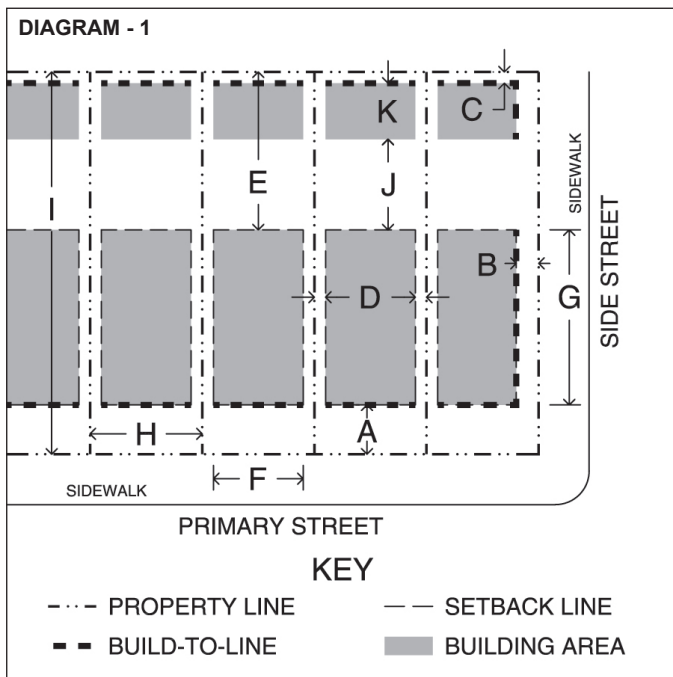
NOTE:

4. Required space may be provided in an attached or detached garage unit.

3.0 BUILDING ENVELOPE STANDARDS

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3.2 NEIGHBORHOOD RESIDENTIAL TYPE 2 (NR2)



I - BUILDING PLACEMENT

BUILD-TO-LINE:

[A] PRIMARY STREET:	10' Min 25' Max (1)
[B] SIDE STREET:	10' Min 20' Max
[C] REAR LOT LINE, ANC. BLDG:	5'

NOTE:

- The Build-to-Line must match the average Front Facade Line of the Block Face; and lots with NO Primary Street or Side Street frontage (abutting adjacent properties) are exempt from the Primary Street Build-to-Line dimensional requirements, and are only required to have a five foot (5') setback on said frontage.

SETBACK:

[D] SIDE:	5' Min 20' Max
[E] REAR:	5' Min

BUILDING FORM:

[F] PRIMARY STREET:	At least 60% of Build-to-Line
[G] SIDE ST., MAIN BLDG:	At Least 50% of Build-to-Line
[H] LOT WIDTH:	Per Existing
[I] LOT DEPTH:	Per Existing
[J] BETWEEN BLDGS:	15' Min b/t Main & Anc. Buildings
[K] DEPTH OF ANC. BLDG:	30' Max

II - BUILDING HEIGHT

[L] BUILDING HEIGHT MINIMUM:	1 Story or 15'
[M] BUILDING HEIGHT MAXIMUM:	2 Stories or 35'
[N] MAX FROM B.O. EAVE TO T. O. PARAPET OR ROOF:	15' Max
[O] FINISHED GRND FLOOR LEVEL:	1' Min 3' Max Above Back of Sidewalk or Adjacent Lot Level
[P] FIRST FLOOR CEILING HTS:	8' Min (F to C)
[Q] UPPER FLOORS CEILING HTS:	8' Min (F to C)
[R] ANC. BLDG. MAX. HEIGHT	2 Stories or 30' (2)

NOTE:

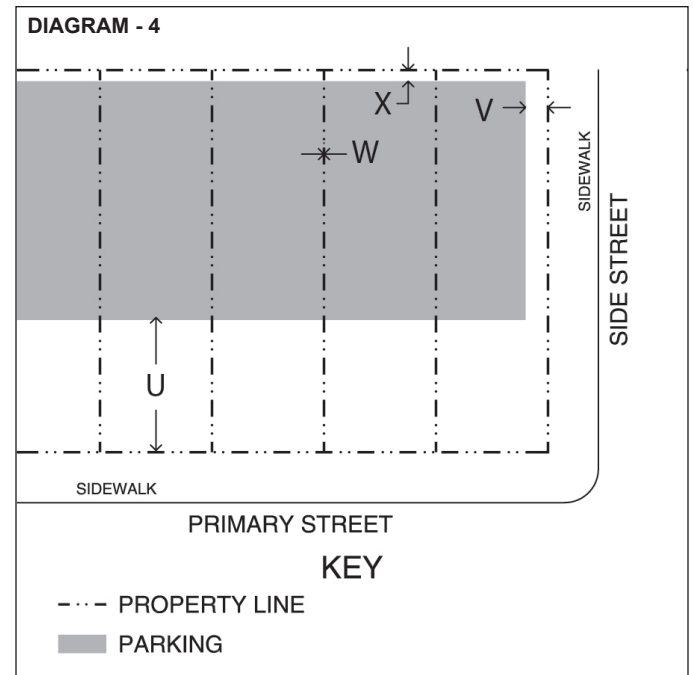
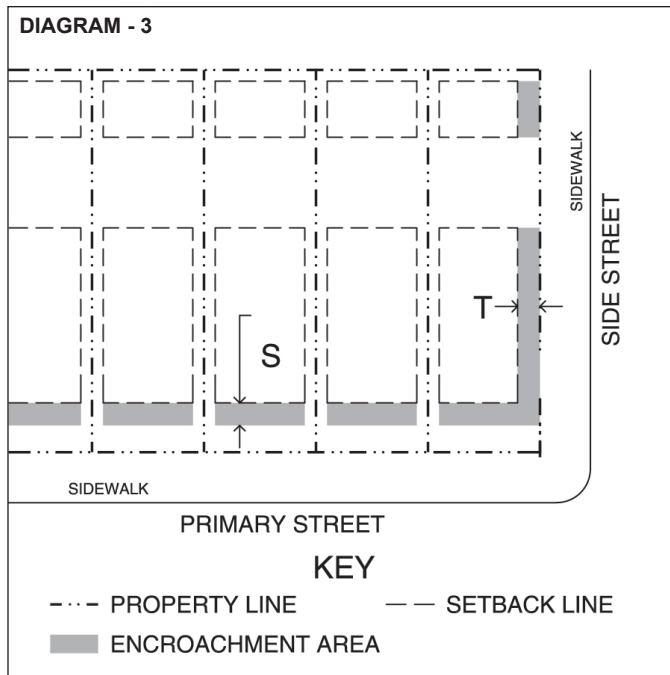
- In no case shall the Ancillary Building have a height greater than that of the Main Building.

III - BUILDING TYPES

Detached Single Family Bungalow
Duplex Bungalow
Rowhouse and Courtyard Rowhouse
Rear Garage
Carriage House

See Section 4.0: Building Development Standards for further details.

3.0 BUILDING ENVELOPE STANDARDS NEIGHBORHOOD RESIDENTIAL TYPE 2



IV - ENCROACHMENTS

LOCATION:

[S] PRIMARY STREET:	12' Max
[T] SIDE STREET:	10' Max

V - USE REQUIREMENTS

GROUND FLOOR USES:	Residential
	Civic / Institutional (3)
	Utilities and Services (3)
	Special (3)

UPPER FLOOR(S) USES:	Residential
	Civic / Institutional (3)
	Utilities and Services (3)
	Special (3)

See *Section 5.0: Use Tables* for further details.

NOTE:

3. Conditional Use.

VI - PARKING REQUIREMENTS

LOCATION:

[U] PRIMARY SETBACK:	Primary Street Build-To Line
	[A] plus 40' Min
[V] SIDE STREET SETBACK:	10' Min
[W] SIDE SETBACK:	0', If Surface Lot; Per Main Building if Structured Parking
[X] REAR SETBACK:	5' Min

REQUIRED SPACES:

RESIDENTIAL USES:	One (1) Off-Street Parking (4) Space Per Studio / 1-Bedroom Dwelling Unit
	Two (2) Off-Street Parking (4) Space Per 2-Bedroom and larger Dwelling Unit
	One (1) Off-Street Parking (4) Space Per Cottage Court Overlay Dwelling Unit

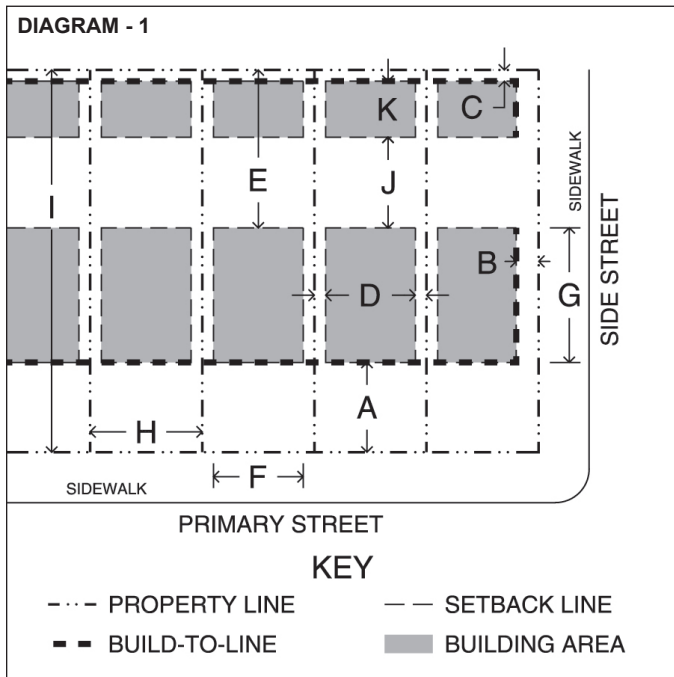
NOTE:

4. Required space may be provided in an attached or detached garage unit.

3.0 BUILDING ENVELOPE STANDARDS

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3.3 NEIGHBORHOOD RESIDENTIAL TYPE 3 (NR3)



I - BUILDING PLACEMENT

BUILD-TO-LINE:

[A] PRIMARY STREET: 25' Min | 50' Max **(1)**
 [B] SIDE ST., ANC. & MAIN BLDG 10' Min | 25' Max
 [C] REAR LOT LINE, ANC. BLDG: 5'

NOTE:

1. The Build-to-Line must match the average Front Facade Line of the Block Face; and lots with NO Primary Street or Side Street frontage (abutting adjacent properties) are exempt from the Primary Street Build-to-Line dimensional requirements, and are only required to have a five foot (5') setback on said frontage.

SETBACK:

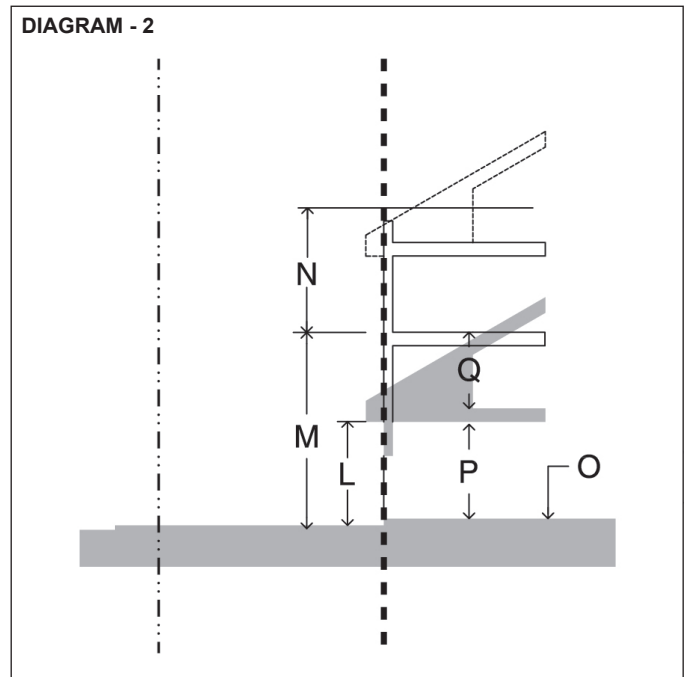
[D] SIDE, ANC. & MAIN BLDG 10' Min | 20' Max
[E] REAR LOT LINE, MAIN BLDG: 30' Min **(2)**

NOTE:

2. Lots with NO Alley frontage (abutting adjacent properties) are exempt from the Alley, Main Building Build-to-Line dimensional requirements; and are only required to have a five foot (5') setback on said frontage.

BUILDING FORM:

[F] PRIMARY STREET:	At least 60% of Build-to-Line
[G] SIDE ST., MAIN BLDG:	At Least 25% of Build-to-Line
[H] LOT WIDTH:	Per Existing
[I] LOT DEPTH:	Per Existing
[J] BETWEEN BLDGS:	25' Min b/t Main & Anc. Buildings
[K] DEPTH OF ANC. BLDG:	30' Max



II - BUILDING HEIGHT

[L] BUILDING HEIGHT MINIMUM:	1 Story or 15'
[M] BUILDING HEIGHT MAXIMUM:	3 Stories or 45' (3)
[N] MAX FROM B.O. EAVE TO T. O. PARAPET OR ROOF:	15' Max
[O] FINISHED GRND FLOOR LEVEL:	1' Min 3' Max Above Back of Sidewalk or Adjacent Lot Level
[P] FIRST FLOOR CEILING HTS:	8' Min (<i>F to C</i>)
[Q] UPPER FLOORS CEILING HTS:	8' Min (<i>F to C</i>)
[R] ANC. BLDG. MAX. HEIGHT	2 Stories or 30' (4)

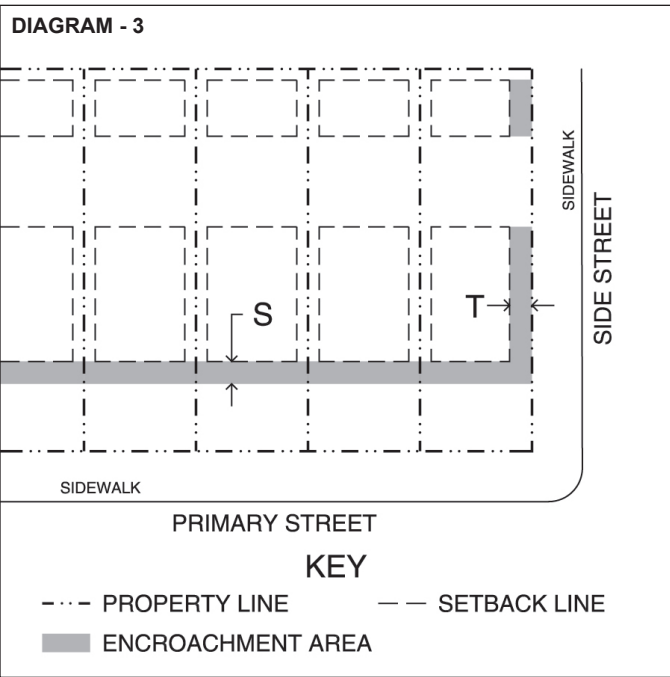
NOTE:

3. Refer to *Section 3.9 Affordable Housing and Green Building Incentives* for height bonuses.
4. In no case shall the Ancillary Building have a height greater than that of the Main Building.

III - BUILDING TYPES

- Detached Single Family Dwelling
- Detached Single Family Bungalow
- Duplex
- Duplex Bungalow
- Rowhouse and Courtyard Rowhouse
- Rear Garage
- Carriage House

See Section 4.0: Building Development Standards for further details.



IV - ENCROACHMENTS

LOCATION:

[S] PRIMARY STREET:	10' Max
[T] SIDE STREET:	10' Max

V - USE REQUIREMENTS

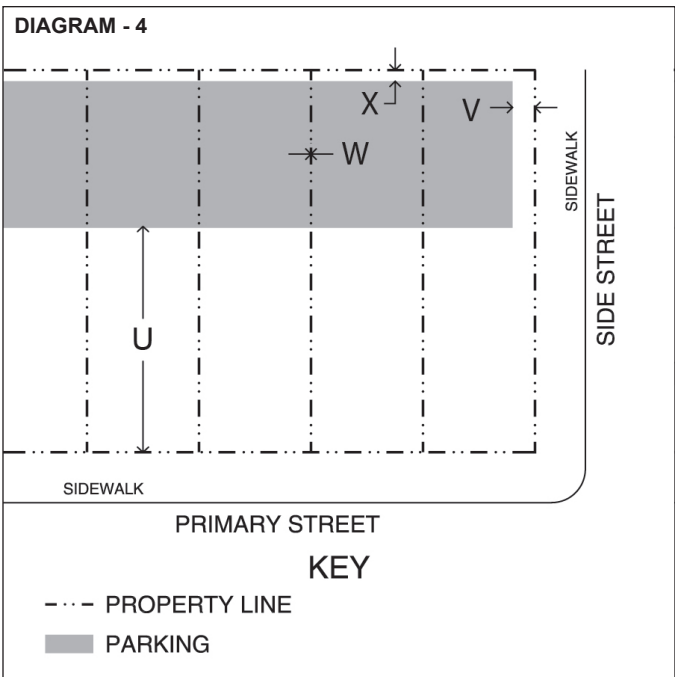
GROUND FLOOR USES:	Residential
	Civic / Institutional (5)
	Utilities and Services (5)
	Special (5)

UPPER FLOOR(S) USES:	Residential
	Civic / Institutional (5)
	Utilities and Services (5)
	Special (5)

See Section 5.0: Use Tables for further details.

NOTE:

5. Conditional Use.



VI - PARKING REQUIREMENTS

LOCATION:

[U] PRIMARY SETBACK:	Primary Street Build-To Line [A] plus 50' Min
[V] SIDE STREET SETBACK:	10' Min
[W] SIDE SETBACK:	0' , If Surface Lot; Per Main Building if Structured Parking
[X] ALLEY SETBACK:	5' Min

REQUIRED SPACES (6):

RESIDENTIAL USES:	One (1) Off-Street Parking (7) Space Per Studio / 1-Bedroom Dwelling Unit
	Two (2) Off-Street Parking (7) Space Per 2-Bedroom and larger Dwelling Unit
	One (1) Off-Street Parking (7) Space Per Cottage Court Overlay Dwelling Unit

NOTE:

6. Reduced parking incentives are available for affordability and green building practices, as set forth in Section XX of the Springdale Municipal Code.
7. Required space may be provided in an attached or detached garage unit.

3.0 BUILDING ENVELOPE STANDARDS

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3.0 BUILDING ENVELOPE STANDARDS

3.4 NEIGHBORHOOD CENTER TYPE 1 (NC1)



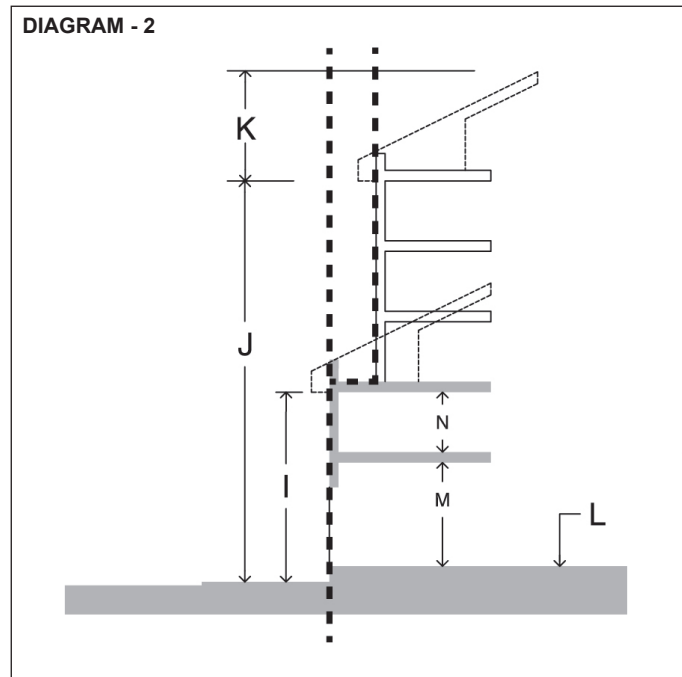
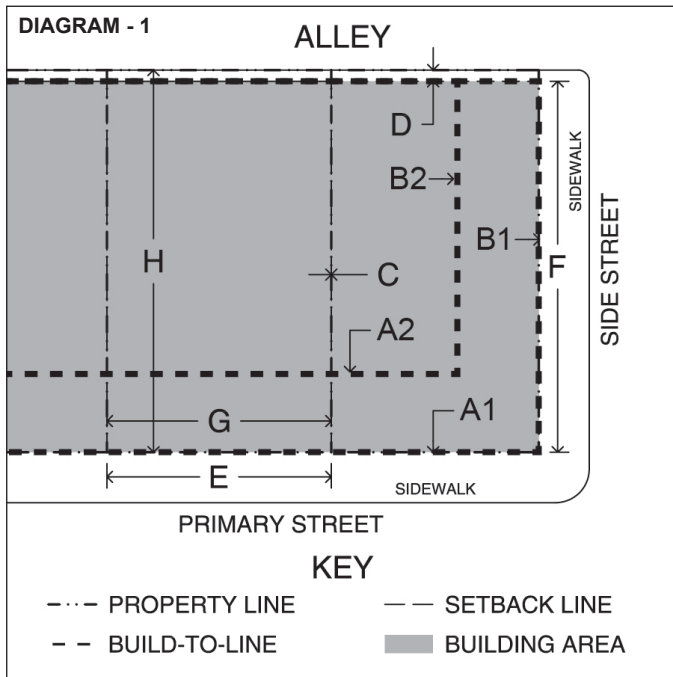
INTENT STATEMENT:

The intent of this Building Envelope Standard is to regulate the Neighborhood Center Type 1 area, which is the primary Downtown retail district, in order to establish, preserve or enhance the vibrant, pedestrian oriented character of these walkable neighborhood main streets. The physical form of the buildings are regulated while allowing flexibility in use. The area is designed to provide convenient shopping and servicing establishments for persons residing in the neighborhood, so long as such uses are compatible with adjacent residential uses. This intent statement and the images shown below are advisory only.

EXAMPLES OF CHARACTER



3.0 BUILDING ENVELOPE STANDARDS NEIGHBORHOOD CENTER TYPE 1



I - BUILDING PLACEMENT

BUILD-TO-LINE:

- [A1] PRIMARY STREET (For First 35'): 0' (1)
 [B1] SIDE STREET (For First 35'): 0' (1)
 [A2] PRIMARY STREET (Above 35'): 1' per 1' of height above 35' (1)
 [B2] SIDE STREET (Above 35'): 1' per 1' of height above 35' (1)

NOTE:

- Building Types with the following Frontage Types may have additional setback allowances, as per *Section 4.2 Frontage Types*: Stoop, Shopfront, and Terrace & Lighcourt (section to be provided).

SETBACK:

- [C] SIDE: 0' Min | 10' Max (2)
 [D] ALLEY: 5' Min | 10' Max (3)

NOTE:

- Lots which share a Side Setback with lots in the Neighborhood Center Type 2 zone are required to have a Building Height Maximum of six (6) stories and seventy-five feet (75') for the first thirty feet (30') of adjacent frontage.
- Lots with NO Alley frontage (abutting adjacent properties) are required to have a ten foot (10') setback on said frontage.

BUILDING FORM:

- [E] PRIMARY STREET: At Least 85% of Build-to-Line
 [F] SIDE STREET: At Least 85% of Build-to-Line
 [G] LOT WIDTH: Per Existing
 [H] LOT DEPTH: Per Existing

II - BUILDING HEIGHT

- [I] BUILDING HEIGHT MINIMUM: 2 Stories or 35'
 [J] BUILDING HEIGHT MAXIMUM: 5 Stories or 65' (4)
 [K] MAX FROM B.O. EAVE TO T. O. PARAPET OR ROOF: 15' Max
 [L] FINISHED GRND FLOOR LEVEL: 6" Max Above Back of Sidewalk Or Adjacent Lot Level
 [M] FIRST FLOOR CEILING HTS: 12' Min | 25' Max (F to C)
 [N] UPPER FLOORS CEILING HTS: 8' Min | 15' Max (F to C)
 [N1] MEZZANINES AND PODIUMS: Mezzanines and Podiums Greater Than 3/4 of the Floor Plate Area Shall Be Counted as a Full Story

NOTE:

- Refer to *Section 3.9 Affordable Housing and Green Building Incentives* for height bonuses.

III - BUILDING TYPES

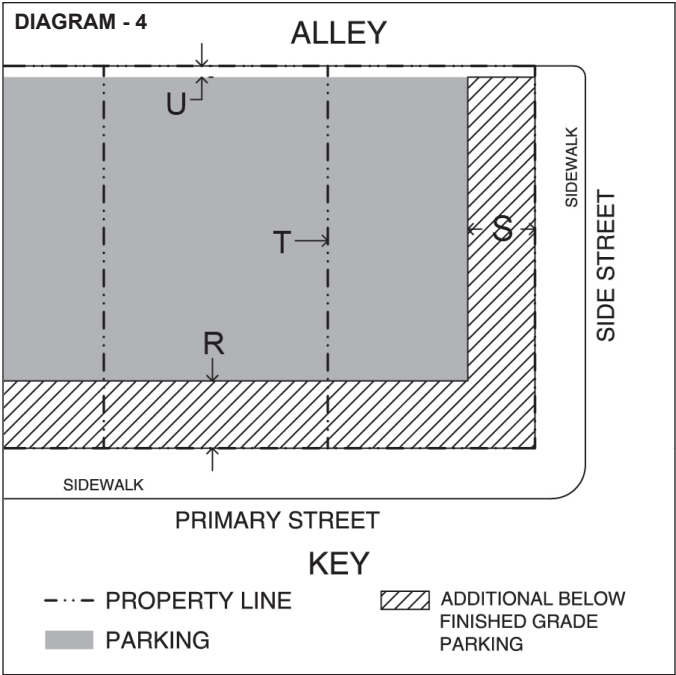
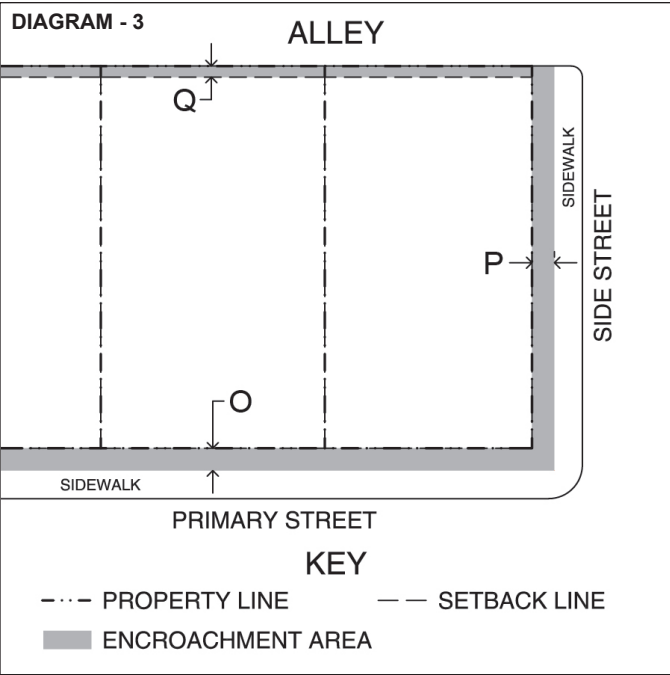
Commercial Block Building
 Live / Work Units (5)
 Liner Building
 Civic / Institutional (6)

NOTE:

- The Live / Work Units Building Type shall be allowed as a conditional Building Type in Neighborhood Center Type 1.
- The Civic / Institutional Building Type shall be allowed as a conditional Building Type in Neighborhood Center Type 1.

See *Section 4.0: Building Development Standards* for further details.

3.0 BUILDING ENVELOPE STANDARDS NEIGHBORHOOD CENTER TYPE 1



IV - ENCROACHMENTS

LOCATION:

[O] PRIMARY STREET:	10' Max
[P] SIDE STREET:	10' Max
[Q] ALLEY:	5' Max (7)(8)

NOTE:

- If no alley is present, no rear encroachment is allowed.
- If the setback from an existing alley is less than five feet (5'), the allowed encroachment shall be equal to or less than existing setback dimension.

V - USE REQUIREMENTS

GROUND FLOOR:	Primary Retail (9) Secondary Retail (9) Office (9) Civic / Institutional (9)(10) Utilities and Services (9)(10) Special (9)(10)
---------------	--

UPPER FLOOR(S):	Residential Office Civic / Institutional (10) Utilities and Services (10) Special (10)
-----------------	---

NOTE:

- On Emma Avenue, only Primary Retail is allowed; and must be accessed through Direct Frontage onto the street.
- Conditional Use.

See *Section 5.0: Use Tables* for further details.

VI - PARKING REQUIREMENTS

LOCATION:

[R] PRIMARY STREET SETBACK:	30' Min
[S] SIDE STREET SETBACK:	30' Min
[T] SIDE SETBACK:	0'
[U] ALLEY SETBACK:	12' Min

REQUIRED SPACES **(11)**:

OFFICE USES:	
< 10,000 NET SQ FT:	No Off-Street Parking Requirement
> 10,000 NET SQ FT:	One (1) Space Per 1,250 NET SQ FT in Excess of the 10,000 NET SQ FT (12)(13)

PRIMARY RETAIL USES:	No Off-Street Parking Requirement
----------------------	-----------------------------------

ASSEMBLY USES:	One (1) Space per Four (4) Seats Maximum Occupancy to be Determined by the Fire Marshall
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RESIDENTIAL USES:	One-half (0.5) Spaces Per Dwelling Unit Not to Exceed Two (2) Spaces Per Dwelling Unit (12)(13)(14)
-------------------	---

SECONDARY RETAIL USES:	
< 10,000 NET SQ FT:	No Off-Street Parking Requirement
> 10,000 NET SQ FT:	One (1) Space Per 1,250 NET SQ FT in Excess of the 10,000 NET SQ FT (12)(13)

NOTE:

- Reduced parking incentives are available for affordability and green building practices, as set forth in Section XX of the Springdale Municipal Code.
- Existing on-street parking spaces located within 300 feet of the lot boundary may count toward parking space requirements.
- Parking spaces in shared use off-street parking lots or parking structures located within 1,200 feet of the lot boundary may count toward parking space requirements.
- For developments with more than 50 dwelling units, one (1) additional parking space shall be provided for each ten (10) dwelling units.

3.0 BUILDING ENVELOPE STANDARDS

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3.0 BUILDING ENVELOPE STANDARDS

3.5 NEIGHBORHOOD CENTER TYPE 2 (NC2)



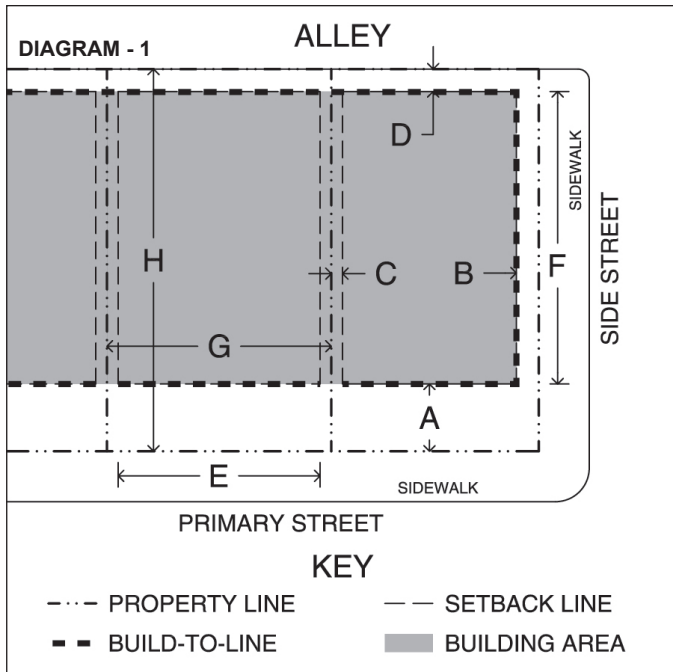
INTENT STATEMENT:

The intent of this Building Envelope Standard is to regulate the physical form of the Neighborhood Center Type 2 areas, which are typically neighborhood mixed-use areas, in order to establish, preserve or enhance the existing vibrant, pedestrian-oriented character of these areas while allowing flexibility in use. The physical form of these mixed-use areas follow the existing pattern of the area wherein there is a great variety of building types set back from the sidewalk with a common front yard or front courtyard. This intent statement and the images shown below are advisory only.

EXAMPLES OF CHARACTER



3.0 BUILDING ENVELOPE STANDARDS NEIGHBORHOOD CENTER TYPE 2



I - BUILDING PLACEMENT

BUILD-TO-LINE:

- [A] PRIMARY STREET: 10' Min | 25' Max **(1)**
 [B] SIDE STREET: 10' Min | 25' Max

SETBACK:

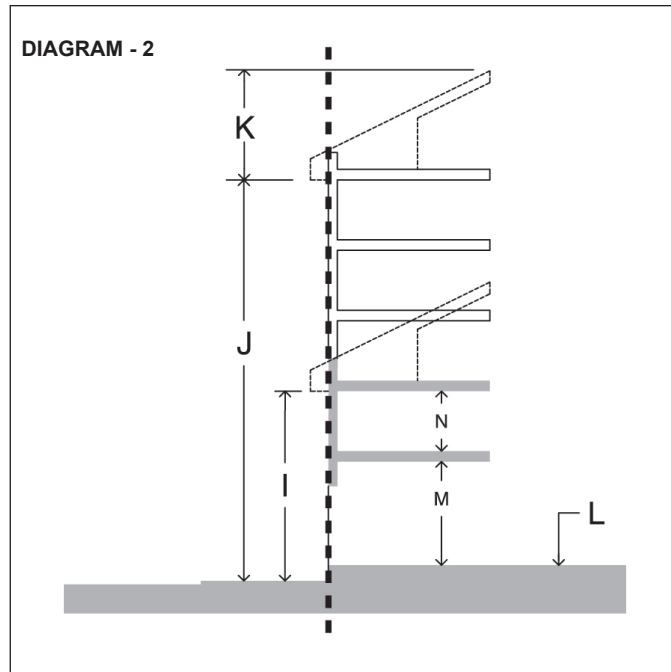
- [C] SIDE: 0' Min | 10' Max **(2)**
 [D] ALLEY: 5' Min | 10' Max **(3)**

BUILDING FORM:

- [E] PRIMARY STREET: At Least 85% of Build-to-Line **(4)**
 [F] SIDE STREET: At Least 25% of Build-to-Line
 [G] LOT WIDTH: Per Existing
 [H] LOT DEPTH: Per Existing

NOTE:

- The Build-to-Line must match the average Front Facade Line of the Block Face; and lots with NO Primary Street frontage (abutting adjacent properties) are exempt from the Primary Street Build-to-Line dimensional requirements; and are only required to have a five foot (5') setback on said frontage.
- For buildings with Dwelling Units primarily opening to side yards, Side Setback is required to be ten feet (10'). Buildings higher than three (3) stories or forty feet (40') are required to have a ten foot (10') Side Setback.
- Lots with NO Alley Frontage (abutting adjacent properties) are required to have a ten foot (10') setback on said Frontage.
- The percentage (%) for the Primary Street can be adjusted to fifty percent (50%) in the case of the following Building Types: Courtyard Rowhouse and Courtyard Building.



II - BUILDING HEIGHT

- [I] BUILDING HEIGHT MINIMUM: 2 Stories or 35'
 [J] BUILDING HEIGHT MAXIMUM: 3 stories or 45' **(5)(6)**
 [K] MAX FROM B.O. EAVE TO T. O. PARAPET OR ROOF: 15' Max
 [L] FINISHED GRND FLOOR LEVEL: 6" Min | 3' Max
 Back of Sidewalk Or Adjacent Lot Level For Residential; All Other Uses are Max 6"
 [M] FIRST FLOOR CEILING HTS: 8' Min (F to C)
 [N] UPPER FLOORS CEILING HTS: 8' Min (F to C)
 [N1] MEZZANINES AND PODIUMS: Mezzanines and Podiums Greater Than 3/4 of the Floor Plate Area Shall Be Counted as a Full Story

NOTE:

- On lots fronting Thompson Street (U.S. 71B) the Building Height Maximum is five (5) stories and sixty-five feet (65').
- Refer to *Section 3.9 Affordable Housing and Green Building Incentives* for height bonuses.

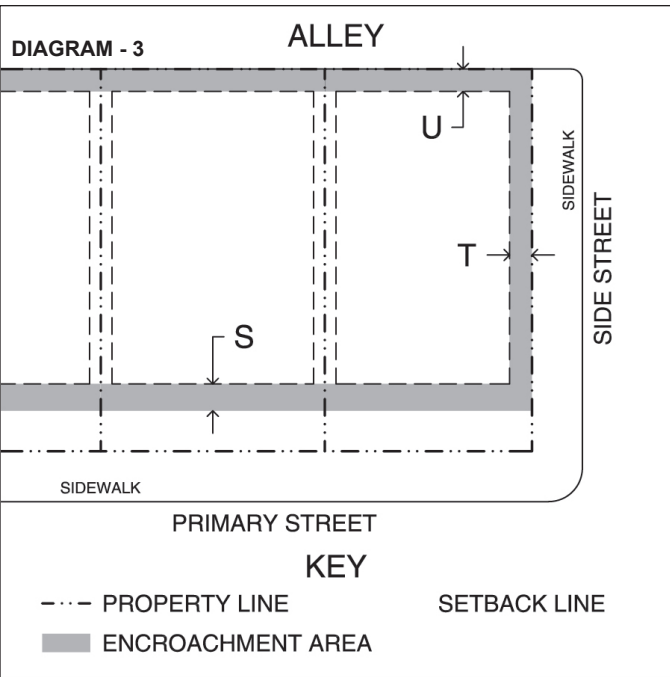
III - BUILDING TYPES

- | | |
|---------------------------------|----------------------------------|
| Duplex | Commercial Block Building |
| Triplex and Fourplex | Live / Work Units |
| Rowhouse and Courtyard Rowhouse | Liner Building |
| Stacked Flats | Civic / Institutional (7) |
| Courtyard Building | Rear Garage (8) |
| | Carriage House (8) |

NOTE:

- The Civic / Institutional Building Type shall be allowed as a conditional Building Type in Neighborhood Center Type 2.
- The Rear Garage and Carriage House Building Types shall be allowed as an accessory building to the Duplex; Triplex and Fourplex; Rowhouse and Courtyard Rowhouse; and Stacked Flats.

See *Section 4.0: Building Development Standards* for further details.



IV - ENCROACHMENTS

LOCATION:

[S] PRIMARY STREET:	12' Max
[T] SIDE STREET:	10' Max
[U] ALLEY:	5' Max (9)(10)

NOTE:

- If no alley is present, no rear encroachment is allowed.
- If the setback from an existing alley is less than five feet (5'), the allowed encroachment shall be equal to or less than existing setback dimension.

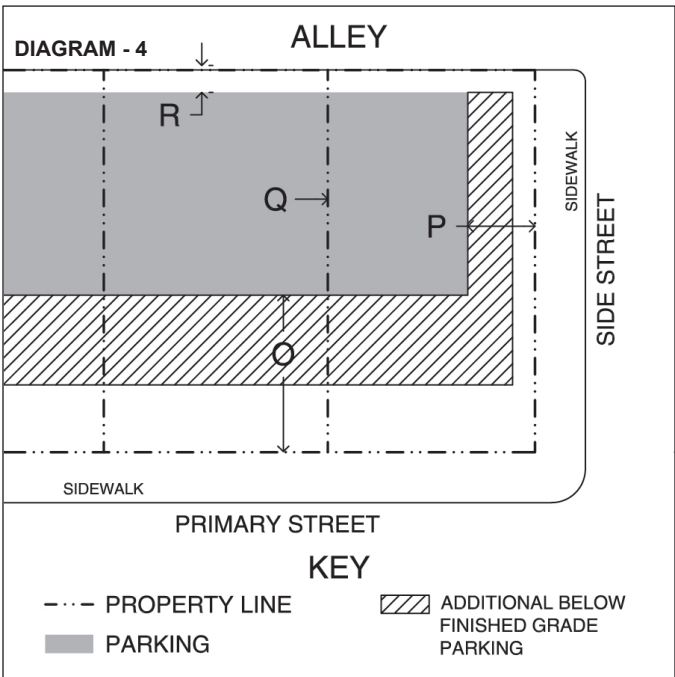
V - USE REQUIREMENTS

GROUND FLOOR:	Residential (11) Primary Retail Secondary Retail Office Civic / Institutional (12) Utilities and Services (12) Special (12)
UPPER FLOOR(S):	Residential (11) Office Special (12)

NOTE:

- On the following streets, ONLY residential uses are permitted on the both the Ground Floor and Upper Floor(s): E. Maple Street; Robert Circle; S. Water Street; Jason Court; Cormay Court; E. Grove Avenue; Allen Avenue; and S. Cleveland Street. No other uses are permitted.
- Conditional Use.

See *Section 5.0: Use Tables* for further details.



VI - PARKING REQUIREMENTS

LOCATION:

[O] PRIMARY STREET SETBACK:	30' Min
[P] SIDE STREET SETBACK:	30' Min
[Q] SIDE SETBACK:	0' , If Surface Lot / Per Main Building If Structured Parking
[R] ALLEY SETBACK:	5' Min

REQUIRED SPACES **(13)**:

OFFICE USES:	
< 10,000 NET SQ FT:	No Off-Street Parking Requirement
> 10,000 NET SQ FT:	One (1) Space Per 1,250 NET SQ FT in Excess of the 10,000 NET SQ FT (14)(15)
PRIMARY RETAIL USES:	No Off-Street Parking Requirement
ASSEMBLY USES:	One (1) Space per Four (4) Seats Maximum Occupancy to be Determined by the Fire Marshall
RESIDENTIAL USES:	One-half (0.5) Spaces Per Dwelling Unit Not to Exceed Two (2) Spaces Per Dwelling Unit (14)(15)(16)
SECONDARY RETAIL USES:	
< 10,000 NET SQ FT:	No Off-Street Parking Requirement
> 10,000 NET SQ FT:	One (1) Space Per 1,250 NET SQ FT in Excess of the 10,000 NET SQ FT (14)(15)

NOTE:

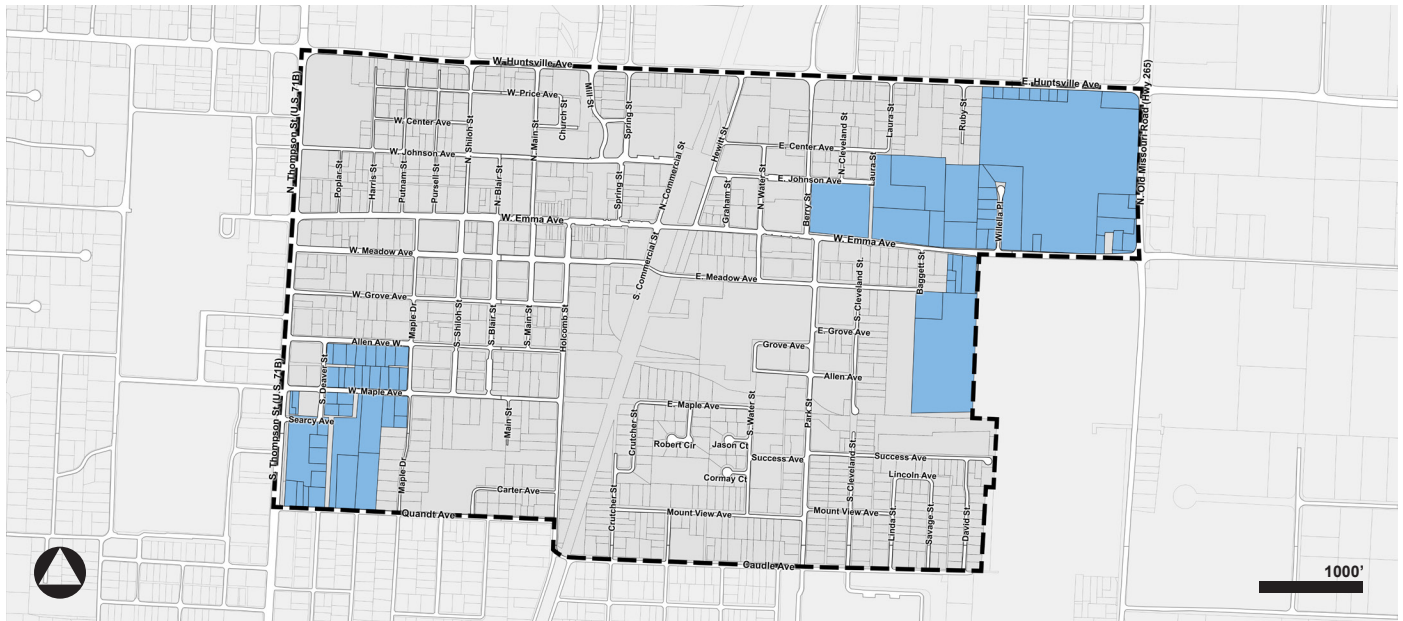
- Reduced parking incentives are available for affordability and green building practices, as set forth in Section XX of the Springdale Municipal Code.
- Existing on-street parking spaces located within 300 feet of the lot boundary may count toward parking space requirements.
- Parking spaces in shared use off-street parking lots or parking structures located within 1,200 feet of the lot boundary may count toward parking space requirements.
- For developments with more than 50 dwelling units, one (1) additional parking space shall be provided for each ten (10) dwelling units.

3.0 BUILDING ENVELOPE STANDARDS

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3.0 BUILDING ENVELOPE STANDARDS

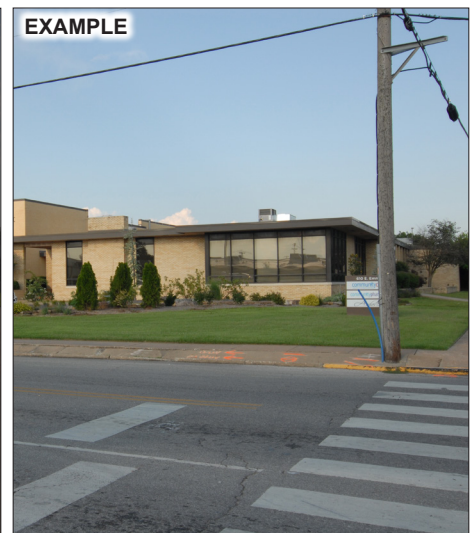
3.6 CAMPUS TYPE 1 (C1)



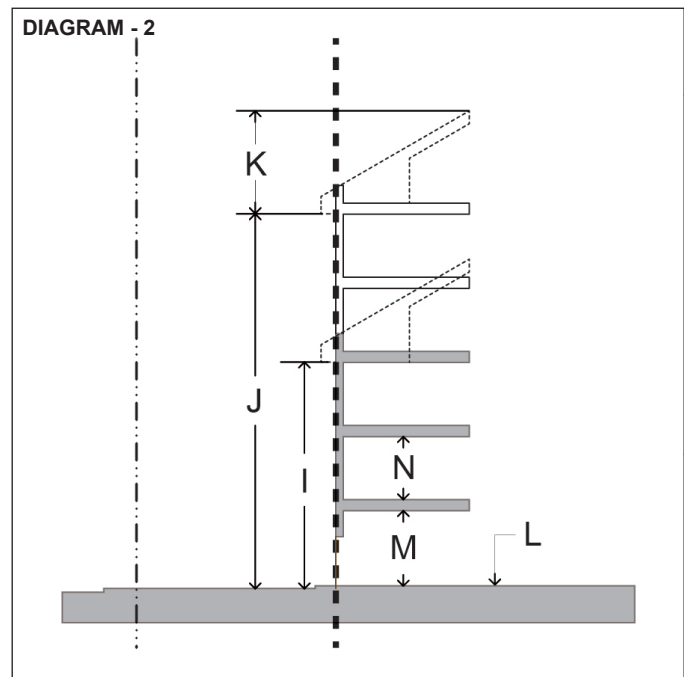
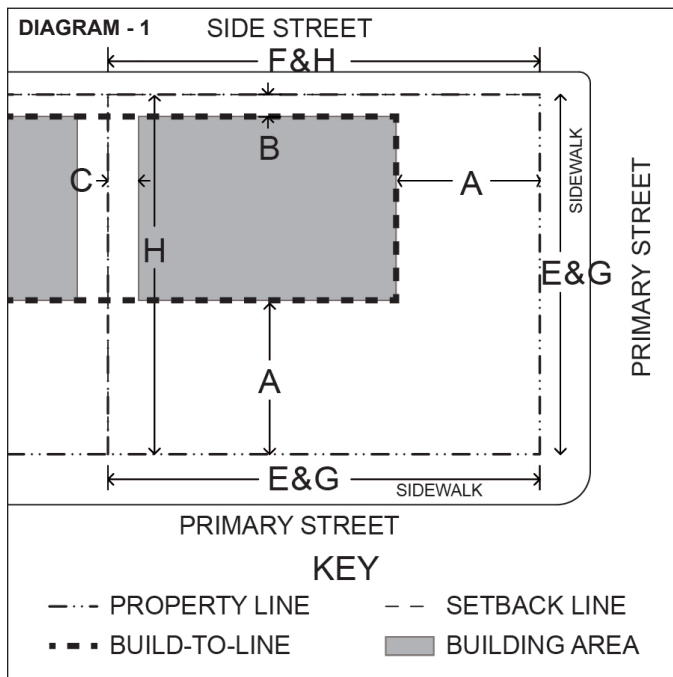
INTENT STATEMENT:

The intent of this Building Envelope Standard is to regulate the physical form of large (10 acres or larger) Campus developments, defined as large-lot developments with multiple Building Types. Campuses are singular, identifiable sites within the district, bounded by public streets, and featuring unifying characteristics and deep, landscaped setbacks on public street frontages. The area is designed to allow for a variety of business, industrial, institutional, and academic uses while maintaining and supporting a vibrant urban character. This intent statement and the images shown below are advisory only.

EXAMPLES OF CHARACTER



3.0 BUILDING ENVELOPE STANDARDS CAMPUS TYPE 1



I - BUILDING PLACEMENT

BUILD-TO-LINE:

[A] PRIMARY STREET:	50' Min No Max (1)
[B] SIDE STREET:	0' Min No Max (2)

SETBACK:

[C] SIDE:	5' Min 10' Max (3)
[D] ALLEY:	Not Applicable (3)(4)

BUILDING FORM:

[E] PRIMARY STREET:	At Least 40% of Build-to-Line
[F] SIDE STREET:	At Least 40% of Build-to-Line
[G] LOT WIDTH:	At Least 700' (5)
[H] LOT DEPTH:	At Least 625' (5)

NOTE:

- On all lots, a minimum of two (2) bounding streets must be Primary Streets.
- Lots may be bounded by Side Streets on the remaining lot lines.
- Private streets, driveways, and alleys that are internal to the lot shall not be subject to setback requirements; and when the conditions enumerated in the Build-to-Line requirements are fulfilled, side setbacks shall apply to remaining lot lines.
- Where alleys are present, setbacks shall be from five feet (5') to ten feet (10').
- Lots shall have a minimum area of ten (10) acres, irrespective of lot dimensions; and lot dimensions and lot area shall be measured either (A) by individual lot or parcel; (B) by multiple contiguous lots or parcels under single ownership; or (C) by multiple contiguous lots or parcels agglomerated by a legally-enforceable development agreement.

II - BUILDING HEIGHT

[I] BUILDING HEIGHT MINIMUM:	2 Stories or 30' (6)
[J] BUILDING HEIGHT MAXIMUM:	No Max
[K] MAX FROM B.O. EAVE TO T. O. PARAPET OR ROOF:	15' Max
[L] FINISHED GRND FLOOR LEVEL:	2' Min 3' Max Back of Sidewalk Or Adjacent Lot Level For Residential; All Other Uses are Max 6"
[M] FIRST FLOOR CEILING HTS:	12' Min 25' Max (F to C)
[N] UPPER FLOORS CEILING HTS:	8' Min 15' Max (F to C)
[N1] MEZZANINES AND PODIUMS:	Mezzanines and Podiums Greater Than 1/3 of the Floor Plate Area Shall Be Counted as a Full Story

NOTE:

- Building Heights for buildings interior to the campus block are not required to meet the building height minimum.

III - BUILDING TYPES

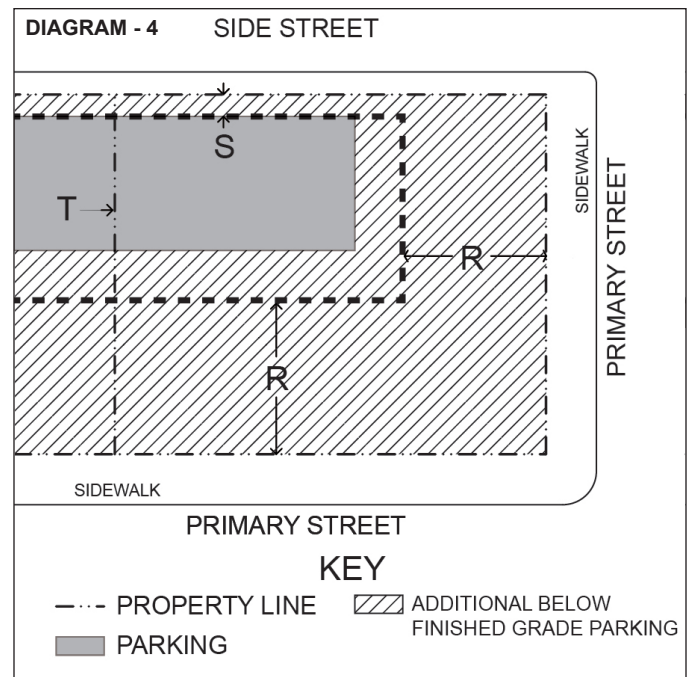
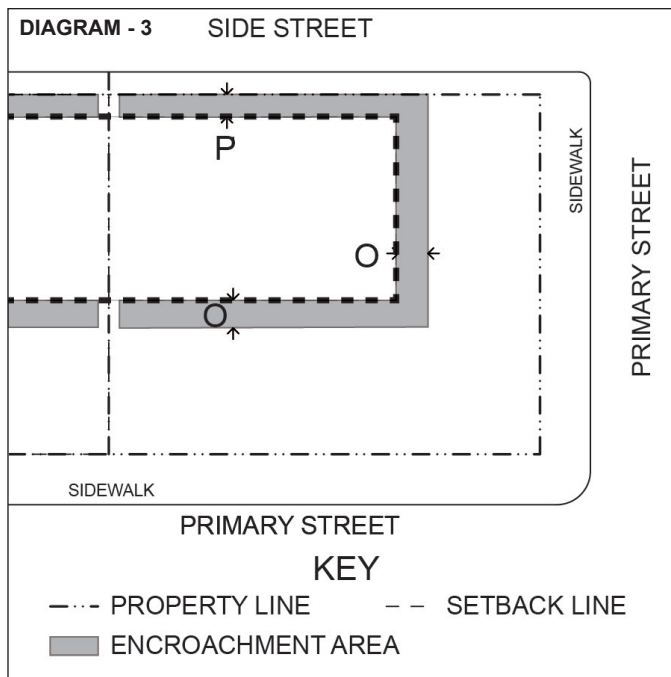
Commercial Block Building (7)	Liner Building (7)
Live / Work Units (7)	Civic / Institutional Building (7)

NOTE:

- This Building Envelope Standard allows multiple Building Types per lot.

See Section 4.0: Building Development Standards for further details.

3.0 BUILDING ENVELOPE STANDARDS CAMPUS TYPE 1



IV - ENCROACHMENTS

LOCATION:

[O] PRIMARY STREET:	10' Max
[P] SIDE STREET:	10' Max
[Q] ALLEY:	5' Max

V - USE REQUIREMENTS

GROUND FLOOR:	Primary Retail Secondary Retail Office Civic / Institutional Utilities and Services (8) Special (8)
UPPER FLOOR(S):	Residential Office Civic / Institutional Utilities and Services (8) Special (8)

NOTE:

8. Conditional Use.

See Section 5.0: Use Tables for further details.

VI - PARKING REQUIREMENTS

LOCATION:

[R] PRIMARY STREET SETBACK:	30' Min
[S] SIDE STREET SETBACK:	30' Min
[T] SIDE SETBACK:	0', If Surface Lot Per Main Building If Structured Parking
[U] ALLEY SETBACK:	5' Min

REQUIRED SPACES:

OFFICE USES:

< 10,000 NET SQ FT:	No Off-Street Parking Requirement
> 10,000 NET SQ FT:	One (1) Space Per 1,250 NET SQ FT in Excess of the 10,000 NET SQ FT (9)(10)

PRIMARY RETAIL USES:

No Off-Street Parking Requirement

ASSEMBLY USES:

One (1) Space per Four (4) Seats
Maximum Occupancy to be Determined by the Fire Marshall

CIVIC / INSTITUTIONAL USES:

One (1) Space per 300 NET SQ FT

RESIDENTIAL USES:

One-half (0.5) Spaces Per Dwelling Unit
Not to Exceed Two (2) Spaces Per Dwelling Unit (9)(10)(11)

SECONDARY RETAIL USES:

< 10,000 NET SQ FT:	No Off-Street Parking Requirement
> 10,000 NET SQ FT:	One (1) Space Per 1,250 NET SQ FT in Excess of the 10,000 NET SQ FT (9)(10)

NOTE:

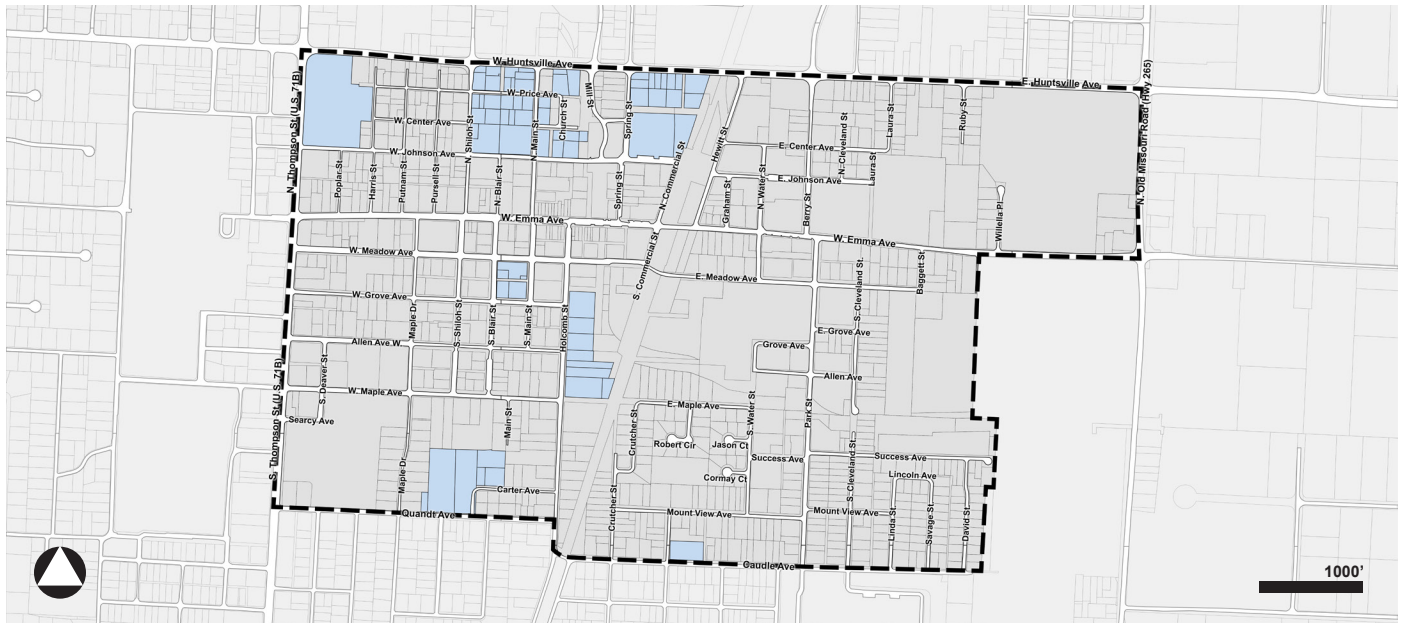
- Existing on-street parking spaces located within 300 feet of the lot boundary may count toward parking space requirements.
- Parking spaces in shared use off-street parking lots or parking structures located within 1,200 feet of the lot boundary may count toward parking space requirements
- For developments with more than 50 dwelling units, one (1) additional parking space shall be provided for each ten (10) dwelling units.

3.0 BUILDING ENVELOPE STANDARDS

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3.0 BUILDING ENVELOPE STANDARDS

3.7 CAMPUS TYPE 2 (C2)



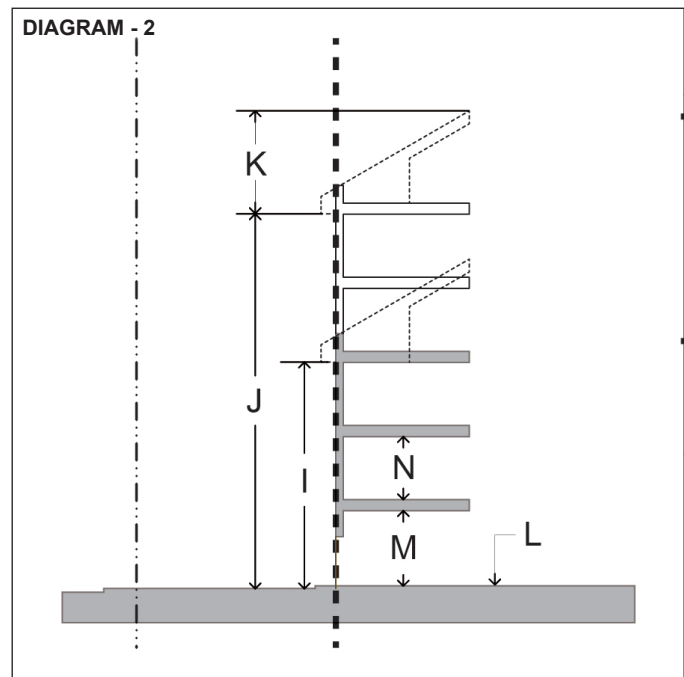
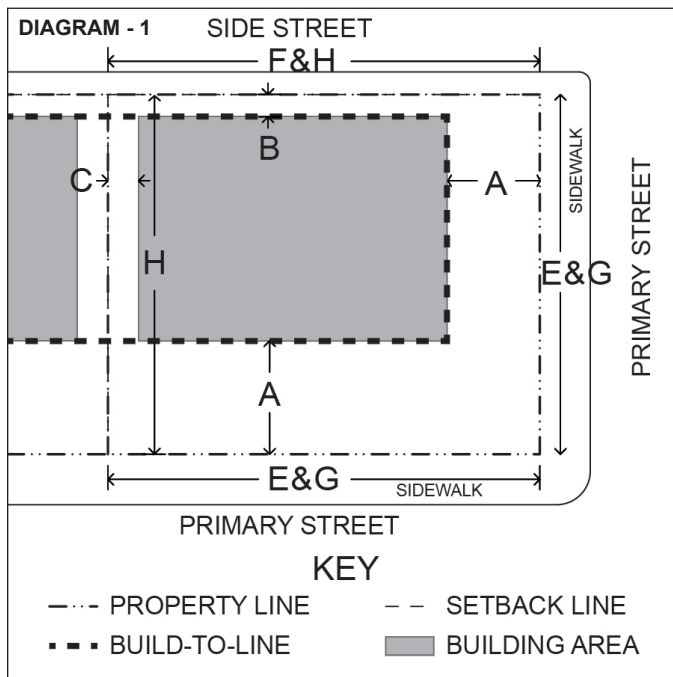
INTENT STATEMENT:

The intent of this Building Envelope Standard is to regulate the physical form of small (5 to 10 acre) Campus developments, defined as large-lot developments with multiple Building Types. Campuses are singular, identifiable sites within the district, bounded by public streets and typically featuring unifying characteristics. The area is designed to allow for a variety of business, industrial, institutional, and academic uses while maintaining and supporting an active streetscape and a vibrant urban character. This intent statement and the images shown below are advisory only.

EXAMPLES OF CHARACTER



3.0 BUILDING ENVELOPE STANDARDS CAMPUS TYPE 2



I - BUILDING PLACEMENT

BUILD-TO-LINE:

- [A] PRIMARY STREET: 30' Min | 80' Max **(1)**
 [B] SIDE STREET: 0' Min | 50' Max **(2)**

SETBACK:

- [C] SIDE: 5' Min | 10' Max **(3)**
 [D] ALLEY: Not Applicable **(3)(4)**

BUILDING FORM:

- [E] PRIMARY STREET: At Least 60% of Build-to-Line
 [F] SIDE STREET: At Least 60% of Build-to-Line
 [G] LOT WIDTH: At Least 500' **(5)**
 [H] LOT DEPTH: At Least 425' **(5)**

NOTE:

- On all lots, a minimum of two (2) bounding streets must be Primary Streets.
- Lots may be bounded by Side Streets on the remaining lot lines.
- Private streets, driveways, and alleys that are internal to the lot shall not be subject to setback requirements; and when the conditions enumerated in the Build-to-Line requirements are fulfilled, side setbacks shall apply to remaining lot lines.
- Where alleys are present, setbacks shall be from five feet (5') to ten feet (10').
- Lots shall have a minimum area of five (5) acres, irrespective of lot dimensions; and lot dimensions and lot area shall be measured either (A) by individual lot or parcel; (B) by multiple contiguous lots or parcels under single ownership; or (C) by multiple contiguous lots or parcels agglomerated by a legally-enforceable development agreement.

II - BUILDING HEIGHT

- [I] BUILDING HEIGHT MINIMUM: 2 Stories or 30' **(6)**
 [J] BUILDING HEIGHT MAXIMUM: 5 Stories or 65' **(6)**
 [K] MAX FROM B.O. EAVE
 TO T. O. PARAPET OR ROOF: 15' Max
 [L] FINISHED GRND FLOOR LEVEL: 2' Min | 3' Max
 Back of Sidewalk Or Adjacent
 Lot Level For Residential;
 All Other Uses are Max 6"
 [M] FIRST FLOOR CEILING HTS: 12' Min | 25' Max (F to C)
 [N] UPPER FLOORS CEILING HTS: 8' Min | 15' Max (F to C)
 [N1] MEZZANINES AND PODIUMS: Mezzanines and Podiums
 Greater Than 1/3 of the
 Floor Plate Area Shall
 Be Counted as a Full Story

NOTE:

- Building Heights for buildings interior to the campus block are not required to meet the building height minimum.

III - BUILDING TYPES

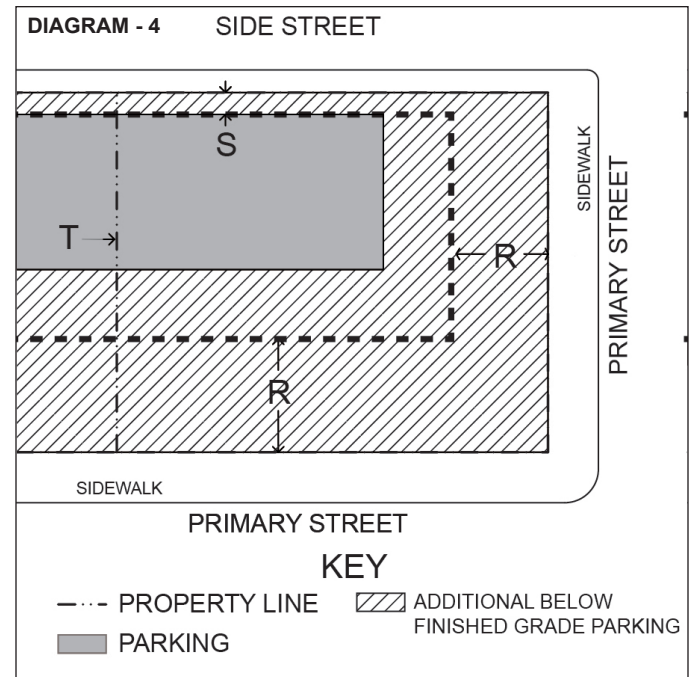
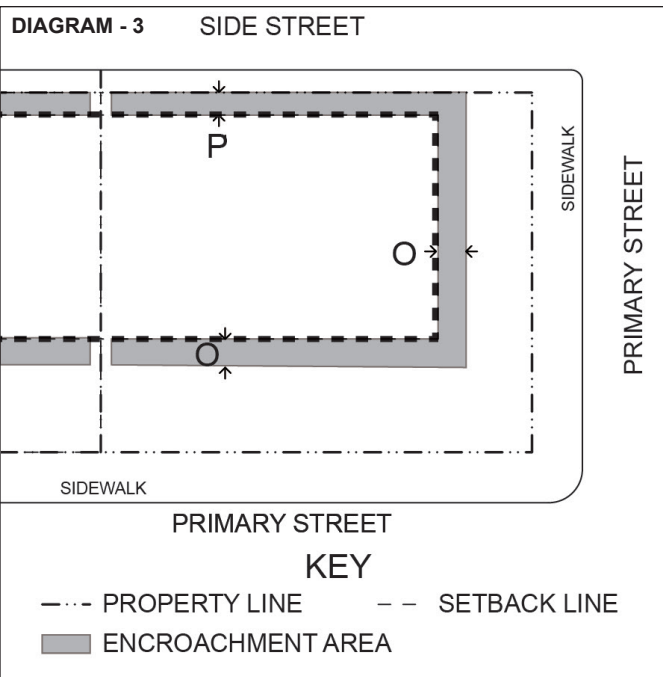
- Commercial Block Building **(7)** Liner Building **(7)**
 Live / Work Units **(7)** Civic / Institutional Building **(7)**

NOTE:

- This Building Envelope Standard allows multiple Building Types per lot.

See Section 4.0: Building Development Standards for further details.

3.0 BUILDING ENVELOPE STANDARDS CAMPUS TYPE 2



IV - ENCROACHMENTS

LOCATION:

[O] PRIMARY STREET:	10' Max
[P] SIDE STREET:	10' Max
[Q] ALLEY:	5' Max

V - USE REQUIREMENTS

GROUND FLOOR:	Primary Retail Secondary Retail Office Civic / Institutional Utilities and Services (8) Special (8)
UPPER FLOOR(S):	Residential Office Civic / Institutional Utilities and Services (8) Special (8)

NOTE:

8. Conditional Use.

See Section 5.0: Use Tables for further details.

VI - PARKING REQUIREMENTS

LOCATION:

[R] PRIMARY STREET SETBACK:	30' Min
[S] SIDE STREET SETBACK:	30' Min
[T] SIDE SETBACK:	0' , If Surface Lot Per Main Building If Structured Parking
[U] ALLEY SETBACK:	5' Min

REQUIRED SPACES:

OFFICE USES:

< 10,000 NET SQ FT:	No Off-Street Parking Requirement
> 10,000 NET SQ FT:	One (1) Space Per 1,250 NET SQ FT in Excess of the 10,000 NET SQ FT (9)(10)

PRIMARY RETAIL USES:	No Off-Street Parking Requirement
----------------------	-----------------------------------

ASSEMBLY USES:	One (1) Space per Four (4) Seats Maximum Occupancy to be Determined by the Fire Marshall
----------------	---

CIVIC / INSTITUTIONAL USES:	One (1) Space per 300 NET SQ FT
-----------------------------	---------------------------------

RESIDENTIAL USES:	One-half (0.5) Spaces Per Dwelling Unit Not to Exceed Two (2) Spaces Per Dwelling Unit (9)(10)(11)
-------------------	---

SECONDARY RETAIL USES:	No Off-Street Parking Requirement
< 10,000 NET SQ FT:	No Off-Street Parking Requirement
> 10,000 NET SQ FT:	One (1) Space Per 1,250 NET SQ FT in Excess of the 10,000 NET SQ FT (9)(10)

NOTE:

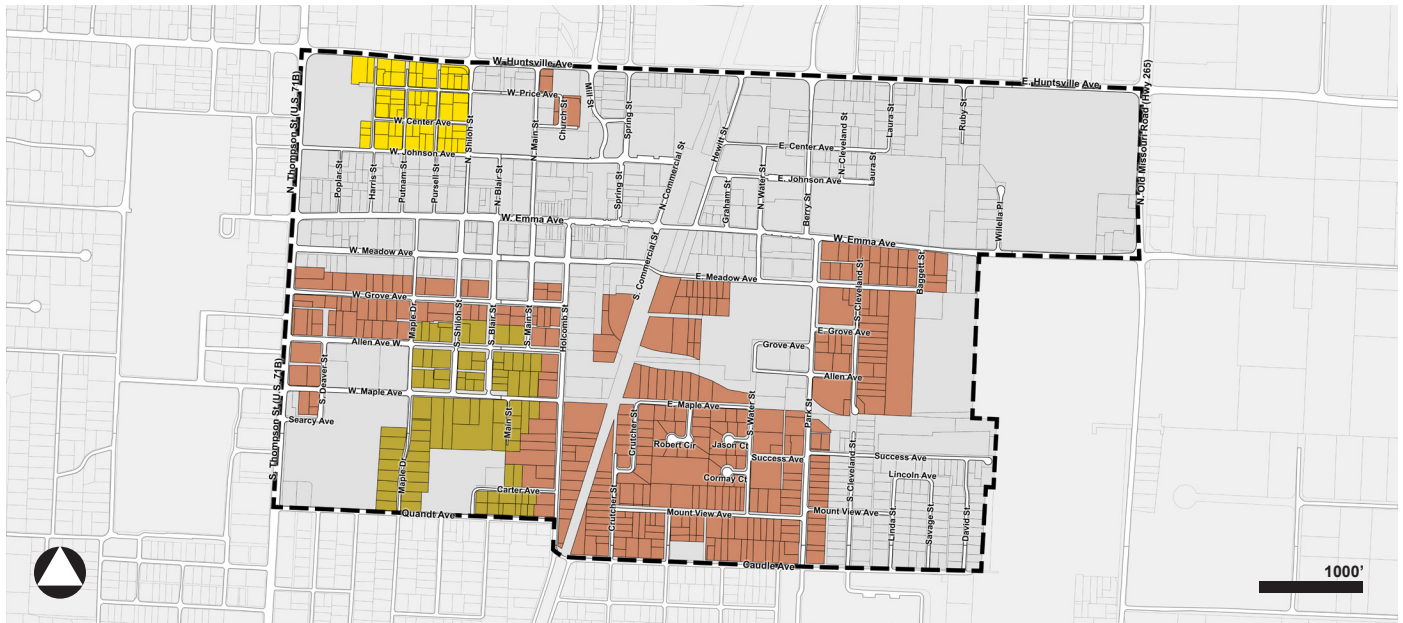
- Existing on-street parking spaces located within 300 feet of the lot boundary may count toward parking space requirements.
- Parking spaces in shared use off-street parking lots or parking structures located within 1,200 feet of the lot boundary may count toward parking space requirements
- For developments with more than 50 dwelling units, one (1) additional parking space shall be provided for each ten (10) dwelling units.

3.0 BUILDING ENVELOPE STANDARDS

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3.0 BUILDING ENVELOPE STANDARDS

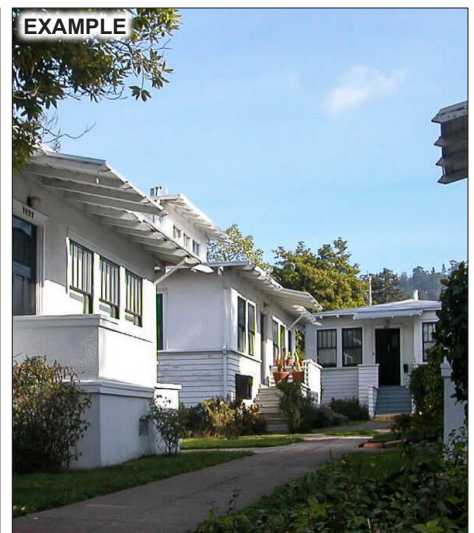
3.8 COTTAGE COURT SPECIAL OVERLAY DISTRICT (SD)



INTENT STATEMENT:

The intent of this Special Overlay District is to regulate the development of two (2) or more primary residential buildings (as opposed to the development of one [1] primary residential building and [1] ancillary building) on either (1) a single parcel; (2) an assemblage of multiple contiguous parcels under single ownership; or (3) an assemblage of multiple contiguous parcels under multiple ownership, subject to legally-enforceable development agreement among the multiple owners. This Overlay will provide more dense and diverse housing units types in various different Building Envelope Standard (BES) Districts, which are appropriate to each District in scale, massing, and architectural character.

EXAMPLES OF CHARACTER



I - REQUIREMENTS FOR PARCELS

In order to be eligible for the Special Overlay, parcels or assemblages of contiguous parcels shall conform to the following requirements:

- A. Parcels or assemblages of contiguous parcels shall be located in one of the following Building Envelope Standard (BES) Districts:
 - i. *Neighborhood Residential Type 2 (NR2)*
 - ii. *Neighborhood Residential Type 3 (NR3)*
 - iii. *Neighborhood Center Type 2 (NC2)*
- B. Parcels or assemblages of contiguous parcels shall have a minimum area of one-half (0.5) acres.
- C. Parcels or assemblages of contiguous parcels shall have direct access to a minimum of one (1) public street.
- D. Assemblages of contiguous parcels shall either:
 - i. Be owned by a single owner; or
 - ii. Be owned by multiple owners under a legally-enforceable development agreement to which all owners are party.
- E. If assemblages of parcels are located in multiple BES Districts, all Special Overlay District requirements referencing BES District Standards shall use the BES District for which each parcel is classified.
- F. Example site layout on typical existing parcel configurations are provided in this section for illustrative purposes only.
- G. Site plans shall be subject to approval by the Springdale Fire Department.
- H. Ancillary Buildings are not permitted in the Special Overlay District.

II - BUILDING PLACEMENT

BUILD-TO-LINE:

- [A] PRIMARY STREET: Per BES District (in which located) **(1)**
 [B] SIDE STREET: Per BES District **(1)**

SETBACK:

- [C1] SIDE: Per BES District **(1)**
 [C2] BLDG SIDE-TO-BLDG SIDE: 5' Min (between buildings) **(3)**
 [C3] BLDG SIDE-TO-BLDG REAR: 5' Min (between buildings) **(3)**
 [D1] REAR / ALLEY: Per BES District **(1)(2)**
 [D2] BLDG FRONT-TO-BLDG FRONT: 25' Min (between buildings) **(4)**
 [D3] BLDG FRONT-TO-BLDG SIDE: 10' Min (between buildings) **(4)**

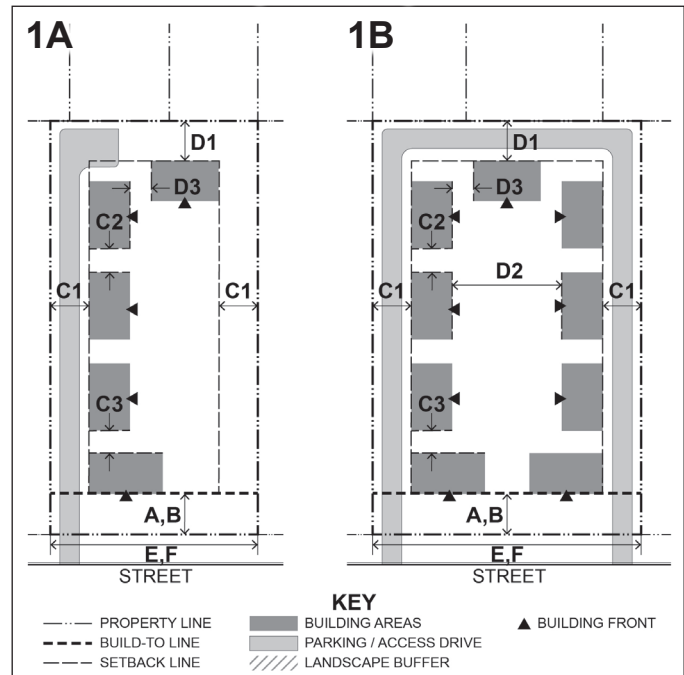
BUILDING FORM:

- [F] PRIMARY STREET: Per BES District **(5)(6)**
 [G] SIDE STREET: Per BES District **(6)**
 [H] LOT WIDTH: Per Existing
 [H] LOT DEPTH: Per Existing

NOTE:

1. Except Ancillary Buildings.
2. When buildings are arranged in a courtyard or mews configuration, perpendicular to the Primary Street (Example 1A, 1B), the Rear Setback shall be reduced to 5' Min in the Neighborhood Residential Type 3 (NR3) only.
3. Building sides may be arranged facing other building sides, and/or building sides may be arranged facing building rears.
4. Building fronts may be arranged facing building fronts, and/or building fronts may be arranged facing building sides; building fronts shall not be arranged facing building rears.
5. When buildings are arranged perpendicular to the Primary Street, the Primary Street Lot Occupation percentage shall be reduced to match the Side Street Lot Occupation percentage of the BES District in which the parcels(s) is/are located.
6. If the portion of the parcel or assemblage of parcels fronting the Primary or Side Street (Example 2) is wide enough for only an access drive, the associated Lot Occupation percentage shall be waived.

SITE LAYOUT DIAGRAM, EXAMPLE 1A, 1B



III - BUILDING HEIGHT

- [I] BUILDING HEIGHT MINIMUM: Per BES District (in which located)
 [J] BUILDING HEIGHT MAXIMUM: Per BES District
 [K] MAX FROM B.O. EAVE TO T. O. PARAPET OR ROOF: Per BES District
 [L] FINISHED GRND FLOOR LEVEL: Per BES District
 [M] FIRST FLOOR CEILING HTS: Per BES District
 [N] UPPER FLOORS CEILING HTS: Per BES District
 [N1] MEZZANINES AND PODIUMS: Per BES District

IV - BUILDING TYPES

Per BES District **(7)**

NOTE:

7. The Detached Garage and Carriage House Building Types are not permitted in the Special Overlay District.

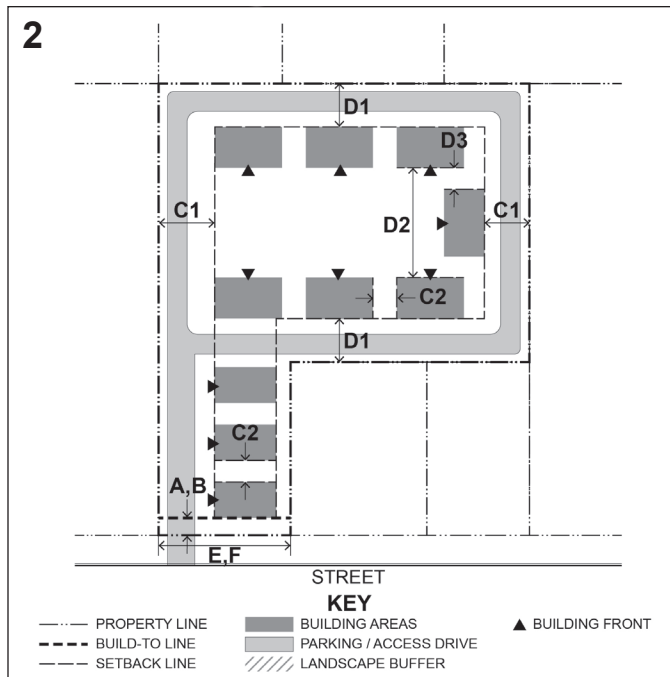
V - ENCROACHMENTS

LOCATION:

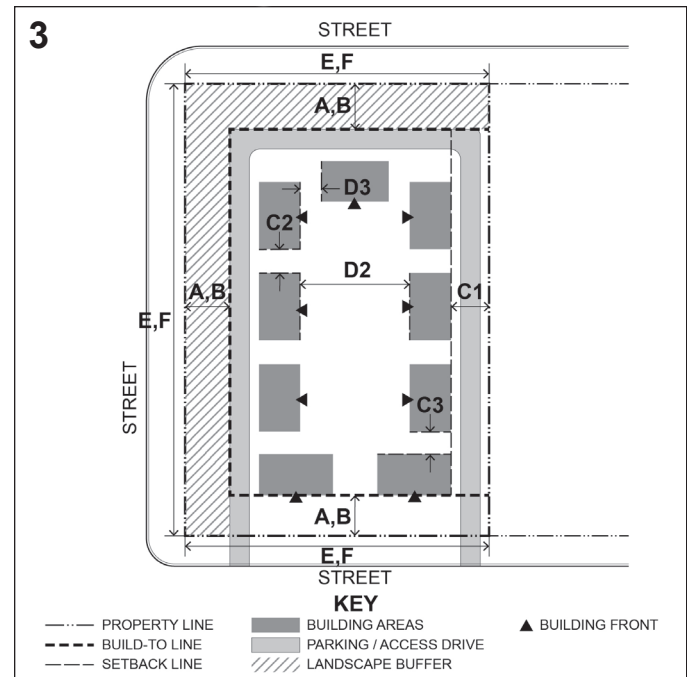
- [O] PRIMARY STREET: Per BES District
 [P] SIDE STREET: Per BES District
 [Q] ALLEY: Per BES District

3.0 BUILDING ENVELOPE STANDARDS COTTAGE COURT SPECIAL OVERLAY DISTRICT

SITE LAYOUT DIAGRAM, EXAMPLE 2



SITE LAYOUT DIAGRAM, EXAMPLE 3



V - USE REQUIREMENTS

GROUND FLOOR: Residential
UPPER FLOOR(S): Residential

See *Section 5.0: Use Tables* for further details.

VI - PARKING REQUIREMENTS

GENERAL REQUIREMENTS:

- Each building and/or dwelling unit shall provide off-street parking in accordance with the BES District in which the parcel(s) is/are located.
- All parking shall be accessed from a public right-of-way via one (1) or more on-site, private driveway(s). Acceptable public rights-of-way for access include:
 - Public Streets
 - Alleys
- On-site, private driveways shall conform to the following dimensional standards:
 - One- (1) way driveways: 12' Min Width
 - Two- (2) way driveways: 20' Min Width
- On-site, private driveways shall conform to the City of Springdale Standard Specifications for Street and Drainage Construction, Version 4, dated November 2005.
- Required parking shall be provided on-site. Provision of on-site parking may require increased setbacks above the minimum requirements specified in SECTION II BUILDING PLACEMENT.

LOCATION:

- [R] PRIMARY STREET SETBACK: Per BES District **(8)(9)**
 [S] SIDE STREET SETBACK: Per BES District **(9)**
 [T] SIDE SETBACK: Per BES District
 [U] ALLEY SETBACK: Per BES District

REQUIRED SPACES:

RESIDENTIAL USES: Per BES District

NOTE:

- When buildings are arranged in a courtyard or mews configuration, perpendicular to the Primary Street (Example 1A, 1B), the Primary Street Parking Setback shall be reduced to match the Side Street Parking Setback of the BES District in which the parcels(s) is/are located.
- When parcels are directly adjacent to public streets on two (2) or more sides, parking and/or parking access may be located adjacent to the street (Example 3), subject to the following conditions:
 - Parking and/or parking access shall be located behind the respective Primary Street and/or Side Street Build-To Line;
 - A street wall shall be provided at the respective Primary Street and/or Side Street Build-To Line, meeting the requirements set forth in *Section 4.3.4 Street Walls*; and
 - The area between the Parcel Line and the respective Primary Street and/or Side Street Build-To Line shall be planted as a landscape buffer, meeting the requirements of the *Section 56-31. Street Frontage, Interior, and Perimeter* of the Springdale Code of Ordinances.

4.0

BUILDING DEVELOPMENT STANDARDS

4.0 BUILDING DEVELOPMENT STANDARDS

WHAT IS THE PURPOSE OF THE BUILDING DEVELOPMENT STANDARDS?

The purpose of the Building Development Standards is to regulate the form of development within the Form-Based District in order to ensure high quality construction, infill development, and improvements that will be cohesive with the historic context of the neighborhood; while enhancing the character of the area and creating a vibrant interface between private property and the public realm. The particular purpose of the Building Development Standards is to ensure that property owners and land developers utilize a series of locally and regionally appropriate Building Types, each of which may have a variety of different Frontage Types and should be constructed to an expected level of Architectural Standards in order to ensure the character and quality of the project.

The Building Development Standards assert that:

- Building mass shall consist of simple composition of basic building forms that follow a clear hierarchy and should be oriented to the creation of great public spaces and responsive to the particular micro-climate of the site.
- Each building should have at minimum a distinctive: horizontal base; occupied middle; and eave, cornice and/or parapet or roof line that complement and balance one another.
- The area shall be constituted by no one prevalent architectural style, nor a dominant building material; but rather that all buildings have a sense of scale, richness of detail, and quality of construction that creates and overall image of the district's character.
- The underlying guiding principle that the existing context of the area including its historic and architecturally significant buildings (including their historically significant materials and architectural features) are important to the creation of the district's character.
- All existing historical structures within the area are recognized as a physical record of it's time and place, and that new construction within the area shall in general be compatible in size, scale, set back, and proportion to the relevant existing, and adjacent structures as detailed herein.
- All existing historical structures including their architectural features and materials are important to the district's character, and new construction shall be compatible with the old in color, texture and other visual qualities.
- Renovations and additions to existing structures within the area shall not create a false sense of historical development, such as adding inappropriate decorative elements as to create a false sense of place. In addition, new construction is not to resort to fakery and imitation to fill in gaps within the streetscape.
- Through careful attention to scale, materials, siting, and landscaping; contemporary design may be created which is harmonious with the existing historic structures.
- Developers should be allowed a range of alternative solutions which are to be compatible with the existing district's character.

4.0 BUILDING DEVELOPMENT STANDARDS

WHAT DO THE BUILDING DEVELOPMENT STANDARDS CONSIST OF?

The Building Development Standards consist of three (3) basic components, including:

4.1 BUILDING TYPES *(SEE PAGE 4-3)*

The Building Types are a series of model buildings to be utilized for development which have been coordinated with the Building Envelope Standards. The following are the Building Types:

- 4.1.1 **Detached Single Family Dwelling** *(SEE PAGE 4-4)*
- 4.1.2 **Detached Single Family Bungalow** *(SEE PAGE 4-6)*
- 4.1.3 **Rear Garage** *(SEE PAGE 4-8)*
- 4.1.4 **Carriage House** *(SEE PAGE 4-10)*
- 4.1.5 **Duplex** *(SEE PAGE 4-12)*
- 4.1.6 **Triplex and Fourplex** *(SEE PAGE 4-14)*
- 4.1.7 **Rowhouse and Courtyard Rowhouse** *(SEE PAGE 4-16)*
- 4.1.8 **Stacked Flats** *(SEE PAGE 4-18)*
- 4.1.9 **Courtyard Building** *(SEE PAGE 4-20)*
- 4.1.10 **Commercial Block Building** *(SEE PAGE 4-22)*
- 4.1.11 **Live | Work Units** *(SEE PAGE 4-24)*
- 4.1.12 **Liner Building** *(SEE PAGE 4-26)*
- 4.1.13 **Civic / Institutional Building** *(SEE PAGE 4-28)*

4.2 FRONTAGE TYPES *(SEE PAGE 4-30)*

Each Building Type is allowed a variety of Frontage Types which describe the way in which the Building Type addresses the street. The following are the Frontage Types:

- 4.2.1 **Common Yard** *(SEE PAGE 4-31)*
- 4.2.2 **Porch** *(SEE PAGE 4-31)*
- 4.2.3 **Stoop** *(SEE PAGE 4-32)*
- 4.2.4 **Forecourt** *(SEE PAGE 4-32)*
- 4.2.5 **Awnings & Canopies** *(SEE PAGE 4-33)*
- 4.2.6 **Balconies** *(SEE PAGE 4-33)*
- 4.2.7 **Terrace & Lightcourt** *(SEE PAGE 4-34)*
- 4.2.8 **Bay Windows** *(SEE PAGE 4-34)*
- 4.2.9 **Shopfront** *(SEE PAGE 4-35)*
- 4.2.10 **Cafe** *(SEE PAGE 4-35)*

4.3 ARCHITECTURAL STANDARDS *(SEE PAGE 4-36)*

Each Building Type is also subject to a series of specific architectural criteria which are necessary to uphold an expected level of quality and design in construction. These standards include:

- 4.3.1 **Building Facades** *(SEE PAGE 4-37)*
- 4.3.2 **Roofs and Parapets** *(SEE PAGE 4-43)*
- 4.3.3 **Windows and Doors** *(SEE PAGE 4-46)*
- 4.3.4 **Street Walls** *(SEE PAGE 4-49)*
- 4.3.5 **Lighting** *(SEE PAGE 4-51)*
- 4.3.6 **Equipment** *(SEE PAGE 4-53)*
- 4.3.7 **Signage** *(SEE PAGE 4-54)*

4.0 BUILDING DEVELOPMENT STANDARDS

HOW DO I USE THE BUILDING DEVELOPMENT STANDARDS?

After the Building Types allowed on the parcel of property have been determined, based on the Building Envelope Standards; the following sequence of steps should be performed in order to use the Building Development Standards correctly:

1. PROCEED TO THE APPLICABLE BUILDING TYPE

When the desired Building Type has been determined, turn to the correct page of this District with the applicable Building Type and review the requirements to that Building Type.

2. ENSURE COMPLIANCE TO EACH REQUIREMENT OF THE BUILDING TYPE

On the page spread for the Building Type, there are a series of requirements with which the property must comply. Read and ensure compliance with each requirement.

3. PROCEED TO THE APPLICABLE FRONTAGE TYPE AND ENSURE COMPLIANCE

On the page spread for the Building Type, there is a specific requirement for Frontage Type. When the desired Frontage Type is determined, turn to the correct page of this District with the Frontage Type and ensure compliance with the requirements of that Frontage Type.

4. PROCEED TO THE ARCHITECTURAL STANDARDS AND ENSURE COMPLIANCE

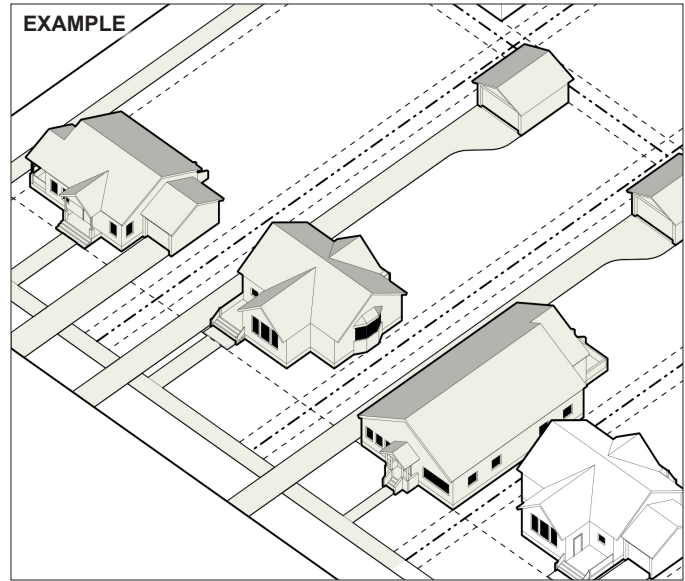
When compliance to the Building Type requirements and Frontage Type requirements is completed, proceed to the Architectural Standards and ensure compliance with each requirement.

4.1 BUILDING TYPES

WHAT IS THE PURPOSE OF THE BUILDING TYPES?

The purpose of the Building Types is to ensure that the buildings within the Form-Based District are consistent with the character goals of the Building Envelope Standards. The Building Types are a series of model buildings for development, which are both regional in application and particular to the neighborhood. Each Building Type is utilized within a particular zone of Building Envelope Standards in order to ensure that the character goals of the zone are upheld. Each development within this area, must be classified as a Building Type with one (or more) Frontage Types, and constructed according to the Architectural Standards.

4.1.1 DETACHED SINGLE FAMILY DWELLING



I - DESCRIPTION

A Detached Single Family Dwelling is described as a Building Type for residential uses with usable front and rear yards and oriented to the Primary Street. Garages may be attached or detached. Attached garages should be set back from the primary facade. Rear Garages (detached) or Carriage Houses should be located behind the Detached Single Family Dwelling, accessed by a side-yard driveway.

These building types are allowed in the Neighborhood Residential Type 1 (Light Yellow) and Neighborhood Residential Type 3 (Dark Yellow) Building Envelope Standards shown in the diagram on the opposite page.

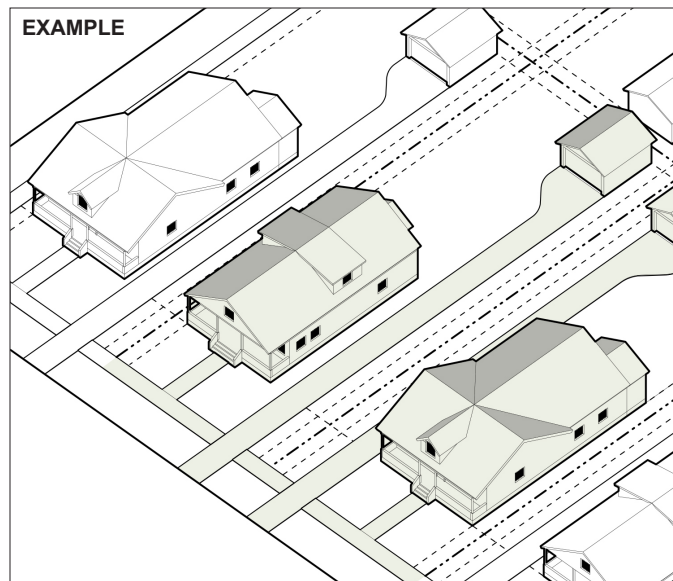
II - ACCESS

1. Access to these Building Types is encouraged to be from the Primary Building Facade facing the Primary Street; however, side entrances on Secondary Building Facades are allowed in combination with a sidewalk to and from the Primary Street or Side Street for access.
2. Parking and services shall be accessed by way of a driveway to an above or below-grade garage from a Side Street. If there is no Side Street, then the access may be achieved from a Primary Street.
 - Minimum fifteen (15) feet wide.
3. On a corner lot, parking and services may be accessed by way of a driveway to an above or below-grade garage, and is limited to the Side Street only, unless no side street is present.
 - Minimum fifteen (15) feet wide.

III - OUTDOOR SPACE

1. One (1) front outdoor space shall be defined by the Primary Street Build-to-Line and allowable Frontage Types for the Building Type.
2. One (1) rear outdoor space shall be provided behind this Building Type with the following specifications:
 - Minimum of fifteen (15%) percent of the lot area.
 - Must be regular geometry (a rectangle or square for example).
 - One (1) dimension must be a minimum of twenty (20') feet.
3. The rear outdoor space shall primarily include open turf grasses, ground vegetation and trees; but may also include items such as decks, swimming pools, and other hardscapes.

4.1.2 DETACHED SINGLE FAMILY BUNGALOW



I - DESCRIPTION

A Detached Single Family Bungalow is described as a Building Type for residential uses with usable front and rear yards and oriented to the Primary Street. This building type is characterized by a minimum one-and-a-half (1-1/2) story building massing; large, full-width front porch; and/or a prominent second story dormer on the front facade. Rear Garages (detached) or Carriage Houses should be located behind the Detached Single Family Dwelling, accessed by a side-yard driveway.

These building types are allowed in the Neighborhood Residential Type 2 (Bright Yellow) Building Envelope Standards shown in the diagram on the opposite page.

II - ACCESS

1. Access to these Building Types is encouraged to be from the Primary Building Facade facing the Primary Street; however, side entrances on Secondary Building Facades are allowed in combination with a sidewalk to and from the Primary Street or Side Street for access.
2. Parking and services shall be accessed by way of a driveway to an above or below-grade garage from a Side Street. If there is no Side Street, then the access may be achieved from a Primary Street.
 - Minimum fifteen (15) feet wide.
3. On a corner lot, parking and services may be accessed by way of a driveway to an above or below-grade garage, and is limited to the Side Street only, unless no side street is present.
 - Minimum fifteen (15) feet wide.

III - OUTDOOR SPACE

1. One (1) front outdoor space shall be defined by the Primary Street Build-to-Line and allowable Frontage Types for the Building Type.
2. One (1) rear outdoor space shall be provided behind this Building Type with the following specifications:
 - Minimum of fifteen (15%) percent of the lot area.
 - Must be regular geometry (a rectangle or square for example).
 - One (1) dimension must be a minimum of twenty (20') feet.
3. The rear outdoor space shall primarily include open turf grasses, ground vegetation and trees; but may also include items such as decks, swimming pools, and other hardscapes.



V - MASSING & ARTICULATION

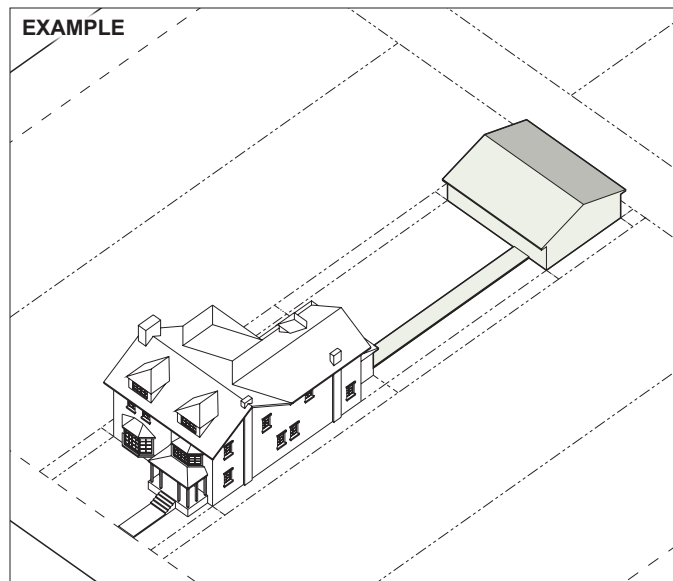
1. Buildings on infill lots shall be designed to address the Primary Street.
2. Buildings shall have a minimum one-and-a-half (1-1/2) story configurations with one or both of the following front facade features:
 - Full-width front porch;
 - Prominent second story front dormer or second story inhabitable space overhanging the front porch.
3. Buildings on corner lots shall be designed with two (2) Building Facades with architectural expression; addressing both Primary and Side Streets.
4. Primary Building Facades shall have multiple window openings.

VI - FRONTAGE TYPE

<i>Frontage Type</i>	<i>Allowable</i>
Common Yard	YES
Porch	YES
Stoop	YES
Forecourt	YES
Awnings & Canopies	Only if porch is present
Balconies	YES
Terrace & Lightcourt	NO
Bay Windows	YES
Shopfront	NO
Cafe	NO

See *Section 4.2: Frontage Types* for further details.

4.1.3 REAR GARAGE



I - DESCRIPTION

A Rear Garage is described as a Building Type consisting of a single, freestanding structure designed for the storage of one (1) or more vehicles; and may contain a level for a shop, storage, or studio-work space on the second level. It is located at the back of a lot that includes a Main Building.

These building types are allowed in the Neighborhood Residential Type 1 (Light Yellow), Neighborhood Residential Type 2 (Bright Yellow), and Neighborhood Residential Type 3 (Dark Yellow) Building Envelope Standards shown in the diagram on the opposite page.

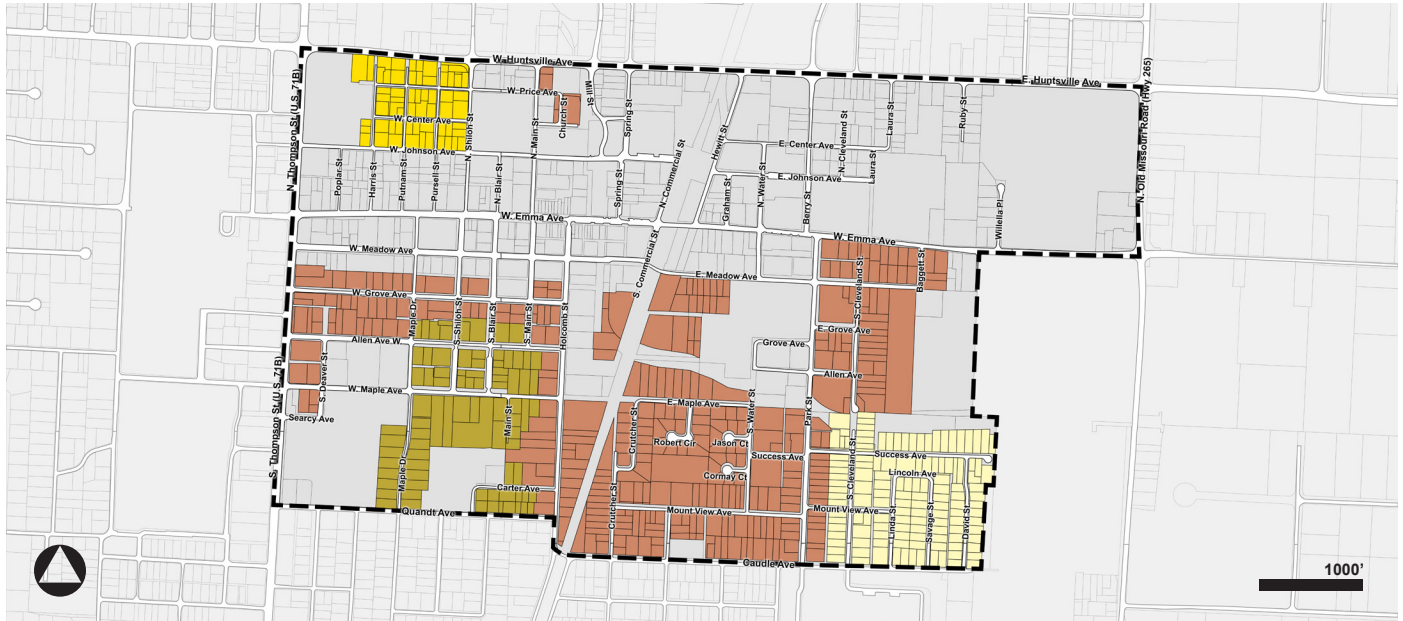
II - ACCESS

1. Access to these Building Types shall be through an open air / covered walkway between the Rear Garage and the Main Building.
2. If there is a second floor space, it shall be accessed by an internal or external staircase accessible only from the rear outdoor space of the Main Building.
3. If an alley is present, the building shall be accessed by vehicle through the alley.
4. Parking and services shall be accessed by way of a driveway to an above or below-grade garage from a Side Street. If there is no Side Street, then the access may be achieved from a Primary Street.
 - Minimum fifteen (15) feet wide.
5. On a corner lot, parking and services may be accessed by way of a driveway to an above or below-grade garage, and is limited to the Side Street only, unless no side street is present.
 - Minimum fifteen (15) feet wide.

III - OUTDOOR SPACE

1. There are no outdoor space requirements for Rear Garages. Refer to the outdoor space requirements of the Main Building for further information.

4.1.3 REAR GARAGE



IV - PRIMARY MATERIALS

Material Type

Brick masonry	YES
Natural quarried stone	YES
Stucco (cementitious finish)	YES
EIFS (Exterior insulation and finish system; maximum twenty (20) percent of facade area)	YES
Architectural precast concrete	CU
Decorative face concrete masonry units (such as split-face, scored, ground, burnished)	YES
Glass, glass curtain wall	NO
Wood, natural (siding)	YES
Cement fiber siding (James Hardie or equivalent)	YES
Plastic Siding (vinyl or UPVC)	NO
Textured or texture coated concrete panels	CU
Cement fiber panels (maximum twenty (20) percent of facade area)	YES
Prefabricated metal panels (such as Alucobond or metal interlocking panels)	NO
Other (new materials, post adoption date)	CU

CU = Conditional Use

See Section 4.3: Architectural Standards for further details.

Allowable

V - MASSING & ARTICULATION

1. Buildings shall be composed of one (1) and/or two (2) story volumes.
2. Buildings on corner lots shall be designed with two (2) Building Facades of equal architectural expression; addressing both Primary and Side Streets.
3. Primary Building Facades shall have multiple window openings.

VI - FRONTAGE TYPE

Frontage Type

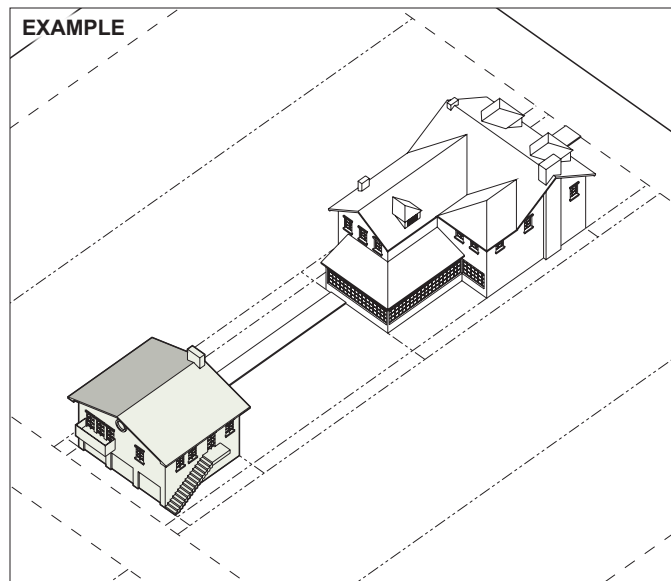
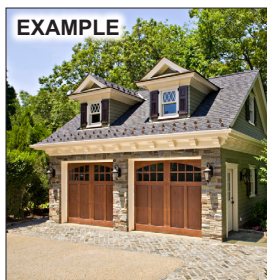
Common Yard
Porch
Stoop
Forecourt
Awnings & Canopies
Balconies
Terrace & Lightcourt
Bay Windows
Shopfront
Cafe

Allowable

N/A
N/A
N/A
N/A
N/A
N/A
N/A
N/A
N/A
N/A

See Section 4.2: Frontage Types for further details.

4.1.4 CARRIAGE HOUSE



I - DESCRIPTION

A Carriage House is described as a Building Type consisting of a single (1) Dwelling Unit which is located over a garage; or located on the ground floor, in lieu of vehicle storage. It is located at the back of a lot that includes a Main Building.

These building types are allowed in the Neighborhood Residential Type 2 (Bright Yellow) and Neighborhood Residential Type 3 (Dark Yellow) Building Envelope Standards shown in the diagram on the opposite page.

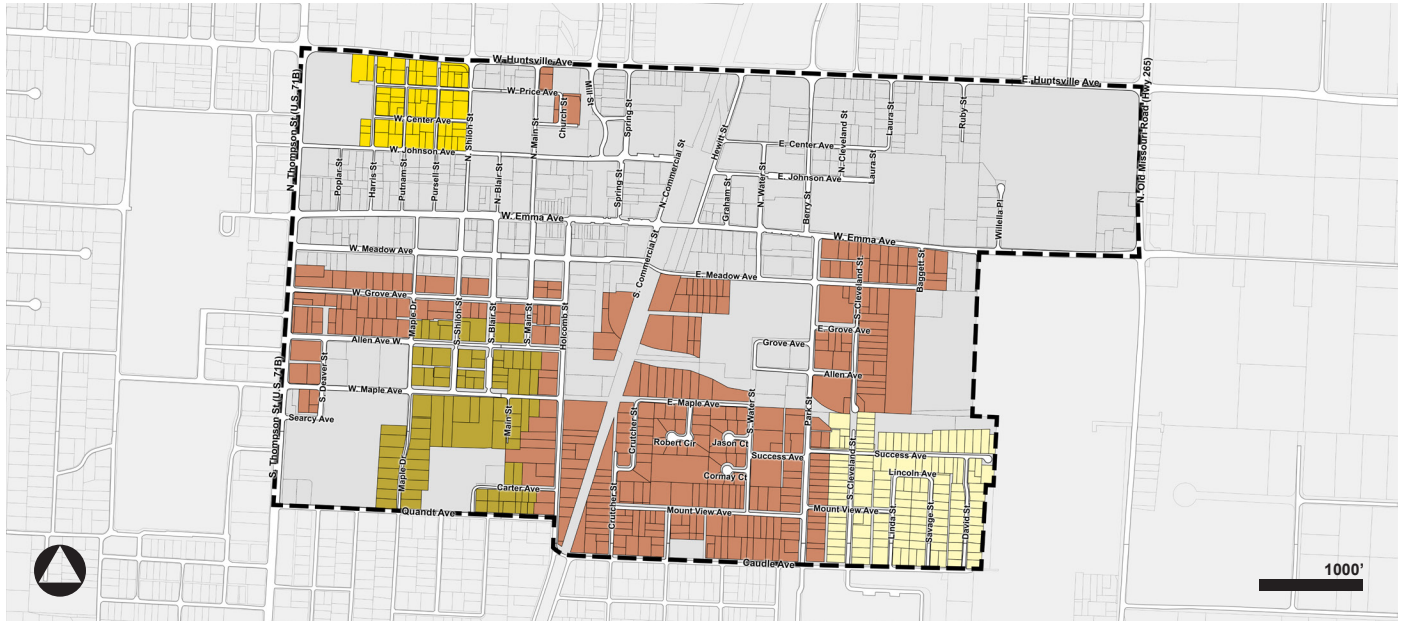
II - ACCESS

1. The main entrance to the dwelling shall be accessed from the Side Setback, Side Street or Rear Setback.
2. If an alley is present, the building shall be accessed by vehicle through the alley.
3. Parking and services shall be accessed by way of a driveway to an above or below-grade garage from a Side Street. If there is no Side Street, then the access may be achieved from a Primary Street.
 - Minimum fifteen (15) feet wide.
4. On a corner lot, parking and services may be accessed by way of a driveway to an above or below-grade garage, and is limited to the Side Street only, unless no side street is present.
 - Minimum fifteen (15) feet wide.

III - OUTDOOR SPACE

1. One (1) rear outdoor space shall be provided at-grade or via a balcony (or other exterior space) oriented toward the Rear Building Facade of the Main Building.
 - Minimum of one hundred and fifty (150 ft²)
 - One (1) dimension must be a minimum of ten (10') feet.
 - Must be regular geometry (a rectangle or square for example).
2. The rear outdoor space shall primarily include open turf grasses, ground vegetation and trees; but may also include items such as decks, swimming pools, and other hardscapes designed in conjunction with the outdoor space of the Main Building.
3. On a lot without an alley, these Building Types shall have the following setbacks in order to establish a minimum amount of open space surrounding the building:
 - Minimum Rear Setback of ten (10') feet.
 - Minimum Side Setback of five (5) feet.

4.1.4 CARRIAGE HOUSE



IV - PRIMARY MATERIALS

Material Type

Brick masonry	YES
Natural quarried stone	YES
Stucco (cementitious finish)	YES
EIFS (Exterior insulation and finish system; maximum twenty (20) percent of facade area)	YES
Architectural precast concrete	CU
Decorative face concrete masonry units (such as split-face, scored, ground, burnished)	YES
Glass, glass curtain wall	YES
Wood, natural (siding)	YES
Cement fiber siding (James Hardie or equivalent)	YES
Plastic Siding (vinyl or UPVC)	NO
Textured or texture coated concrete panels	CU
Cement fiber panels (maximum twenty (20) percent of facade area)	YES
Prefabricated metal panels (such as Alucobond or metal interlocking panels)	NO
Other (new materials, post adoption date)	CU

CU = Conditional Use

See Section 4.3: Architectural Standards for further details.

V - MASSING & ARTICULATION

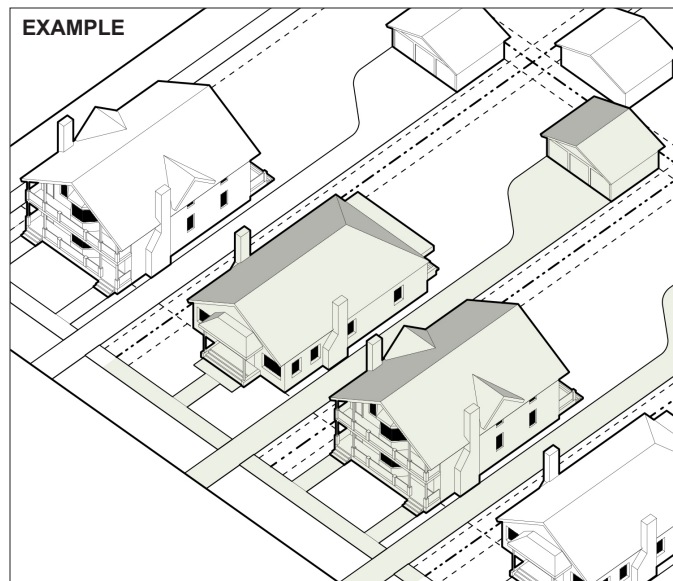
- Buildings, when not in conjunction with vehicle storage, shall be designed as a Townhouse; and shall have a maximum height of two (2) stories; and in no case be taller than the main building.
- Buildings, when in conjunction with vehicle storage, shall have a maximum height of three (3) stories and in no case be taller than the main building.
- Buildings, when attached to garages at-grade, shall be no taller than two (2) stories and in no case taller than the main building.
- All Buildings must meet the following:
 - Minimum seven hundred and fifty (750 ft²) square feet of habitable floor area is required.
 - Maximum story height of twelve (12') feet (floor to floor).
- Buildings shall not exceed one half (1/2) of the Main Building's habitable floor area.
- Buildings on corner lots shall be designed with two (2) Building Facades of equal architectural expression; addressing both Primary and Side Streets.
- Primary Building Facades shall have multiple window openings.

VI - FRONTAGE TYPE

Frontage Type	Allowable
Common Yard	N/A
Porch	N/A
Stoop	N/A
Forecourt	N/A
Awnings & Canopies	N/A
Balconies	N/A
Terrace & Lightcourt	N/A
Bay Windows	N/A
Shopfront	N/A
Cafe	N/A

See Section 4.2: Frontage Types for further details.

4.1.5 DUPLEX



I - DESCRIPTION

Duplexes are a Building Type described as two (2) dwelling units in a single (1) freestanding building that is architecturally compatible with Detached Single Family Dwellings.

These building types are allowed in the Neighborhood Residential Type 1 (Light Yellow), Neighborhood Residential Type 3 (Dark Yellow), and Neighborhood Center Type 2 (Salmon) Building Envelope Standards shown in the diagram on the opposite page.

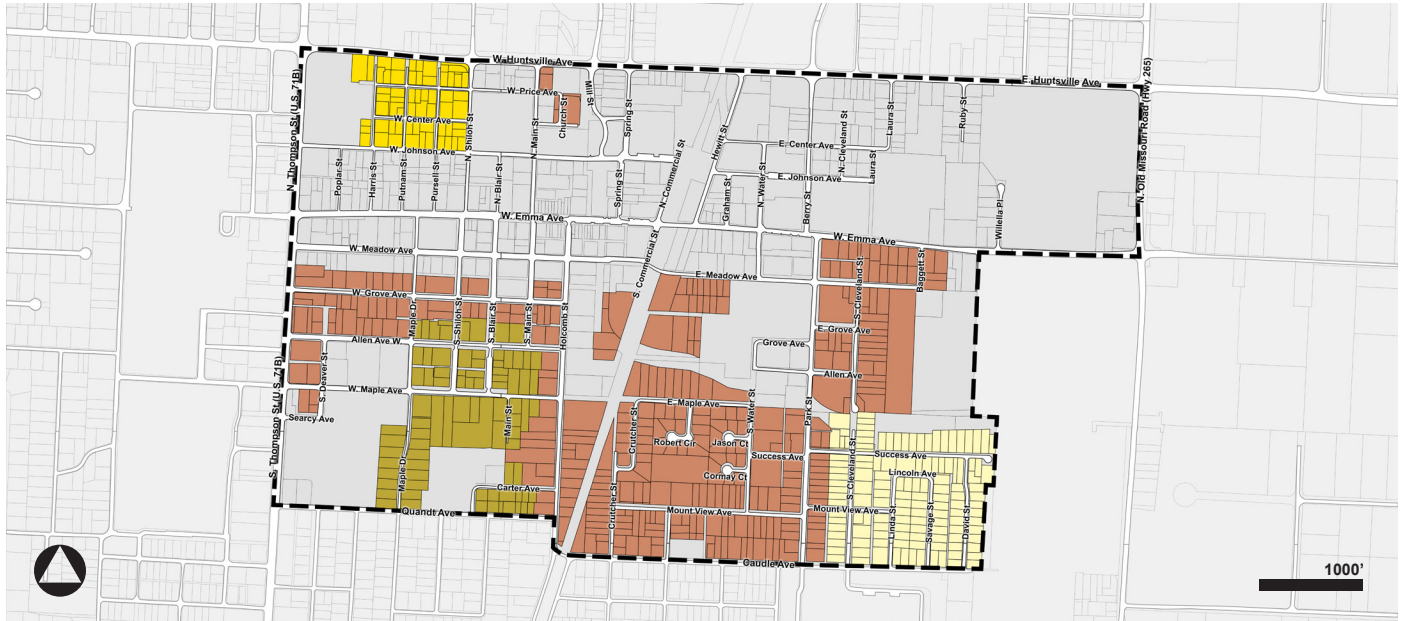
II - ACCESS

1. Access to these Building Types is generally encouraged to be from the Primary Building Facade facing the Primary Street or Side Street; however, side entrances on Secondary Building Facades are allowed in combination with a sidewalk to and from the Primary Street or Side Street for access
2. Access to the second floor Dwelling Units shall be by a stair which is roofed or enclosed.
3. If an alley is present, the building shall be accessed by vehicle through the alley.
4. Parking and services shall be accessed by way of a driveway to an above or below-grade garage from a Side Street. If there is no Side Street, then the access may be achieved from a Primary Street.
 - Minimum fifteen (15) feet wide.
5. On a corner lot, parking and services may be accessed by way of a driveway to an above or below-grade garage, and is limited to the Side Street only, unless no side street is present.
 - Minimum fifteen (15) feet wide.

III - OUTDOOR SPACE

1. One (1) front outdoor space shall be defined by the Primary Street Build-to-Line and allowable Frontage Types for the Building Type.
2. One (1) rear outdoor space shall be provided behind this Building Type with the following specifications:
 - Minimum of fifteen (15%) percent of the lot area.
 - Must be regular geometry (a rectangle or square for example).
 - One (1) dimension must be a minimum of twenty (20') feet.
3. The rear outdoor space (at-grade) shall primarily include open turf grasses, ground vegetation and trees; but may also include items such as decks, swimming pools, and other hardscapes.

4.1.5 DUPLEX



IV - PRIMARY MATERIALS

Material Type

Brick masonry	YES
Natural quarried stone	YES
Stucco (cementitious finish)	YES
EIFS (Exterior insulation and finish system; maximum twenty (20) percent of facade area)	YES
Architectural precast concrete	CU
Decorative face concrete masonry units (such as split-face, scored, ground, burnished)	YES
Glass, glass curtain wall	YES
Wood, natural (siding)	YES
Cement fiber siding (James Hardie or equivalent)	YES
Plastic Siding (vinyl or UPVC)	NO
Textured or texture coated concrete panels	CU
Cement fiber panels (maximum twenty (20) percent of facade area)	YES
Prefabricated metal panels (such as Alucobond or metal interlocking panels)	NO
Other (new materials, post adoption date)	CU

CU = Conditional Use

See Section 4.3: Architectural Standards for further details.

Allowable

V - MASSING & ARTICULATION

1. Buildings on infill lots shall be designed to address the Primary Street.
2. Buildings on corner lots shall be designed with two (2) Building Facades with architectural expression; addressing both Primary and Side Streets.
3. Primary Building Facades shall have multiple window openings.
4. Dwelling Units within buildings may be one (1) or multiple stories.
5. Buildings shall be composed of two (2) and/or three (3) story volumes.

VI - FRONTAGE TYPE

Frontage Type

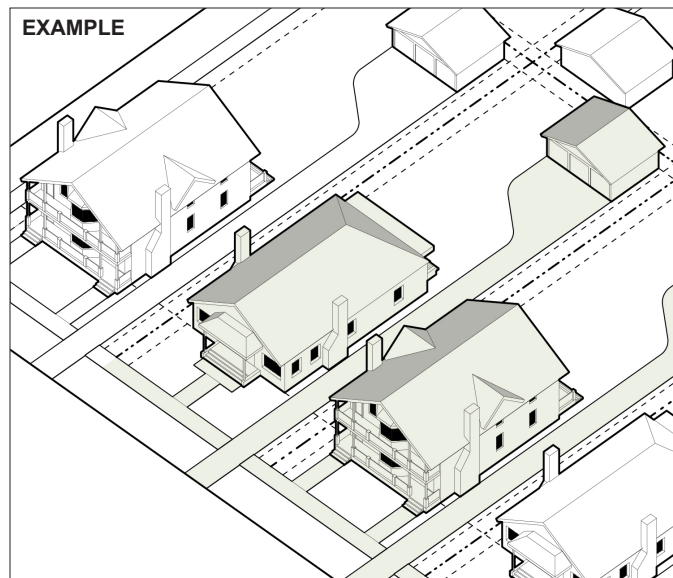
Common Yard
Porch
Stoop
Forecourt
Awnings & Canopies
Balconies
Terrace & Lightcourt
Bay Windows
Shopfront
Cafe

Allowable

YES
YES
YES
YES
Only if porch is present
YES
NO
YES
NO
NO

See Section 4.2: Frontage Types for further details.

4.1.6 DUPLEX BUNGALOW



I - DESCRIPTION

A Duplex Bungalow is described as two (2) dwelling units in a single (1) freestanding building that is architecturally compatible with Single Family Bungalow dwellings. This building type is characterized by a minimum one-and-a-half (1-1/2) story building massing; large, full-width front porch; and/or a prominent second story dormer on the front facade. Rear Garages (detached) or Carriage Houses should be located behind the Detached Single Family Dwelling, accessed by a side-yard driveway.

These building types are allowed in Residential 1, 2, and 3 and Neighborhood Center 2 Building Envelope Standards shown in the diagram on the opposite page.

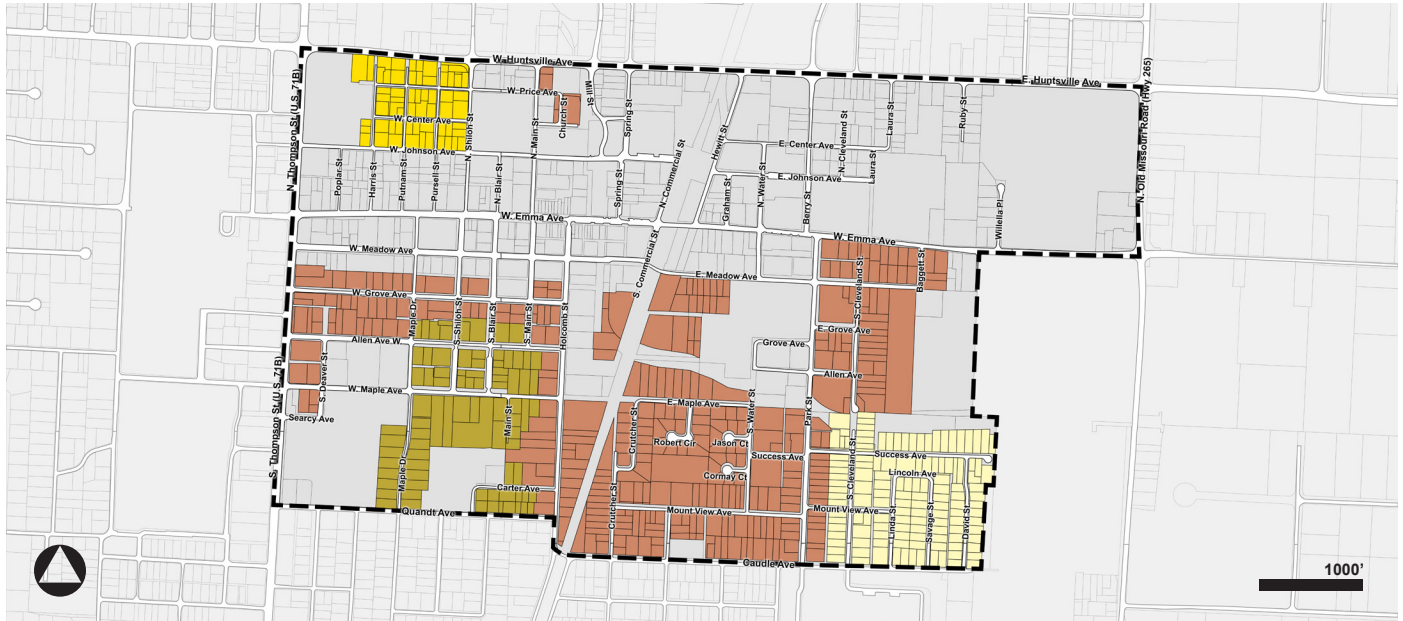
II - ACCESS

1. Access to these Building Types is generally encouraged to be from the Primary Building Facade facing the Primary Street or Side Street; however, side entrances on Secondary Building Facades are allowed in combination with a sidewalk to and from the Primary Street or Side Street for access.
2. Access to any second floor Dwelling Units shall be by an internal staircase.
3. If an alley is present, the building shall be accessed by vehicle through the alley.
4. Parking and services shall be accessed by way of a driveway to an above or below-grade garage from a Side Street. If there is no Side Street, then the access may be achieved from a Primary Street.
 - Minimum fifteen (15) feet wide.
5. On a corner lot, parking and services may be accessed by way of a driveway to an above or below-grade garage, and is limited to the Side Street only, unless no side street is present.
 - Minimum fifteen (15) feet wide.

III - OUTDOOR SPACE

1. One (1) front outdoor space shall be defined by the Primary Street Build-to-Line and allowable Frontage Types for the Building Type.
2. One (1) rear outdoor space shall be provided behind this Building Type with the following specifications:
 - Minimum of fifteen (15%) percent of the lot area.
 - Must be regular geometry (a rectangle or square for example).
 - One (1) dimension must be a minimum of twenty (20') feet.
3. The rear outdoor space (at-grade) shall primarily include open turf grasses, ground vegetation and trees; but may also include items such as decks, swimming pools, and other hardscapes.

4.1.6 DUPLEX BUNGALOW



IV - PRIMARY MATERIALS

Material Type

Brick masonry	YES
Natural quarried stone	YES
Stucco (cementitious finish)	YES
EIFS (Exterior insulation and finish system; maximum twenty (20) percent of facade area)	YES
Architectural precast concrete	CU
Decorative face concrete masonry units (such as split-face, scored, ground, burnished)	YES
Glass, glass curtain wall	YES
Wood, natural (siding)	YES
Cement fiber siding (James Hardie or equivalent)	YES
Plastic Siding (vinyl or UPVC)	NO
Textured or texture coated concrete panels	CU
Cement fiber panels (maximum twenty (20) percent of facade area)	YES
Prefabricated metal panels (such as Alucobond or metal interlocking panels)	NO
Other (new materials, post adoption date)	CU

CU = Conditional Use

See Section 4.3: Architectural Standards for further details.

Allowable

V - MASSING & ARTICULATION

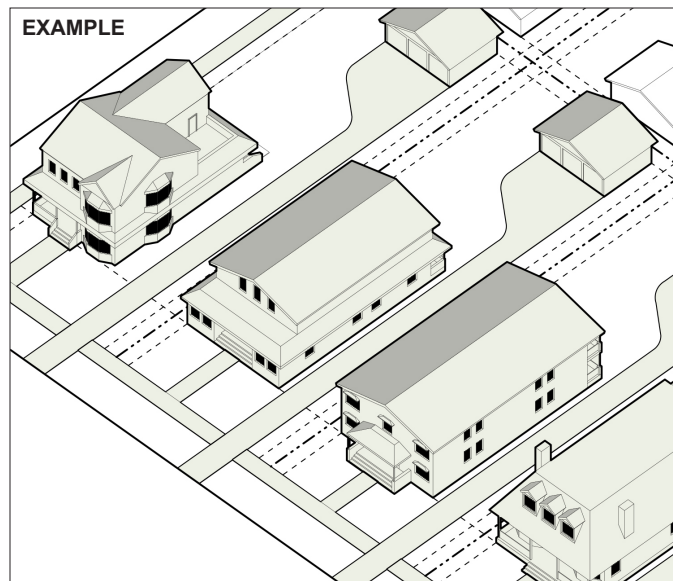
1. Buildings on infill lots shall be designed to address the Primary Street.
2. Buildings on corner lots shall be designed with two (2) Building Facades with architectural expression; addressing both Primary and Side Streets.
3. Primary Building Facades shall have multiple window openings.
4. Dwelling Units within buildings may be one (1) or multiple stories.
5. Buildings shall be composed of two (2) and/or three (3) story volumes.

VI - FRONTAGE TYPE

Frontage Type	Allowable
Common Yard	YES
Porch	YES
Stoop	YES
Forecourt	YES
Awnings & Canopies	Only if porch is present
Balconies	YES
Terrace & Lightcourt	NO
Bay Windows	YES
Shopfront	NO
Cafe	NO

See Section 4.2: Frontage Types for further details.

4.1.7 TRIPLEX AND FOURPLEX



I - DESCRIPTION

Triplices and Fourplexes are a Building Type described as three (3) or four (4) dwelling units in a single (1) freestanding building that is architecturally compatible with Detached Single Family Dwellings.

These building types are allowed in the Neighborhood Center Type 2 (Salmon) Building Envelope Standard shown in the diagram on the opposite page.

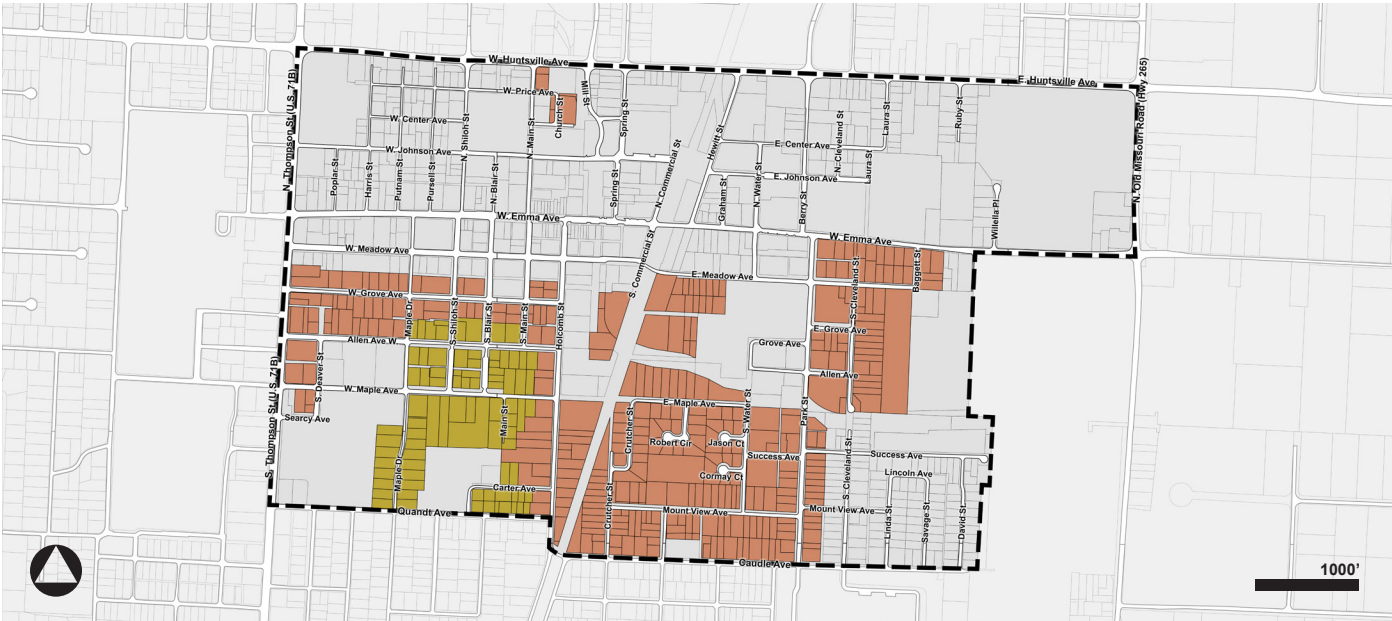
II - ACCESS

1. Access to these Building Types is generally encouraged to be from the Primary Building Facade facing the Primary Street or Side Street; however, side entrances on Secondary Building Facades are allowed in combination with a sidewalk to and from the Primary Street or Side Street for access
2. Access to the second floor Dwelling Units shall be by a stair which is roofed or enclosed.
3. If an alley is present, the building shall be accessed by vehicle through the alley.
4. Parking and services shall be accessed by way of a driveway to an above or below-grade garage from a Side Street. If there is no Side Street, then the access may be achieved from a Primary Street.
 - Minimum fifteen (15) feet wide.
5. On a corner lot, parking and services may be accessed by way of a driveway to an above or below-grade garage, and is limited to the Side Street only, unless no side street is present.
 - Minimum fifteen (15) feet wide.

III - OUTDOOR SPACE

1. One (1) front outdoor space shall be defined by the Primary Street Build-to-Line and allowable Frontage Types for the Building Type.
2. One (1) rear outdoor space shall be provided at-grade of via a balcony not oriented toward a Side Setback for each dwelling unit.
 - Minimum of one hundred and fifty (150 ft²)
 - One (1) dimension must be a minimum of ten (10') feet.
 - Must be regular geometry (a rectangle or square for example).
3. The rear outdoor space (at-grade) shall primarily include open turf grasses, ground vegetation and trees; but may also include items such as decks, swimming pools, and other hardscapes.

4.1.7 TRIPLEX AND FOURPLEX



IV - PRIMARY MATERIALS

Material Type	Allowable
Brick masonry	YES
Natural quarried stone	YES
Stucco (cementitious finish)	YES
EIFS (Exterior insulation and finish system; maximum twenty (20) percent of facade area)	YES
Architectural precast concrete	CU
Decorative face concrete masonry units (such as split-face, scored, ground, burnished)	YES
Glass, glass curtain wall	YES
Wood, natural (siding)	YES
Cement fiber siding (James Hardie or equivalent)	YES
Plastic Siding (vinyl or UPVC)	NO
Textured or texture coated concrete panels	CU
Cement fiber panels (maximum twenty (20) percent of facade area)	YES
Prefabricated metal panels (such as Alucobond or metal interlocking panels)	NO
Other (new materials, post adoption date)	CU
CU = Conditional Use	
See Section 4.3: Architectural Standards for further details.	

V - MASSING & ARTICULATION

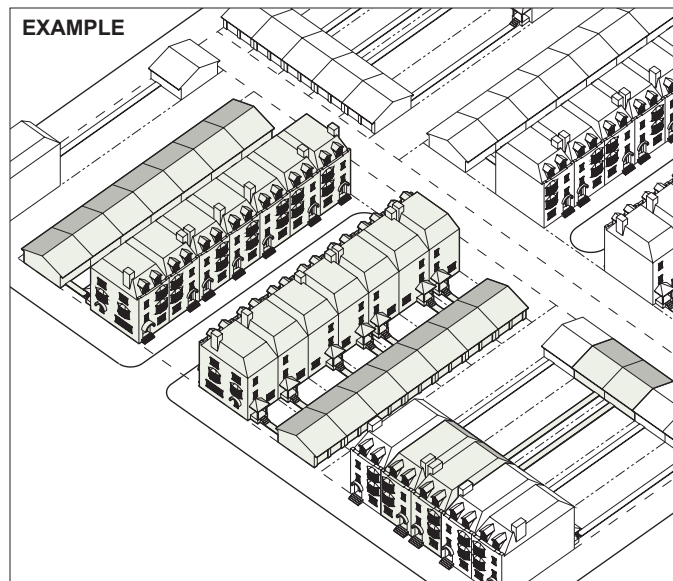
1. Buildings on infill lots shall be designed to address the Primary Street.
2. Buildings on corner lots shall be designed with two (2) Building Facades with architectural expression; addressing both Primary and Side Streets.
3. Primary Building Facades shall have multiple window openings.
4. Dwelling Units within buildings may be one (1) or multiple stories.
5. Buildings shall be composed of two (2) and/or three (3) story volumes.
6. Dwelling Units may be repetitive or unique as established by design.

VI - FRONTAGE TYPE

Frontage Type	Allowable
Common Yard	YES
Porch	YES
Stoop	YES
Forecourt	YES
Awnings & Canopies	Only if porch is present
Balconies	YES
Terrace & Lightcourt	NO
Bay Windows	YES
Shopfront	NO
Cafe	NO

See Section 4.2: Frontage Types for further details.

4.1.8 ROWHOUSE AND COURTYARD ROWHOUSE



I - DESCRIPTION

A Rowhouse and Courtyard Rowhouse is described as one of a group of attached dwelling units divided from each other by at least one common wall, each having a separate entrance leading directly to the outdoors at ground level. Units may abut other units at the property line, or share common walls.

These building types are allowed in the Neighborhood Center Type 2 (Salmon) Building Envelope Standard shown in the diagram on the opposite page.

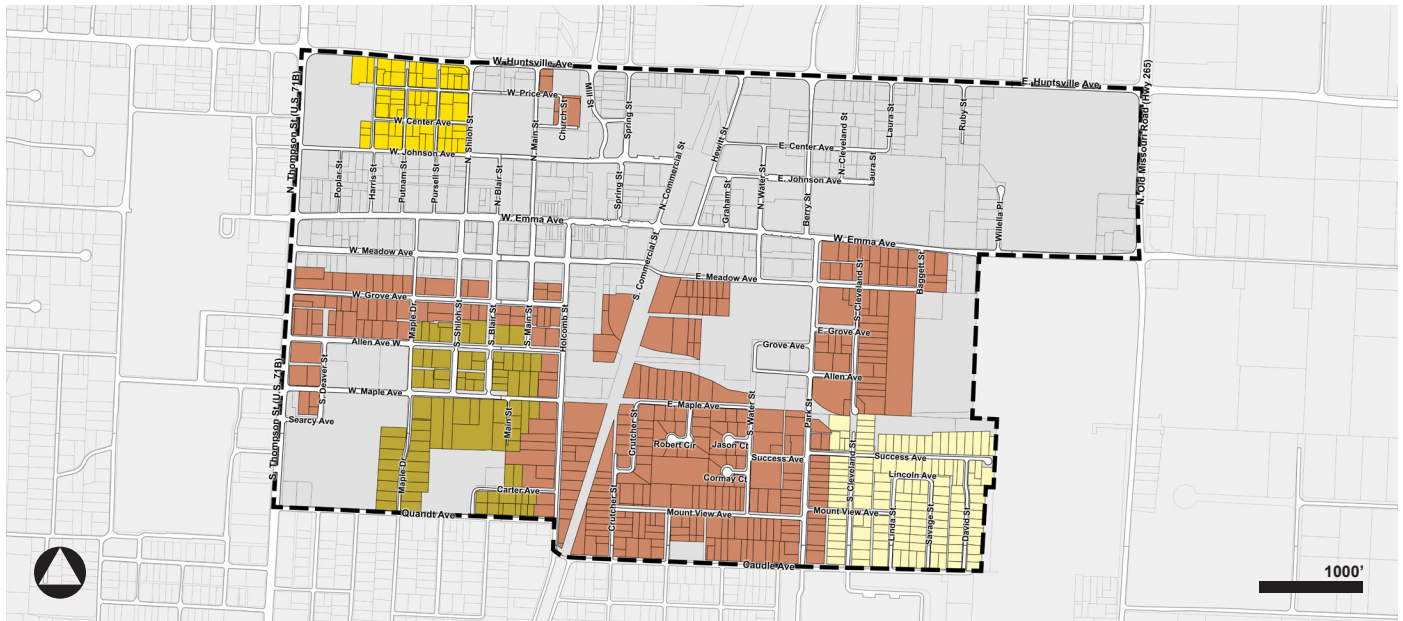
II - ACCESS

1. For Rowhouses, the main entrance to each dwelling shall be accessed directly from the Primary Building Facade on the Primary Street or Side Street.
2. For Courtyard Rowhouses, the main entrance to each dwelling shall be accessed from the courtyard, or private driveway through the courtyard.
3. If an alley is present, the building shall be accessed by vehicle through the alley.
4. Where an alley is not present, parking and services shall be accessed from the street by way of a two-way driveway into a rear or subterranean garage.
 - Minimum twenty-four (24') feet wide.

III - OUTDOOR SPACE

1. One (1) front outdoor space shall be defined by the Primary Street Build-to-Line and allowable Frontage Types for the Building Type, or a common courtyard and allowable Frontage Type for the building.
2. One (1) rear outdoor space shall be provided behind this Building Type.
 - Minimum of fifteen (15%) percent of the lot area.
 - One (1) dimension must be a minimum of twenty (20') feet.
 - Must be regular geometry (a rectangle or square for example).
3. The rear outdoor space shall primarily include open turf grasses, ground vegetation and trees; but may also include items such as decks, swimming pools, and other hardscapes.

4.1.8 ROWHOUSE AND COURTYARD ROWHOUSE



IV - PRIMARY MATERIALS

Material Type	Allowable
Brick masonry	YES
Natural quarried stone	YES
Stucco (cementitious finish)	YES
EIFS (Exterior insulation and finish system; maximum twenty (20) percent of facade area)	YES
Architectural precast concrete	CU
Decorative face concrete masonry units (such as split-face, scored, ground, burnished)	YES
Glass, glass curtain wall	YES
Wood, natural (siding)	YES
Cement fiber siding (James Hardie or equivalent)	YES
Plastic Siding (vinyl or UPVC)	NO
Textured or texture coated concrete panels	CU
Cement fiber panels (maximum twenty (20) percent of facade area)	YES
Prefabricated metal panels (such as Alucobond or metal interlocking panels)	NO
Other (new materials, post adoption date)	CU

CU = Conditional Use

See Section 4.3: Architectural Standards for further details.

V - MASSING & ARTICULATION

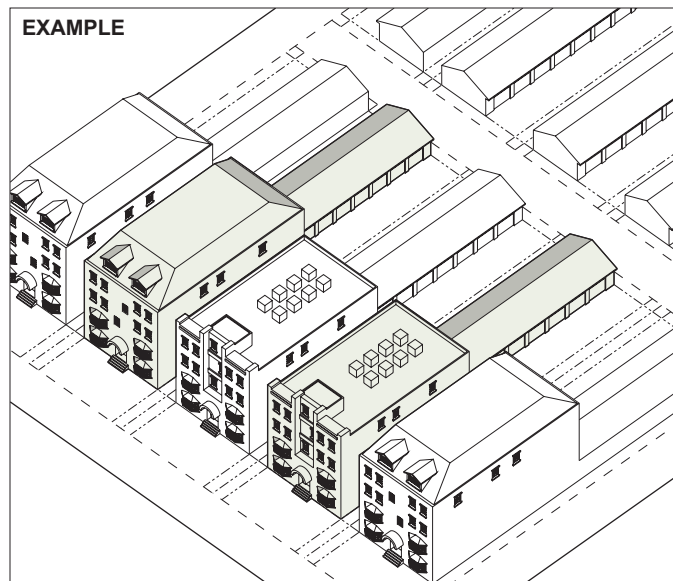
- Buildings shall be comprised of two (2) and three (3) story volumes.
- Buildings may contain any combination of dwelling type configurations: Flats, Townhouses, and Lofts.
- Buildings on corner lots shall be designed with two (2) Building Facades with architectural expression; addressing both Primary and Side Streets.
- Primary Building Facades shall have multiple window openings.
- In a three (3) story building, a two (2) story dwelling unit may be stacked over a ground floor one (1) story dwelling unit (Flat). In this case, the Flat shall be accessed by its own front entrance facing the Primary Street's Build-to-Line or the courtyard driveway if a Courtyard Rowhouse, and the two (2) story dwelling unit shall be accessed by a separate front entrance with an internal staircase also to be facing the Primary Street's Build-to-Line or the courtyard driveway if a Courtyard Rowhouse.
- In a two (2) story building, the two (2) story dwelling unit shall be accessed by a front entrance facing the Primary Street's Build-to-Line or the courtyard driveway if a Courtyard Rowhouse.
- Dwelling Units may be repetitive or unique as established by design.

VI - FRONTAGE TYPE

Frontage Type	Allowable
Common Yard	YES
Porch	YES
Stoop	YES
Forecourt	YES
Awnings & Canopies	Only if porch is present
Balconies	YES
Terrace & Lightcourt	NO
Bay Windows	YES
Shopfront	NO
Cafe	NO

See Section 4.2: Frontage Types for further details.

4.1.9 STACKED FLATS



I - DESCRIPTION

Stacked Flats are described as multiple, single (1) floor Dwelling Units in a single (1) freestanding building, in which the principal entry to building is common and the common entrance is from the Primary Street.

These building types are allowed in the Neighborhood Center Type 2 (Salmon) Building Envelope Standard shown in the diagram on the opposite page.

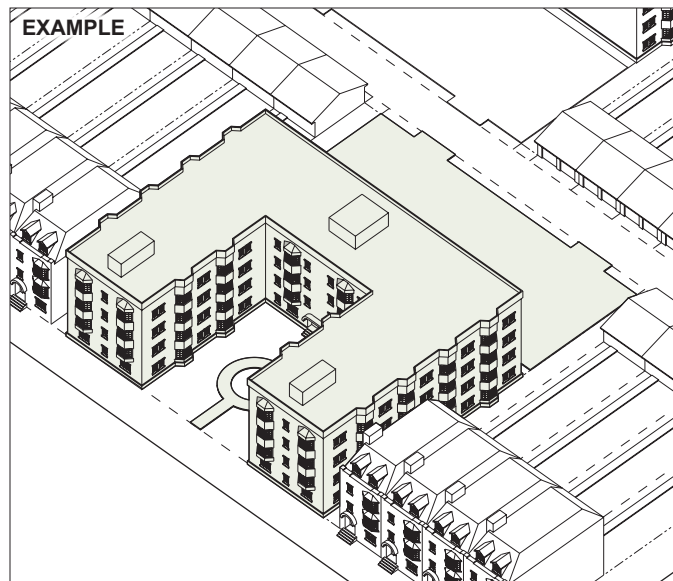
II - ACCESS

1. The main entrance to the building shall be through a street level lobby directly accessible from the Primary Building Facade on the Primary Street or Side Street.
2. Interior circulation to each dwelling unit shall be through a corridor which may be single or double loaded.
3. If an alley is present, parking and services shall be accessed from that alley.
4. Where an alley is not present, parking and services shall be accessed from the street by way of a two-way driveway into a rear or subterranean garage.
 - Minimum twenty-four (24') feet wide.

III - OUTDOOR SPACE

1. One (1) front outdoor space shall be defined by the Primary Street Build-to-Line and allowable Frontage Types for the Building Type.
2. One (1) rear outdoor shall be defined by the back facade of the building, and its relationship to the Property Line.
 - One (1) dimension must be a minimum of twenty (20') feet.
 - Must be regular geometry (a rectangle or square for example).
3. The rear outdoor space shall primarily include open turf grasses, ground vegetation and trees; but may also include items such as decks, swimming pools, and other hardscapes.

4.1.10 COURTYARD BUILDING



I - DESCRIPTION

Courtyard Buildings are a Building Type consisting of multiple Dwelling Units arrayed next to each other in a single (1) freestanding building to form a shared court that is partly or wholly open to the street.

These building types are allowed in the Neighborhood Center Type 2 (Salmon) Building Envelope Standard shown in the diagram on the opposite page.

II - ACCESS

1. The building may have one (1) or a few common entries.
2. For buildings three (3) to five (5) stories, the main entrance to each ground floor dwelling may be directly off a common courtyard through an allowed Frontage Type (i.e. Porch, Stoop, Terrace & Lightcourt) or have common access through a street-level lobby directly off a common courtyard. Entrances to each dwelling on floors above the ground floor shall be accessed through a street-level lobby with a common building entrance off a common courtyard.
3. Interior circulation to each dwelling unit shall be through a corridor which may be single or double loaded.
4. If an alley is present, parking and services shall be accessed from that alley.
5. Where an alley is not present, parking and services shall be accessed from the street by way of a two-way driveway into a rear or subterranean garage.
 - Minimum twenty-four (24') feet wide.

III - OUTDOOR SPACE

1. Front outdoor space is defined by the street Build-to-Line and allowable Frontage Types for the Building Type.
2. Rear outdoor space is defined by the back facade of the building, and its relationship to the back Property Line. Rear outdoor space is to be used for dwelling unit parking.
3. The primary shared open space is the Courtyard Space which shall be designed as a courtyard and/or partial, multiple, separated, or interconnected courtyards.
 - Minimum of fifteen (15%) percent of the lot area.
4. The primary shared open space is the Courtyard Space which shall primarily include open turf grasses, ground vegetation and trees; but may also include items such as decks, swimming pools, and other hardscapes.
5. Private open spaces may be provided in Side Setbacks or Rear Setbacks; and included courtyards, balconies, and roof decks.

4.1.10 COURTYARD BUILDING



IV - PRIMARY MATERIALS

Material Type

Brick masonry	YES
Natural quarried stone	YES
Stucco (cementitious finish)	YES
EIFS (Exterior insulation and finish system; maximum twenty (20) percent of facade area)	YES
Architectural precast concrete	CU
Decorative face concrete masonry units (such as split-face, scored, ground, burnished)	YES
Glass, glass curtain wall	YES
Wood, natural (siding)	YES
Cement fiber siding (James Hardie or equivalent)	NO
Plastic Siding (vinyl or UPVC)	NO
Textured or texture coated concrete panels	CU
Cement fiber panels (maximum twenty (20) percent of facade area)	YES
Prefabricated metal panels (such as Alucobond or metal interlocking panels)	CU
Other (new materials, post adoption date)	CU

CU = Conditional Use

See Section 4.3: Architectural Standards for further details.

Allowable

V - MASSING & ARTICULATION

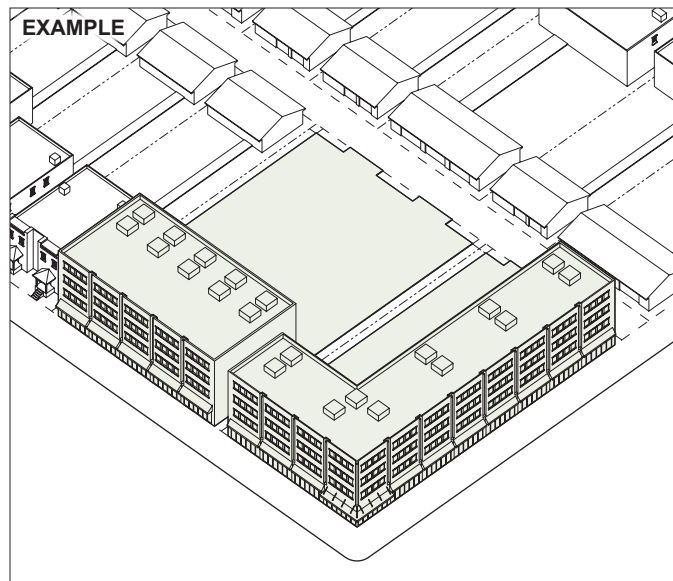
1. Buildings may contain any combination of dwelling type configurations: Flats, Townhouses, and Lofts.
2. Buildings on corner lots shall be designed with two (2) Building Facades with architectural expression; addressing both Primary and Side Streets.
3. Primary Building Facades shall have multiple window openings.
4. Dwelling Units may be repetitive or unique as established by design.
5. Buildings shall be comprised of a singular (1) volume in a "U" or "E" plan configuration and building design. Multiple building designs and/or unit volumes should not be expressed.
6. The visibility of elevators and exterior corridors shall be minimized by incorporation into the mass of the building.

VI - FRONTAGE TYPE

Frontage Type	Allowable
Common Yard	YES
Porch	YES
Stoop	YES
Forecourt	YES
Awnings & Canopies	NO
Balconies	YES
Terrace & Lightcourt	YES
Bay Windows	YES
Shopfront	NO
Cafe	NO

See Section 4.2: Frontage Types for further details.

4.1.11 COMMERCIAL BLOCK BUILDING



I - DESCRIPTION

A Commercial Block Building is a multi-story standard rectangular urban building form designed to support a mix of office, primary retail, and secondary retail uses on the ground floor with residential above.

These building types are allowed in the Neighborhood Center Type 1 (Red), Neighborhood Center Type 2 (Salmon), Campus Type 1 (Medium Blue), and Campus Type 2 (Light Blue) Building Envelope Standard shown in the diagram on the opposite page.

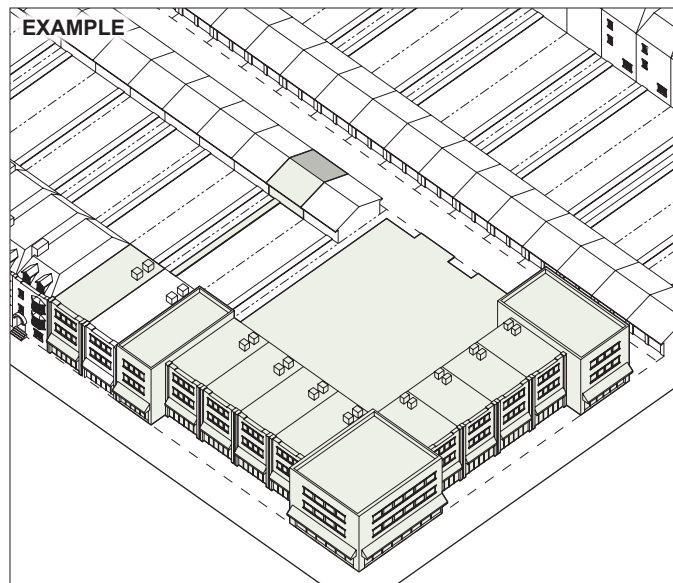
II - ACCESS

1. The main entrance to each non-residential ground floor unit shall be directly accessible from the Primary Building Facade to the Primary Street or Side Street.
2. The main entrance to each dwelling unit or non-residential area above the ground floor shall be accessible by a lobby directly accessible from the Primary Building Facade to the Primary Street or Side Street.
3. Interior circulation to each dwelling unit shall be through a corridor which may be single or double loaded.
4. Where an alley is present, parking and services shall be accessed from an alley.
5. Where an alley is not present, parking and services shall be accessed from the Side Street by way of a two-way driveway.
 - Maximum eighteen (18') feet wide.
6. Loading docks, overhead doors, and other service entries are prohibited on Primary Streets and Side Street; and are only allowed on alley frontage.

III - OUTDOOR SPACE

1. Front outdoor space is defined by the street Build-to-Line and allowable Frontage Types for the Building Type.
2. Rear outdoor space is defined by the back facade of the building, and its relationship to the back Property Line.
3. Side Setbacks may also be used for outdoor patios connected to other ground floor Primary Retail or Secondary Retail uses.

4.1.12 LIVE | WORK UNITS



I - DESCRIPTION

Live | Work units are multi-story buildings that can be used flexibly for work | live, work | work, and live | live purposes. Dwelling Units can be located above the ground floor or attached to the rear of a storefront.

These building types are allowed in the Neighborhood Center Type 1 (Red), Neighborhood Center Type 2 (Salmon), Campus Type 1 (Medium Blue), and Campus Type 2 (Light Blue) Building Envelope Standard shown in the diagram on the opposite page.

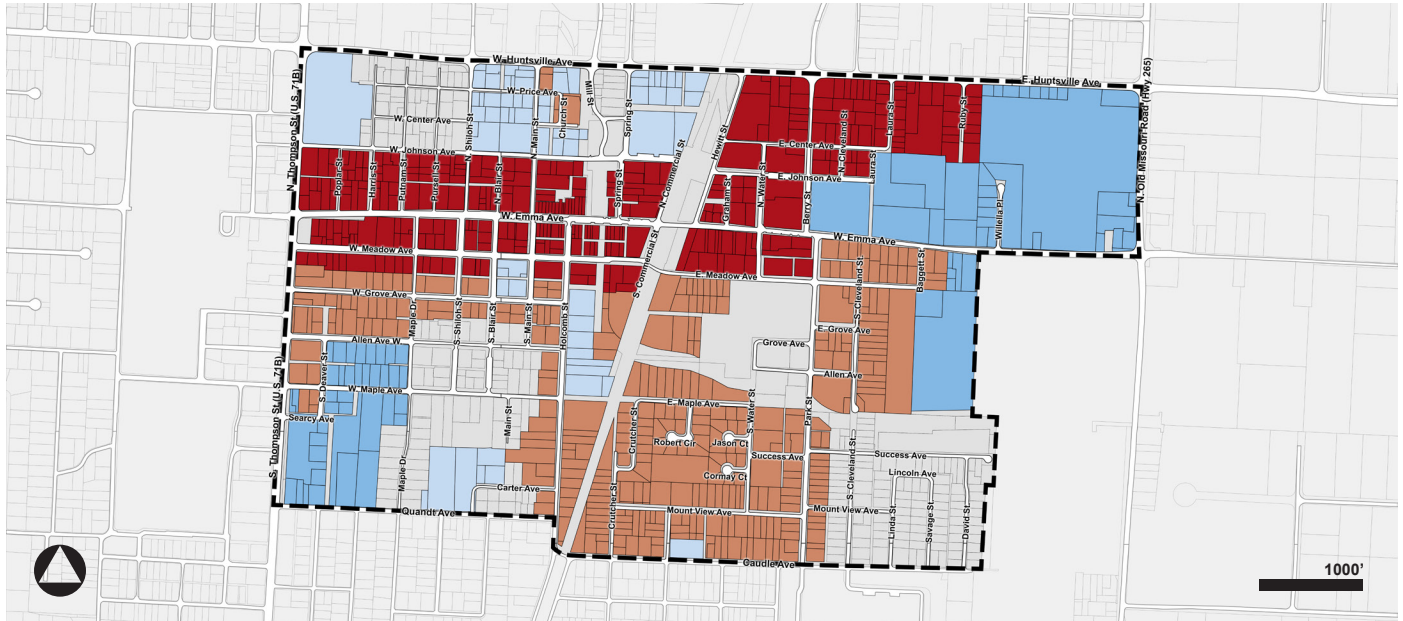
II - ACCESS

1. The main entrance to each ground floor area / dwelling unit shall be directly accessible from the Primary Building Facade on the Primary Street or Side Street.
2. Where an alley is present, parking and services shall be accessed from an alley.
3. Live | Work spaces shall not be allowed where alleys do not exist; where all parking and services shall occur from the alley.
4. Loading docks, overhead doors, and other service entries are prohibited on Primary Streets and Side Streets; and are only allowed on alley frontage.

III - OUTDOOR SPACE

1. Front outdoor space is defined by the street Build-to-Line and allowable Frontage Types for the Building Type.
2. Rear outdoor space is defined by the back facade of the building, and its relationship to the back Property Line.
3. Side Setbacks may also be used for outdoor patios connected to other ground floor Primary Retail or Secondary Retail uses.
4. Private patios may be provided in Side Setbacks and Rear Setbacks.

4.1.12 LIVE | WORK UNITS



IV - PRIMARY MATERIALS

Material Type

Brick masonry	YES
Natural quarried stone	YES
Stucco (cementitious finish)	YES
EIFS (Exterior insulation and finish system; maximum twenty (20) percent of facade area)	YES
Architectural precast concrete	CU
Decorative face concrete masonry units (such as split-face, scored, ground, burnished)	YES
Glass, glass curtain wall	YES
Wood, natural (siding)	YES
Cement fiber siding (James Hardie or equivalent)	YES
Plastic Siding (vinyl or UPVC)	NO
Textured or texture coated concrete panels	CU
Cement fiber panels (maximum twenty (20) percent of facade area)	YES
Prefabricated metal panels (such as Alucobond or metal interlocking panels)	CU
Other (new materials, post adoption date)	CU

CU = Conditional Use

See Section 4.3: Architectural Standards for further details.

Allowable

V - MASSING & ARTICULATION

1. Buildings may contain any combination of dwelling type configurations: Flats, Townhouses, and Lofts.
2. Buildings on corner lots shall be designed with two (2) Building Facades with architectural expression; addressing both Primary and Side Streets.
3. Primary Building Facades shall have multiple window openings.
4. Dwelling Units may be repetitive or unique as established by design.

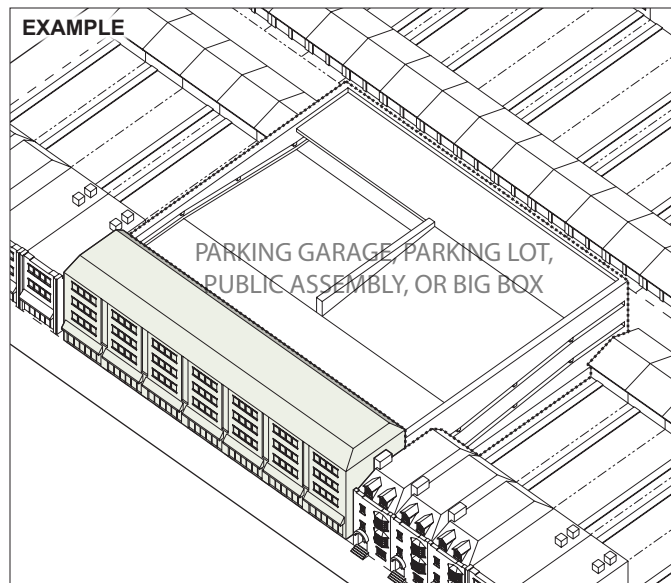
VI - FRONTAGE TYPE

Frontage Type

Frontage Type	Allowable
Common Yard	YES
Porch	NO
Stoop	NO
Forecourt	NO
Awnings & Canopies	YES
Balconies	YES
Terrace & Lightcourt	NO
Bay Windows	YES
Shopfront	YES
Cafe	YES

See Section 4.2: Frontage Types for further details.

4.1.13 LINER BUILDING



I - DESCRIPTION

A Building Type specifically designed to mask a parking lot, parking garage, public assembly or large retail facility (big box) from a street.

These building types are allowed in the Neighborhood Center Type 1 (Red), Neighborhood Center Type 2 (Salmon), Campus Type 1 (Medium Blue), and Campus Type 2 (Light Blue) Building Envelope Standard shown in the diagram on the opposite page.

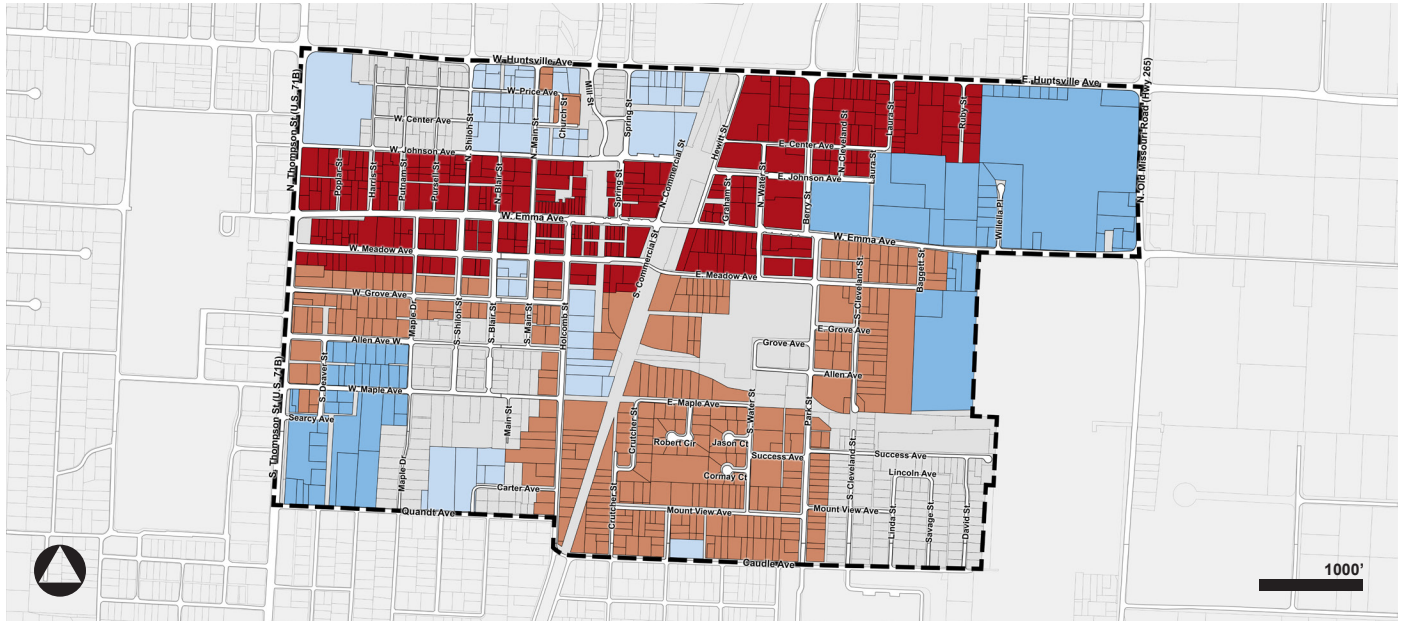
II - ACCESS

1. The main entrance to each ground floor area / Dwelling Unit shall be directly accessible from the Primary Building Facade from the Primary or Side Street.
2. The main entrance to each Dwelling Unit or non-residential areas above the ground floor shall be accessible by a street level lobby which shall be directly accessible from the Primary Building Facade from the Primary or Side Street.
3. Interior circulation to each dwelling unit shall be through a corridor which shall be single loaded.
4. Where an alley is present, parking and services shall be accessed from an alley.
5. Where an alley is not present, parking and services shall be accessed from a Side Street by way of a two-way driveway.
 - Maximum eighteen (18') feet wide.

III - OUTDOOR SPACE

1. Front outdoor space is defined by the street Build-to-Line and allowable Frontage Types for the Building Type.
2. There are no rear outdoor space requirements for Liner Buildings.

4.1.13 LINER BUILDING



IV - PRIMARY MATERIALS

Material Type	Allowable
Brick masonry	YES
Natural quarried stone	YES
Stucco (cementitious finish)	YES
EIFS (Exterior insulation and finish system; maximum twenty (20) percent of facade area)	YES
Architectural precast concrete	YES
Decorative face concrete masonry units (such as split-face, scored, ground, burnished)	YES
Glass, glass curtain wall	YES
Wood, natural (siding)	YES
Cement fiber siding (James Hardie or equivalent)	CU
Plastic Siding (vinyl or UPVC)	NO
Textured or texture coated concrete panels	CU
Cement fiber panels (maximum twenty (20) percent of facade area)	YES
Prefabricated metal panels (such as Alucobond or metal interlocking panels)	YES
Other (new materials, post adoption date)	CU

CU = Conditional Use

See Section 4.3: Architectural Standards for further details.

V - MASSING & ARTICULATION

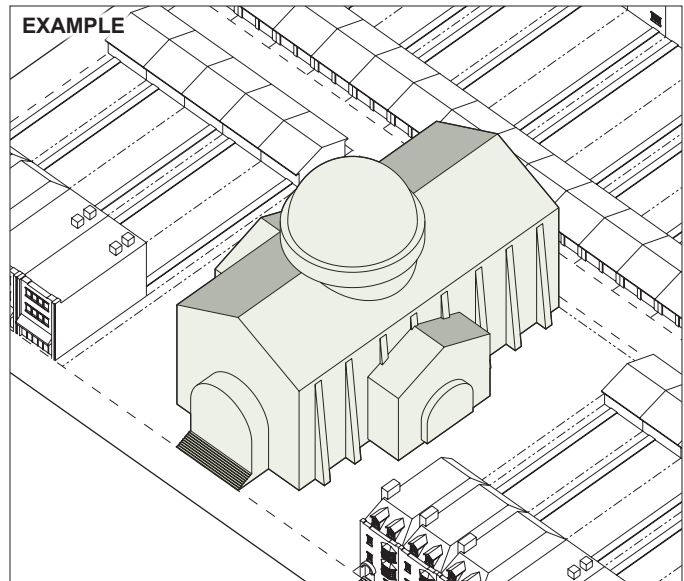
1. No structured parking within any block shall exceed the eave height of any building within forty feet (40') of the structured parking; and in no case be taller than the Liner Building.
2. Buildings may contain any combination of dwelling type configurations: Flats, Townhouses, and Lofts.
3. Buildings on corner lots shall be designed with two (2) Building Facades with architectural expression; addressing both Primary and Side Streets.
4. Primary Building Facades shall have multiple window openings.
5. Dwelling Units may be repetitive or unique as established by design.
6. Buildings shall be comprised of a singular (1) volume and building design. Multiple building designs and/or unit volumes should not be expressed.

VI - FRONTAGE TYPE

Frontage Type	Allowable
Common Yard	NO
Porch	NO
Stoop	NO
Forecourt	NO
Awnings & Canopies	YES
Balconies	YES
Terrace & Lightcourt	NO
Bay Windows	YES
Shopfront	YES
Cafe	YES

See Section 4.2: Frontage Types for further details.

4.1.14 CIVIC | INSTITUTIONAL BUILDING



I - DESCRIPTION

Civic | Institutional Buildings can accommodate a variety of arts, culture, education, recreation, transportation, government and public assembly uses. These buildings range from large floor plates and multiple levels to smaller, more intimately scaled structures. A variety of architectural styles is acceptable.

These building types are allowed in the Neighborhood Center Type 1 (Red), Neighborhood Center Type 2 (Salmon), Campus Type 1 (Medium Blue), and Campus Type 2 (Light Blue) Building Envelope Standard shown in the diagram on the opposite page.

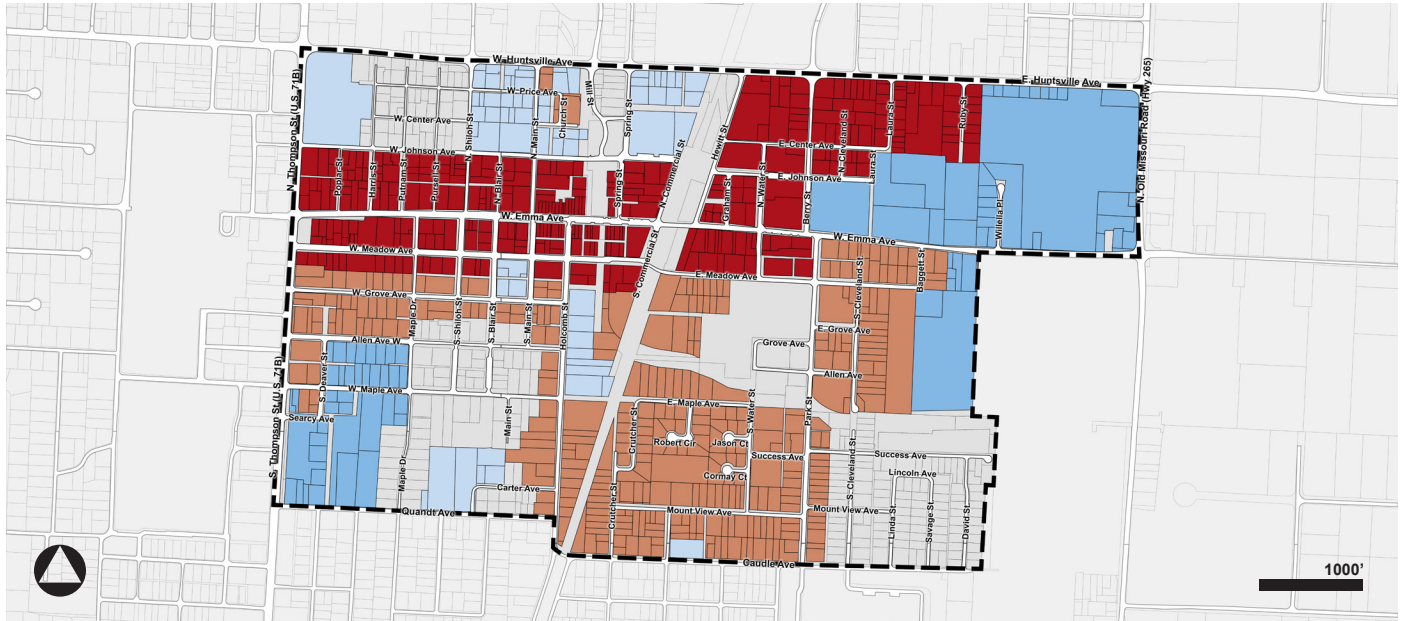
II - ACCESS

1. The main entrance to shall be directly accessible from the street by way of direct access through a courtyard, forecourt, square, plaza, or park.
2. The main entrance from the exterior space shall be into a common lobby which shall be able to access each floor.
3. Where an alley is present, parking and services shall be accessed from an alley.
4. Where an alley is not present, parking and services shall be accessed from a Side Street by way of a two-way driveway.
 - Maximum eighteen (18') feet wide.

III - OUTDOOR SPACE

1. The primary shared open space for this Building Type is the front and side outdoor spaces; which shall be a courtyard, plaza, or park immediately in front and adjacent to the building.
2. Rear open space is defined by the back facade of the building, and its relationship to the back Property Line.
3. This Building Type should be situated within an open space.
 - Maximum of fifty (50%) percent of the lot area, not inclusive of parking.

4.1.14 CIVIC / INSTITUTIONAL BUILDING



IV - PRIMARY MATERIALS

Material Type

Brick masonry	YES
Natural quarried stone	YES
Stucco (cementitious finish)	YES
EIFS (Exterior insulation and finish system; maximum twenty (20) percent of facade area)	YES
Architectural precast concrete	CU
Decorative face concrete masonry units (such as split-face, scored, ground, burnished)	YES
Glass, glass curtain wall	YES
Wood, natural (siding)	YES
Cement fiber siding (James Hardie or equivalent)	NO
Plastic Siding (vinyl or UPVC)	NO
Textured or texture coated concrete panels	CU
Cement fiber panels (maximum twenty (20) percent of facade area)	YES
Prefabricated metal panels (such as Alucobond or metal interlocking panels)	YES
Other (new materials, post adoption date)	CU

CU = Conditional Use

See Section 4.3: Architectural Standards for further details.

Allowable

V - MASSING & ARTICULATION

1. There are no massing & articulation requirements for these Building Types, in order to allow more distinctive architectural expressions and unique relationships to the streets and adjacent public spaces.

VI - FRONTAGE TYPE

Frontage Type

Frontage Type	Allowable
Common Yard	N/A
Porch	N/A
Stoop	N/A
Forecourt	N/A
Awnings & Canopies	N/A
Balconies	N/A
Terrace & Lightcourt	N/A
Bay Windows	N/A
Shopfront	N/A
Cafe	N/A

See Section 4.2: Frontage Types for further details.

4.0 BUILDING DEVELOPMENT STANDARDS

4.2 FRONTAGE TYPES

WHAT IS THE PURPOSE OF THE FRONTAGE TYPES?

The Purpose of the Frontage Types is to provide a series of options for how the chosen Building Type will address the street and how that relationship defined character. For example, the shopfront and cafe Frontage Types would be more appropriate for primary and secondary retail uses; and accordingly, the common yard and porch would be more appropriate for residential uses. So depending upon the intended use of the Building Type, the various Frontage Types may define a variety of different characters which will form the public space of the Form-Based District. Each Building Type must have at least one (1) Frontage Type and may be associated with more than one (1) Frontage Type. In that case, the Building Type must meet the requirements for each Frontage Type.

HOW DO I READ THE FRONTAGE TYPES?

In the diagrams shown in *Section 4.2: Frontage Types*, it is important to note a few points about how to read each Frontage Type:

Each Frontage Type is structured with a general description of requirements followed by a specific set of dimensional requirements for adherence. In order to be in compliance, the Frontage Type must meet the general description requirements and the dimensional requirements.

Each Frontage Type also includes two (2) diagrams (one cross-section diagram and one plan diagram) and three (3) example photographs of the Frontage Type.

In both of the diagrams, it is important to note these drawing conventions:

- The Property Line (which coincides with the public right-of-way line) is noted by a dark black dash-dot-dot line in all cases.
- The Build-to-Line is noted by a dark black dashed line in all cases.
- The sidewalk / pedestrian path is noted by a light brown color tone.
- The building is noted by a dark grey color tone.
- The ground is noted by a light green color tone.
- The vegetation is noted by a dark green color tone.

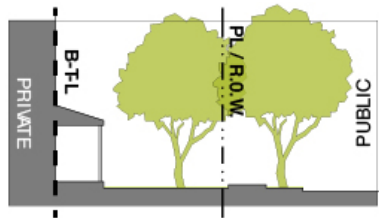
The example photographs shown for each Frontage Type are advisory only.

4.2.1 COMMON YARD

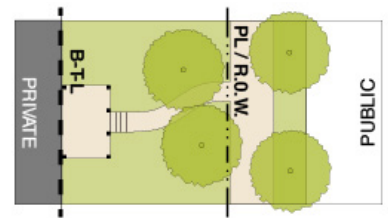
A Frontage Type wherein the Building Facade is set back substantially from the front Property Line. The Common Yard can be defined or undefined but typically, remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. Common Yards may include entry canopies or vestibules; and may be in combination with other Frontage Types. The front yard may also be raised from the sidewalk, creating a small retaining wall at the property line with entry steps to the yard or sloped from the back of the sidewalk. This Frontage Type encroaches the Build-to-Line only; and may not encroach the Property Line into Public Rights-of-Way.

Dimensional Requirements:

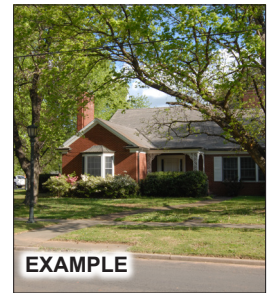
1. Lots higher than four (4') feet above the sidewalk should be sloped, terraced, or stepped back from the sidewalk.



CROSS-SECTION DIAGRAM - A



PLAN DIAGRAM - B



4.2.2 PORCH

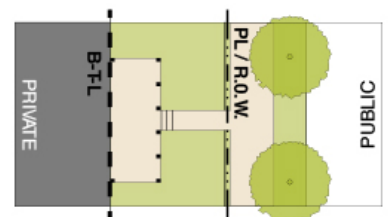
A Frontage Type typically associated with Detached Single Family Dwellings but sometimes used with other Building Types depending on the context. Porches must be open, non air-conditioned parts of the buildings with no screens. The porch Maybe one (1) story only and the length of the porch may vary. Porches must be raised to transition into the building and be of a similar height of the interior floor level. This Frontage Type encroaches the Build-to-Line only; and may not encroach the Property Line into Public Rights-of-Way.

Dimensional Requirements:

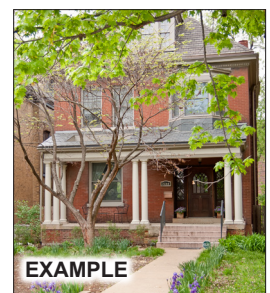
1. Maximum height of Porch is ten (10') feet.
2. Minimum length of twenty five (25%) percent to maximum length of one hundred (100%) of the Building Facade.
3. Minimum clear depth of six (6') feet and maximum clear depth of twelve (12') feet on Primary Streets.
4. Minimum clear depth of six (6') feet and maximum clear depth of ten (10') feet on Side Streets.



CROSS-SECTION DIAGRAM - A



PLAN DIAGRAM - B

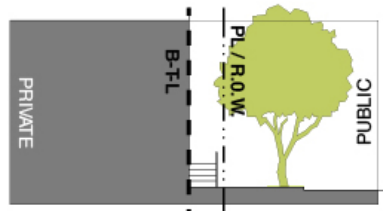


4.2.3 STOOP

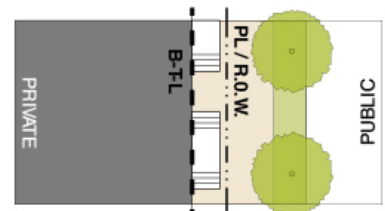
A Frontage Type wherein the Building Facade is close to the front Property Line and the ground story is elevated from the sidewalk, securing privacy for the windows and front rooms; A Stoop is usually an exterior stair and landing which engages the sidewalk forward of the Build-to-Line. The Stoop should be elevated and the stairs from the Stoop may lead directly to the sidewalk or may be side loaded. A roof may also cover the Stoop. Stoops may be at grade or raised to transition into the building. This Frontage Type encroaches the Build-to-Line only; and may not encroach the Property Line into Public Rights-of-Way.

Dimensional Requirements:

1. Primary Street and Side Street B-T-L on all Building Types with a zero (0') foot front setback may have an additional five (5') feet to ten (10') feet setback and must correspond to the depth of the stoop, such that the face of the stoop is at the zero (0') foot mark.
2. May not be utilized within thirty feet (30') from a street corner; thus the B-T-L must remain as per the BES.
3. Minimum depth of five (5') feet.
4. Minimum length of five (5') feet.
5. May not be elevated more than three (3') feet above sidewalk.
6. Fences or Walls defining the Stoop must not exceed thirty (30") inches from the highest adjacent grade.



CROSS-SECTION DIAGRAM - A



PLAN DIAGRAM - B

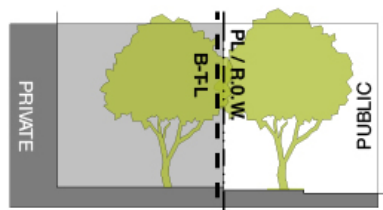


4.2.4 FORECOURT

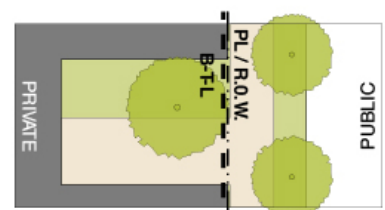
A Frontage Type wherein the Building Facade is at or near the Build-to-Line and a small percentage of it is set back, creating a small court space. The space could be used as an entry court or shared garden space for apartment buildings, or as an additional shopping or restaurant seating area within commercial areas, and in some cases for vehicular drop-off. A Forecourt is not covered and should be designed with a balance of paving and landscaping. This Frontage Type does not encroach the Built-to-Line or the Property Line into Public Rights-of-Way.

Dimensional Requirements:

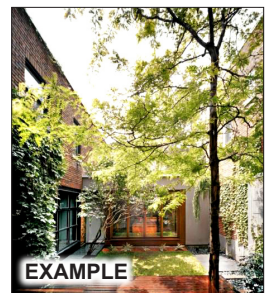
1. Minimum dimensions of ten (10') feet wide by ten (10') feet deep.
2. Maximum dimensions of fifteen (15') feet wide by thirty (30') feet deep.
3. May be no greater than fifty (50%) percent of the lot width on a Primary or Side Street.
4. Those between ten (10') feet deep and fifteen (15') in deep shall be substantially paved, and enhanced with Landscaping.
5. Those between fifteen (15') and thirty (30') in depth shall be designed with a balance of paving and Landscaping.



CROSS-SECTION DIAGRAM - A



PLAN DIAGRAM - B

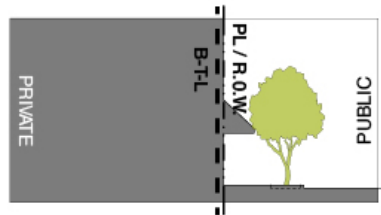


4.2.5 AWNINGS & CANOPIES

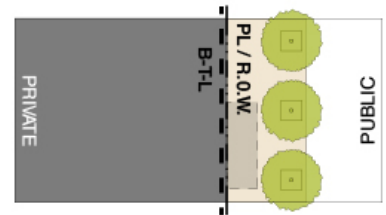
A Frontage Type wherein the Building Facade of a commercial or retail building is at or near the Build-to-Line and the canopy or awning element may overlap the sidewalk, occurring at the ground floor level only. The canopy is a structural, cantilevered, shed roof and the awning is canvas or similar material and is often retractable. The coverings should extend far enough from the building to provide adequate protection for pedestrians. Awnings may only cover openings so as to not cover the entire facade. This Frontage Type is appropriate for retail and commercial uses only because of the lack of a raised ground story. This Frontage Type may encroach the Build-to-Line and the Property Line into Public Rights-of-Way. Awnings and Canopies on Building Types setback from Public Rights-of-Way are not regulated. Awnings and Canopies may not be used for the display of goods for sale outside of the enclosed building envelope.

Dimensional Requirements:

1. Must be located a minimum of eight (8') feet above the adjacent sidewalk when encroaching a Public Right-of-Way.



CROSS-SECTION DIAGRAM - A



PLAN DIAGRAM - B

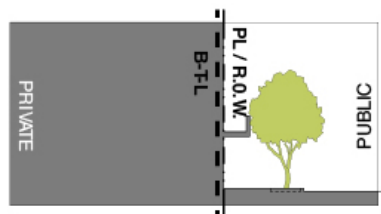


4.2.6 BALCONIES

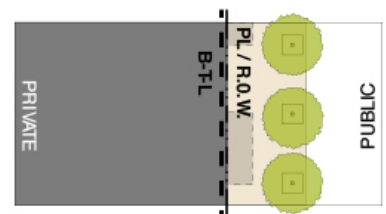
A Frontage Type which occurs forward of the Build-to-Line and encroaches Public Rights-of-Way, but shall not extend past the curb line. Balconies may have roofs, but must be open, non air-conditioned parts of the Buildings; and may only be located on the second story or higher. Balconies may be occupied with a porch or exterior patio space, limited by the dimensional requirements. On corners, balconies may wrap around the side of the Building Facade facing the Side Streets. This Frontage Type may encroach the Build-to-Line and the Property Line into public rights-of-way. Balconies on Building Types setback from Public Rights-of-Way are not regulated.

Dimensional Requirements:

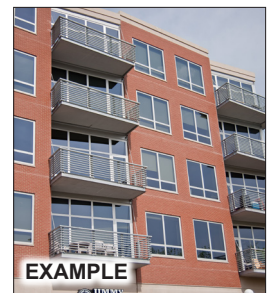
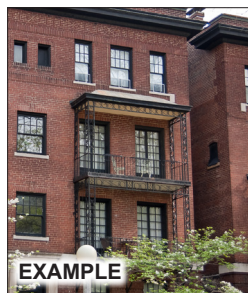
1. Must have a maximum depth of six (6') feet.
2. Must have a minimum clear height of ten (10') feet above adjacent sidewalk or other balconies.
3. Must have a maximum coverage of twenty five (25%) percent to seventy five (75%) of the Building Facade.



CROSS-SECTION DIAGRAM - A



PLAN DIAGRAM - B

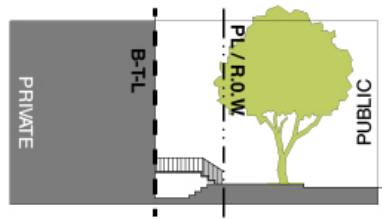


4.2.7 TERRACE & LIGHTCOURT

A Frontage Type wherein a portion of the Building Façade is set back from the Property Line by an elevated terrace or sunken lightcourt. This Frontage Type buffers residential use from urban sidewalks and removes the private yard from public encroachment. Terraces are suitable for conversion to outdoor cafes as the eye of the sitter is level with that of the standing passerby. Sub-basements may be accessed by a lightcourt. This Frontage Type encroaches the Build-to-Line only; and may not encroach the Property Line into Public Rights-of-Way. Terrace & Lightcourts on Building Types setback from Public Rights-of-Way are not regulated.

Dimensional Requirements:

1. Primary Street and Side Street B-T-L on all Building Types with a zero (0') foot front setback may have an additional ten (10') feet to fifteen (15') feet setback and must correspond to the depth of the terrace & lightcourt, such that the face of the terrace & lightcourt is at the zero (0') foot mark.
2. May not be utilized within thirty feet (30') from a street corner; thus the B-T-L must remain as per the BES.
3. Lightcourts may be no more than six (6') feet below the adjacent sidewalk.



CROSS-SECTION DIAGRAM - A



PLAN DIAGRAM - B

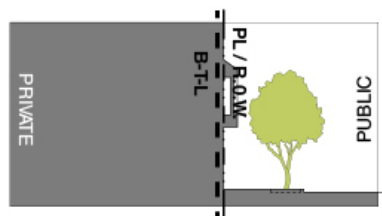


4.2.8 BAY WINDOWS

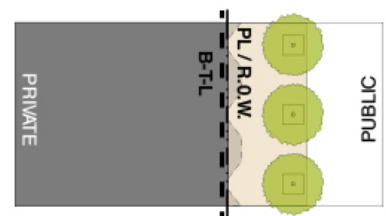
A Frontage Type wherein windows are permitted to protrude forward of the Build-to-Line and Property Line into Public Rights-of-Way. Bay Windows on the ground floor may encroach the Property Line into Public Rights-of-Way if approved; and Bay Windows projecting from the second floor or higher may encroach within Public Rights-of-Way by right. Bay windows shall have fenestration on both front and side surfaces. This Frontage Type may encroach the Build-to-Line and the Property Line into Public Rights-of-Way. Bay Windows on Building Types setback from Public Rights-of-Way are not regulated.

Dimensional Requirements:

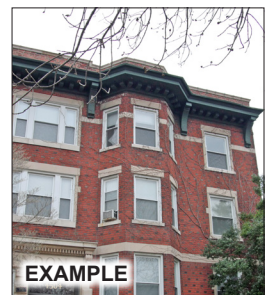
1. Must have a minimum clear height of ten (10') feet above adjacent sidewalk.
2. Maximum depth of six (6') feet.
3. Maximum length of eight (8') feet.



CROSS-SECTION DIAGRAM - A



PLAN DIAGRAM - B



4.2.9 SHOPFRONT

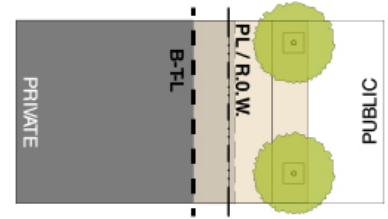
A Frontage Type wherein a Storefront facade is at or close to the edge of the Build-to-Line with an entrance at sidewalk grade. An overhang, canopy, shading element or awning that encroaches over the sidewalk is required. This Frontage Type encroaches the Build-to-Line only; and may not encroach the Property Line into Public Rights-of-Way. Shopfronts on Building Types setback from Public Rights-of-Way are not regulated. Shopfronts may not be used for the display of goods for sale outside of the enclosed building envelope.

Dimensional Requirements:

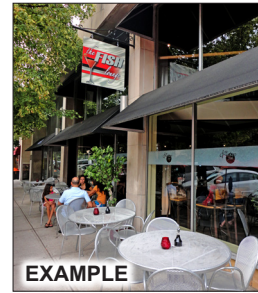
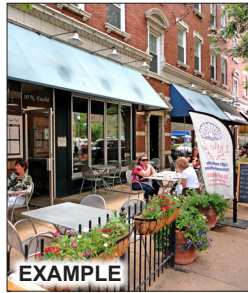
1. Primary Street and Side Street B-T-L on all Building Types with a zero (0') foot front setback may have an additional five (5') feet to ten (10') feet setback and must correspond to the depth of the shopfront, such that the face of the overhang on the shopfront is at the zero (0') foot mark.
2. May not be utilized within thirty feet (30') from a street corner; thus the B-T-L must remain as per the BES.



CROSS-SECTION DIAGRAM - A



PLAN DIAGRAM - B



4.2.10 CAFE

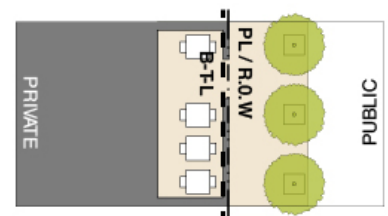
A Frontage Type wherein a storefront accommodates outdoor seating for restaurants and cafes. It may be setback from the edge of the pedestrian realm and may include roll up doors and bi-fold doors. Café frontage may be covered or open to the air. This Frontage Type may not encroach the Build-to-Line; nor the Property Line into Public Rights-of-Way. Cafes on Building Types setback from Public Rights-of-Way are not regulated.

Dimensional Requirements:

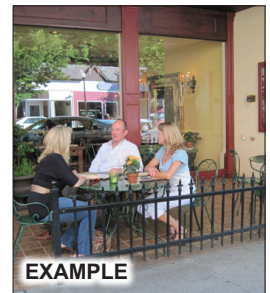
1. Maximum depth of fifteen (15') feet from the Build-to-Line.
2. Fences and walls are permitted up to a height of thirty six (36") inches from the adjacent sidewalk.



CROSS-SECTION DIAGRAM - A



PLAN DIAGRAM - B



4.0 BUILDING DEVELOPMENT STANDARDS

4.3 ARCHITECTURAL STANDARDS

WHAT IS THE PURPOSE OF THE ARCHITECTURAL STANDARDS?

The purpose of the Architectural Standards is to establish a series of specific architectural criteria which are necessary to uphold an expected level of quality and design in construction while ensuring a coherent character for the Sustainable Development Form-Based District area.

The Architectural Standards intend to:

- Foster typical construction types and proven techniques.
- Foster an aesthetic of regionally applicable and contextually appropriate building materials.
- Foster an aesthetic that is traditional, modern, or contemporary in a broad sense.

4.3.1 BUILDING FACADES

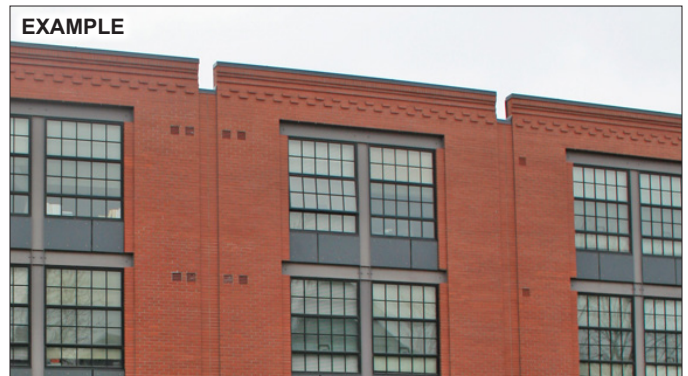
A. STATEMENT OF INTENT:

Building facade(s) should express the construction techniques and structural details of traditional, long-lasting, building materials; and favor simple configurations and solid craftsmanship over complexity and ostentation in building form and the articulation of details. These standards do not encourage “fakery” of historic character or the use of “faux” architectural elements; and are intended to encourage a mixture of traditional, modern, and contemporary styles and details in the support of a mixed blend of architectural richness which is respective of the historic context.

Primary Building Facades should reflect and complement the existing context, materiality, and historic building techniques of the area, while allowing for new modern and contemporary construction methods. Primary Building Facades include those facades facing Primary Streets and Side Streets, or any rear facade immediately adjacent to a Primary Street or Side Street (such as an alley entrance on a Side Street, etc).

Secondary Building Facades should reflect a level of detail clearly compatible with Primary Building Facades, particularly when visible from streets, adjacent parking, or adjacent residences. Secondary Building Facade(s) include those facades which are along Side Setbacks or Rear Setbacks in typical infill lots throughout the area.

The statement above and the illustrations on this page are advisory only.



B. STANDARDS FOR BUILDING FACADES:

1. Plane Breaks on Building Facades

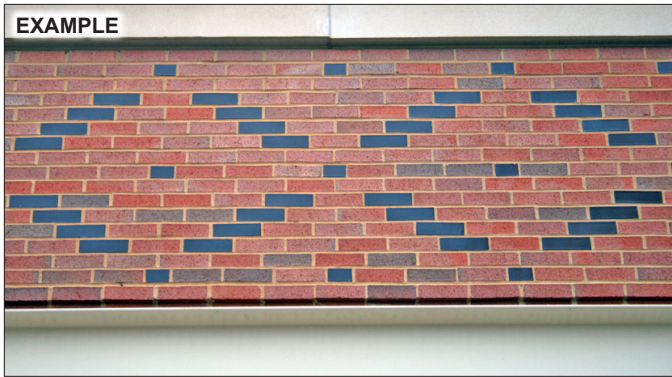
Each Building Type is required to have a specific set of Plane Breaks required on the Primary and Secondary Building Facades which have the intent of visually breaking the facades of buildings to a smaller scale more appropriate for the neighborhood. These Plane Breaks are as follows:

- a. Detached Single Family Dwelling; Detatched Single Family Bungalow; Duplex; and Triplex and Fourplex:
 - i. Primary Building Facades: Any lot with a Lot Width greater than fifty (50') feet must have a minimum of one (1) vertical Plane Break in the Primary Building Facade associated with that lot line, and additional vertical Plane Breaks as necessary to never have a continuous flat length of building greater than fifty (50') feet long. Horizontal Plane Breaks are NOT required.
 - ii. Secondary Building Facades: Any facade on a Side Setback must have a minimum of one (1) vertical Plane Break located at a distance greater than twenty-five (25%) percent of the distance from the Front Facade of the building to the Rear Facade of the building, which should be coordinated with a change from Primary Material to Secondary Material; Horizontal Plane Breaks are NOT required.
- b. Rear Garage and Carriage House: Vertical and Horizontal Plane Breaks are NOT required on any facade of these Building Types.
- c. Rowhouses and Courtyard Rowhouse(s): Vertical and Horizontal Plane Breaks are NOT required on any facade of these Building Types; however, clear vertical, visual articulation between each unit shall be present in the form of a change in material, finish materials, or facade articulation.
- d. All other Building Types:
 - i. Primary Building Facades: Any lot with a Lot Width greater than fifty (50') feet must have a minimum of one (1) vertical Plane Break in the Primary Building Facade associated with that lot line, and additional vertical Plane Breaks as necessary to never have a continuous flat length of building greater than fifty (50') feet long. *For instance, a Commercial Block Building with a Lot Width of one hundred fifty-five (155') would require a total of three (3) vertical Plane Breaks along that lot line.* A single (1) horizontal Plane Break will be required per the upper story setback requirements of the Building Envelope Standards if applicable.
 - ii. Secondary Building Facades: Are NOT required to have a vertical or horizontal Plane Break.

2. Materials on Building Facades

Each Building Type permits a variety of Primary Materials, Secondary Materials, and Accent Materials for use on the Primary and Secondary Building Facades which are regulated as stated below:

- a. Primary Material(s) - Seventy-five (75%) percent of the Primary Building Facade(s) or greater:
 - i. Each Building Type is allowed a particular set of Primary Materials.
 - ii. Shown per Building Type in *Section 4.0: Building Development Standards*.
- b. Secondary Material(s) - NOT greater than twenty (20%) percent of the Primary Building Facade(s):
 - i. Natural quarried stone
 - ii. Stucco (cementitious finish)
 - iii. EIFS (Exterior insulation and finish system)
 - iv. Concrete (reinforced, poured in place)
 - v. Architectural Precast Concrete
 - vi. Glass, glass curtain wall
 - vii. Cement Fiber Siding (James Hardie or equivalent)
 - viii. Wood Siding
- c. Accent Material(s) - NOT greater than 5% of the Primary Building Facades:
 - i. Brick Masonry (for trim and cornice elements only)
 - ii. Cement Fiber Panels (for trim and cornice elements only)
 - iii. Metal (all types; for beams, lintels, trim elements and ornamentation only)
 - iv. Decorative Face Concrete Masonry Units (for piers, foundation walls & chimneys only)
- d. New Material(s) - Any new materials NOT noted per Building Type in *Section 4.0: Building Development Standards* which are used as the Primary Material, Secondary Material, or Accent Material (as noted above) are NOT allowed by right and are subject to the variance process as described in *Section 1.0: General Provisions*.
- e. Other Material(s) - Any materials NOT noted per Building Type in *Section 4.0: Building Development Standards* which are used as the Primary Material, Secondary Material, or Accent Material (as noted above) are NOT allowed by right and are subject to the variance process as described in *Section 1.0: General Provisions*.
- f. Secondary Building Facade(s): Should use Primary Materials, Secondary Materials, and Accent Materials compatible with the Primary Building Facades. The conversion from Primary to Secondary Materials shall occur in accordance with the Plane Break requirements for that Building Type.



3. Configurations and Techniques on Building Facades

Simple configurations and solid craftsmanship are favored over complexity and ostentation in Primary and Secondary Building Facade articulation. The following are required for Building Facades on each Building Type:

- a. The horizontal dimension of any Wall Opening in a Primary Building Facade shall NOT exceed the vertical dimension.
- b. Any Wall Opening in a Primary Building Facade may NOT span vertically more than one (1) story.
- c. Any Wall Opening in a Primary Building Facade must correspond to interior space and may NOT span across Building Structure, including any structural or mechanical systems thickness.
- d. Any Material used on a Primary Building Facade shall be consistent horizontally, for example the joints between different materials must be horizontal and continue around corners; except for chimneys and piers.
- e. Any Material changes on a Primary Building Facade must be made within a constructional logic, as where an addition of one material is built onto the original building of a second material.
- f. Any Material(s) used on a Primary Building Facades must be kept to a modest number, preferably two (2) types; but NOT more than four (4) types.
- g. Any combination of materials used on a Primary Building Facades must be combined in a manner such that lighter materials are applied above heavier materials; for example, wood siding above brick masonry, or stucco above native stone; all dependent, however, upon the chosen style of the Building.
- h. Any Primary Building Facades in which a complexity of Wall Openings occur (such as a complicated pattern of doors or windows), simple wall surfaces and configurations of Primary Materials are preferred (e.g. brick); accordingly, any Primary Building Facades which is simple in nature having few Wall Openings, should have additional wall texture and articulation applied (e.g. bricks or blocks, rusticated stucco, or ornamental reliefs).
- i. Any Secondary Building Facades: Should have a level of trim and finish compatible with the Primary Building Facades.



- j. Any Secondary Building Facades: The conversion from Primary to Secondary Materials shall occur in accordance with the Plane Break requirements for that Building Type.
- k. Blank Walls on any Primary Building Facades: Are not permitted.
- l. Blank Walls on any Secondary Building Facades: Areas without windows or doors are only allowed on Side Setbacks and Rear Setbacks and should complement the Primary Building Facades providing some level of relief in the wall, rather than a purely flat, single material facade.



4. Exterior Elements on Building Facades

The following encroachments are regulated on the Primary and Secondary Building Facades, in addition to the Frontage Type requirements for the Building Type, and must occur within the encroachment area for the applicable Building Envelope Standard:

a. Overhangs, Canopies, and Awnings:

- i. Retractable canvas awnings mounted within window openings are allowed on any building facade.
- ii. Awnings can be placed over side or carriage entrances as well as front entrances and windows on any building facade.
- iii. Canopies can be placed over side entrances as well as front entrances and windows on any building facade.
- iv. Canvas covered metal frame canopies can be placed over side entrances as well as front entrances and windows on any building facade.
- v. Minimum and maximum dimensions shall all be in accordance with the requirements of the Awnings & Canopies Frontage Type.

b. Porches, Verandas, and Balconies:

- i. Porches, Verandas, and Balconies are considered to be character-defining features on any building facade, and careful attention should be paid to their detailing.
- ii. Although NOT required to be historic in design, their components including columns, pilasters, hand rails, balusters, pediments, cornices, and steps
- iii. Minimum and maximum dimensions shall all be in accordance with the requirements of the Porch Frontage Type (for Porches and Verandas), and the Balconies Frontage Type (for Balconies).

c. Entry Vestibules:

- i. Entry vestibules shall NOT be enclosed by screens or other materials such that an enclosed space or barrier to pedestrian movement is created; and shall never exceed the requirements of the encroachment area for the applicable Building Envelope Standard.
- ii. Entry vestibules may never exceed the dimension of the sidewalk; or extend over the curb line into the street.

4.3.2 ROOFS AND PARAPETS

A. STATEMENT OF INTENT:

Roofs and Parapets should demonstrate a common-sense recognition of the climate by utilizing appropriate pitch, drainage, and materials in order to provide visual coherence to the area. Roof forms should complement the building's mass, style, detailing, and materials in order to provide a visual coherence to the area.

Low-slope ("flat") roofs are typically used on buildings containing a variety of uses (including primary retail uses, secondary retail uses, and residential uses) where they provide a strong, attractively detailed cornice and/or parapet. Double-pitched roofs (such as gable, hip, pyramid), dormer windows, and chimneys are typically used on buildings containing residential uses, or civic / institutional uses.

The statement above and the illustrations on this page are advisory only.



B. STANDARDS FOR ROOFS AND PARAPETS:

1. Materials:

The following materials are allowed on roofs:

- a. Bituminous Asphalt (Membrane, with reflective finishes): Allowed on low-slope roofs behind parapet walls only
- b. EPDM Rubber (Membrane): Allowed on low-slope roofs behind parapet walls only
- c. Asphalt Shingles (Dimensional): Allowed on all roofs
- d. Cedar Shingles: Allowed on all roofs
- e. Clay or concrete tiles (including faux clay): Allowed on all roofs
- f. Green Roofs (intensive or extensive); Allowed on low-slope roofs behind parapet walls only
- g. Slate (or equivalent synthetic); Allowed on all roofs
- h. Metal (standing seam, equivalent or better) Allowed on all roofs

2. Configurations and Techniques:

- a. Pitched Roofs (exclusive of roofs behind a Parapet):
 - i. Simple hip and gable roofs shall be symmetrically pitched between a minimum of 1:12 and maximum of 4:12.
 - ii. Shed roofs, attached to a Main Building, shall be pitched between a minimum of 3:12 and maximum of 8:12.
 - iii. In NO situation shall a pitched roof exceed fifteen (15') feet from the bottom of the eaves to the top of the pitch. See "Max From B.O. Eave to T.O. Parapet or Roof" for the applicable Building Envelope Standard.
- b. Mansard Roofs:
 - i. Mansard Roofs should occur in tandem with dormer windows and other architectural features on any building that is three (3) stories or taller.
 - ii. "Commercial" Mansard Roofs which have wraparound roofing panels that do not enclose a habitable floor may NOT be used on any Building Type.
 - iii. In NO situation shall a mansard roof exceed fifteen (15') feet from the bottom of the eaves / fascia to the top of the pitch. See "Max From B.O. Eave to T.O. Parapet or Roof" for the applicable Building Envelope Standard.

c. Overhangs:

- i. Eaves on Main Buildings must overhang between a minimum of eighteen (18") inches and maximum of thirty (30") inches on Primary Building Facade for the first four (4) stories. For each additional story; six (6") shall be added to the minimum and twelve (12") shall be added to the maximum, up to a maximum projection of five (5') feet.
- ii. Eaves on Ancillary Buildings, dormers, and other smaller structures must overhang a minimum of eight (8") inches.
- iii. Exposed purlins or rafters involved in an overhang must be visible on the overhang a minimum of twenty four (24") inches.
- iv. Timber eaves and balcony brackets must be a minimum of four (4") inches by four (4") inches in dimension.
- v. Open eaves, soffits and fascia are allowed.

d. Parapet Roofs and Walls:

- i. Parapet Walls shall be made of Primary Materials allowed for that Building Type.
- ii. Parapet Walls shall have a maximum height of thirty (30") inches (measured from the flat surface of the parapet roof).
- iii. Parapet Walls should have a distinct shape or profile, e.g. a gable, arc, or raised center varied dependent upon the style and character of the building.
- iv. Low-slope roofs behind parapets are typically used on buildings containing primary retail, secondary retail (or a mix of uses), but may be used on building with residential uses; and must NOT be visible from any adjacent public space, street space, or parking garage or lot.

e. Other Features:

- i. Cornices: Buildings without visible roof surfaces and overhanging eaves may satisfy the overhang requirement with a cornice projecting horizontally between six (6") inches and twelve (12") inches beyond the Primary Building Facade for buildings up to four (4) stories. For heights greater than four (4) stories; the projection shall be between twelve (12") and eighteen (18") inches.
- ii. Skylights and Roof Vents are allowed only on the roof plane when shielded from view by the building's parapet wall; and must NOT be visible from public space, street space, or parking garage or lot.

4.3.3 WINDOWS AND DOORS

A. STATEMENT OF INTENT:

The placement, type, and size of windows and doors throughout the area help to establish the scale and intimacy of the street space.

For mixed-use areas (with Primary Uses and Secondary Retail Uses), windows and doors allow an interplay between the shop interiors and the street space; creating a vital visual link between the public realm and the activity of the private businesses.

For areas with more Residential Uses, windows and doors foster the “eyes on the street” surveillance inherent in time-tested, defensive urban design strategies which provide for security and safety for the area.

All Building Types are subject to the requirements for windows and doors in this section.

The statement above and the illustrations on this page are advisory only.



B. STANDARDS FOR WINDOWS AND DOORS

1. Requirement for Fenestration

All Building Types are required to have fenestration (including both doors and windows) on Primary and Secondary Building Facades, in accordance with this section.

2. Materials:

- a. Windows Frames: On Building Types with residential uses must be of an anodized aluminum, wood, fiberglass composite, vinyl, or steel; and must be finished; on Building Types with all other uses may also have clear finish aluminum or metal storefront.
- b. Typical Window Glass: Must be clear, with light transmission at the ground story at least ninety percent (90%) and for the upper stories seventy five percent (75%); modification can be added as necessary to meet any applicable / new building and energy code requirements by the City of Springdale.
- c. Specialty Window Glass: Maximum of one (1) per facade; may utilize stained, opalescent, or glass block.
- d. Window screens: Must be black or gray.
- e. Window Screen Frames: Must match Window Frame material or be dark anodized.
- f. Doors shall be of wood, clad wood, or steel and may include opaque or transparent glass panels. Doors may be painted.

3. Configurations and Techniques:

- a. The following requirements apply to any windows on Primary or Secondary Building Facades on any Building Type:
 - i. The horizontal dimension of the opening shall NOT exceed the vertical dimension.
 - ii. Windows may be grouped horizontally, maximum of five (5) per group, and each grouping must be separated by a mullion, column, pier, or wall section at least eight (8") inches wide.
 - iii. Windows shall be NO closer than thirty (30") inches to building corners, excluding bay windows which are NOT restricted; and corner windows which wrap from the Primary Building Facade to the Secondary Building Facade (or another Primary Building Facade).
 - iv. Security Bars or Security Screens are NOT allowed on windows above the basement level.
- b. The following requirements apply to any upper-story windows on Primary or Secondary Building Facades on any Building Type:
 - i. Windows shall be double-hung, single-hung, awning, or casement type for any Building Type.
 - ii. Fixed windows are permitted only as a component of a system including operable windows within a single (1) wall opening on any Building Type.
 - iii. Building Types with Residential Uses and Office Uses on upper floors are required to have single (1) panes of glass NO larger than sixty (60") inches vertical by thirty-six (36") inches horizontal on Primary Building Facades and Secondary Building Facades.
 - iv. A minimum of twenty percent (20%) of the Primary Building Facades shall have transparent window openings on all Building Types. No requirements for Secondary Building Facades.



- c. The following requirements apply to all windows on the ground floor of buildings with Primary Retail and Secondary Retail Uses in any Building Type:
 - i. On all Primary Building Facades, a maximum size for a single (1) panes of glass is eight (8') feet vertical by four (4") feet horizontal. Should Secondary Building Facades contain panes of glass, this requirements shall also apply.
 - ii. On all Primary Building Facades, a minimum of sixty percent (60%) of the window pane surface area shall allow views into the ground floor of the building for a depth of at least fifteen (15") feet into the interior of the space. Secondary Building Facades are NOT required to meet this standard.
- d. The following requirements apply to doors on Primary and Secondary Building Facades of any Building Type:
 - i. Door-height entry ways, those that span more than one (1) story, are not allowed.
 - ii. Doors may be solid or opaque, as pertinent to the use of the building.
 - iii. Doors may be made of a variety of materials. See *Section 4.3.3.B.2: Materials*.
 - iv. Doors shall not be recessed more than three (3') feet behind the shopfront windows.
 - v. Security Bars or Security Screens are not allowed on doors above the basement level.
- e. The following requirements apply to exterior shutters on Primary and Secondary Building Facades of any Building Type:
 - i. Exterior shutters may only be used in combination with a window or door.
 - ii. Exterior shutters, if applied, on any Building Type shall be sized and mounted appropriately for the window; and should be one half (1/2) the width of the window, even if inoperable.

4.3.4 STREET WALLS

A. STATEMENT OF INTENT:

Street Walls establish a defined edge to the street space where Building Facades do not exist, or where it is desirable to conceal elements such as surface parking lots or private exterior spaces. These requirements will also define outdoor spaces and separate the street space from the private realm along Primary Streets and Side Streets. Street Walls also include retaining walls and fences on lot lines along Primary and Side Streets.

All Street Walls can contribute to the visual vitality of the neighborhood and shall be as carefully designed as the Primary Building Facade with the finished side out (i.e. the “better” side facing the street space).

The statement above and the illustrations on this page are advisory only.

B. REQUIREMENTS FOR STREET WALLS

Street Walls are required for the following Building Types when necessary to conceal surface parking, service areas, equipment, or private outdoor spaces from view from the street:

1. Rowhouse and Courtyard Rowhouse
2. Stacked Flats
3. Courtyard Building
4. Commercial Block Building
5. Live | Work Units
6. Liner Building
7. Street Walls are required in the *Cottage Court Special Overlay District*, as described in *Section 3.8 Cottage Court Special Overlay District*.



C. STANDARDS FOR STREET WALLS:

1. Height:

The following height requirements are applicable to Street Walls per the appropriate Building Envelope Standards within which the Building Type is located. In general, areas including Residential Uses require lower walls and areas including mixed-uses (such as Primary or Secondary Retail; and Office) require higher walls. The height of the Street Wall must be measured from the adjacent sidewalk, or when not adjacent to a sidewalk, from the ground elevation once construction is complete.

a. Minimum of four (4') and Maximum of six (6') feet:

- i. Neighborhood Residential Type 1 (NR1)
- ii. Neighborhood Residential Type 2 (NR2)
- iii. Neighborhood Residential Type 3 (NR3)

b. Minimum of six (6') and Maximum of eighteen (18') feet:

- i. Neighborhood Center Type 1 (NC1)
- ii. Neighborhood Center Type 2 (NC2)

2. Setback:

a. All Street Walls are recommended to be at zero lot line, if possible and in accordance with the Building Envelope Standards; but are allowed to be setback not more than eight (8") inches from the Build-to-Line or adjacent building facade; and should in NO case be in front of the Build-to-Line in public rights-of-way.

3. Materials:

The following Materials are allowed, and should be compatible with the Primary Materials on the Primary Building Facades:

- a. Brick and Tile Masonry (units)
- b. Combination of materials (e.g. stone piers with brick infill panels)
- c. Concrete (reinforced, poured in place) with stucco (cementitious finish); must have brick or stone coping
- d. Metal (wrought iron, copper, welded steel and/or aluminum)
- e. Other Materials - By variance only; See Section 1.0: General Provisions.
- f. Stone block (native or synthetic equivalent)

4. Configurations and Techniques:

- a. Street Walls must have a thickness between two (2") inches and sixteen (16") inches.
- b. Street Walls along any unbuilt length of the Build-to-Line shall be built to the Height specified above required for the applicable Building Envelope Standards.
- c. Copings may project between two (2") inches and four (4") inches from the face of the street wall.
- d. Fences operating as Street Walls may have a maximum opacity of fifty (50%) percent.

5. Entrances:

- a. A pedestrian entry gate is allowed within the length of any Street Wall required by this District; and may be up to a maximum of six (6') foot opening. The materiality of the pedestrian gate must be complimentary with the materiality of the Street Wall.

4.3.5 LIGHTING

A. STATEMENT OF INTENT

Sidewalks are the primary means of transportation for the residents and visitors of the area. The Sidewalks are illuminated by a variety of lighting elements, often indirectly, and can be at the mercy of available spill light from the adjacent buildings, storefronts, and landscaping.

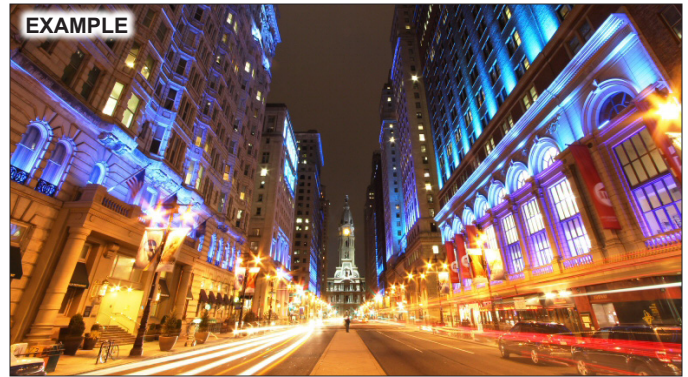
Lighting chosen for the building facades and site should be durable and weather resistant. Appropriate lighting is desirable for nighttime visibility, crime deterrence, and decoration. However, lighting that is too bright or intense creates glare, hinders night vision, and creates light pollution.

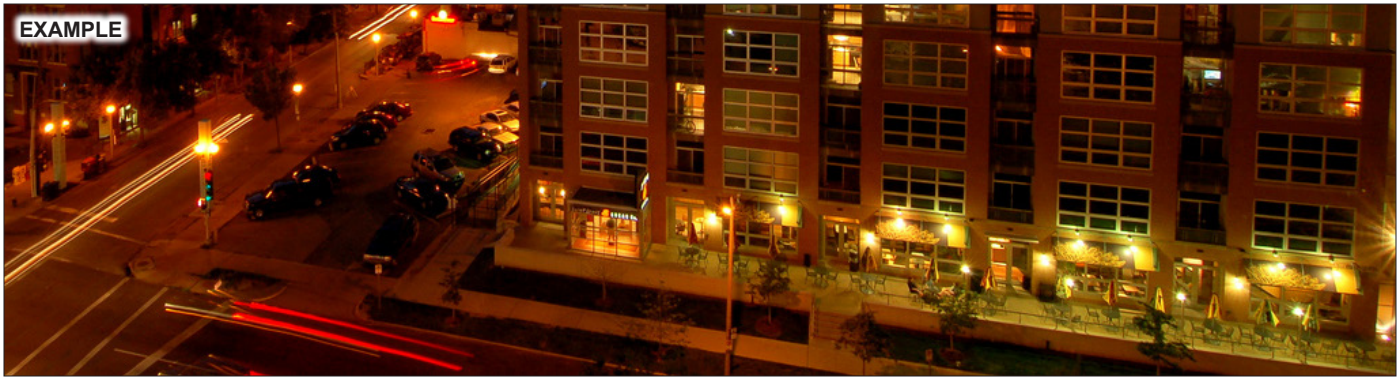
The statement above and the illustrations on this page are advisory only.

B. REQUIREMENTS FOR LIGHTING

Lighting to illuminate the exterior of buildings adjacent to the pedestrian realm is required for the following Building Types:

1. Stacked Flats
2. Courtyard Building
3. Commercial Block Building
4. Live | Work Units
5. Liner Building
6. Institutional | Civic Building





C. STANDARDS FOR LIGHTING

1. Placement Requirements:

- a. On the Primary Building Facades, lights must be mounted between a minimum of six (6') feet and maximum of fourteen (14') feet above the adjacent grade. Secondary Building Facades have NO requirements.
- b. On the Primary Building Facades, lights must be mounted within six (6') feet of and illuminate building entrances, and must NOT cause glare into the street. Secondary Building Facades have NO requirements.
- c. On any Primary Building Facades immediately adjacent to alleys, lighting fixtures must be located within six (6') feet of the alley right-of-way. This fixture must illuminate the alley, must be located between twelve (12') feet and sixteen (16') feet in height, and must NOT cause glare in adjacent lots. Secondary Building Facades have no requirements.

2. Candela and Uniformity Requirements:

- a. Building Types with only Residential Uses on ground and upper floors must have a minimum candela of 0.5 (1/2) foot candles and a uniformity of ten to one (10:1) at a distance of six (6') feet from the Primary Building Facades. Secondary Building Facades have no requirements.
- b. Building Types with other uses or a mix of uses must have a minimum candela of one (1) foot candle and a uniformity of six to one (6:1) at a distance of six (6') feet from the Primary Building Facade. Secondary Building Facades have no requirements.

3. Other Requirements (for Primary and Secondary Building Facades):

- a. Lighting elements shall be specified to prohibit those that cast a clearly/perceptively unnatural spectrum of light (such as low pressure sodium). Incandescent, metal halide, or halogen type lights are preferred. No heavy intensity discharge (HID) or fluorescent lights (except compact fluorescent bulbs that screw into standard sockets) may be used on the exterior of buildings.
- b. Floodlights or directional lights (maximum 75-watt bulbs) may be used to illuminate alleys, parking garages, and maintenance areas on Side Setbacks; but must be shielded or aimed in such a way that they do not shine into other lots, the street space, or direct light up and/or out of the lot.
- c. Floodlighting may not be used to illuminate Primary and Secondary Building Facades.
- d. Site lighting is not required by this District; but shall be of a design and height so as to illuminate only the lot; and in no instance is Up-lighting permitted.
- e. No flashing, traveling, animated, or intermittent lighting shall be visible from the exterior of any Building Type whether such lighting is of temporary or long-term duration.
- f. These standards may be adjusted by the City as technologies advance and produce additional acceptable lighting elements; or as deemed appropriate by variance (See Section 1.0).

4.3.6 EQUIPMENT

A. STATEMENT OF INTENT:

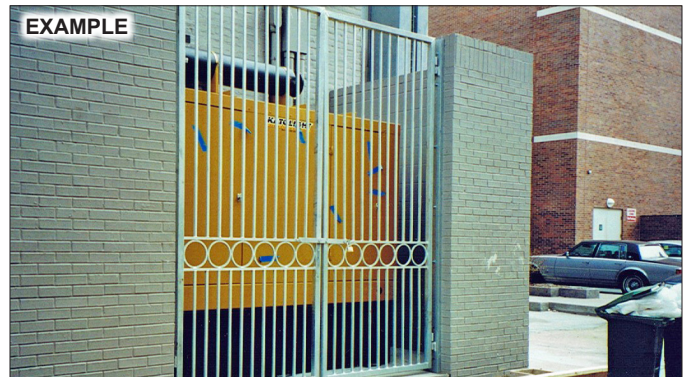
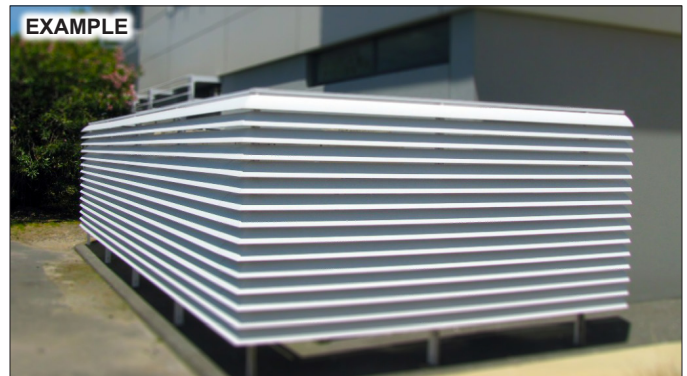
The placement of Equipment including service areas and mechanical equipment can have a drastic effect on the visual and sensorial experience of the streetscape, and an overall effect on the character of the neighborhood.

All Building Types are required to meet the following requirements for equipment.

The statement above and the illustrations on this page are advisory only.

B. STANDARDS FOR EQUIPMENT:

1. Equipment includes: air compressors, mechanical pumps, exterior water heaters, water softeners, utility and telephone company transformers, electric meters or boxes, garbage cans, dumpsters, recycling bins, storage tanks, and other similar mechanical or service equipment utilized for building operations or otherwise.
2. Equipment (at grade level or on the ground floor level) shall be placed a minimum of ten (10') feet behind the Build-to-Line(s), not stored or located within any area considered to be street space, and must be screened from view from Public Rights-of-Way by use of screening or walls. Street Walls used to conceal equipment are subject to the requirements for Street Walls in this Section.
3. Equipment (on roofs, elevated areas, or on upper floor levels) shall be placed a minimum of five (5') behind the Build-to-Line(s) and be screened from view from Public Rights-of-Way by the use of parapet walls or enclosures designed to conceal the equipment. Parapet Walls used to screen equipment are subject to the requirements for Parapet Walls in this Section.



C. STANDARDS FOR EQUIPMENT (CONTINUED):

4. Solar panels located on gabled or hipped roofs:
 - a. Generally, solar panels should not be visible from the street.
 - b. Solar panels shall not be permitted on any roof surface that faces a public street.
 - c. Solar panels shall be permitted on roof surfaces that face:
 - i. adjacent lots and/or
 - ii. the rear facades of buildings.
 - d. No part of any solar panel may be less than five (5) feet from the edge(s) of any roof surface(s) whose edge(s) facing a public street.

4.3.7 SIGNAGE

A. STATEMENT OF INTENT:

Signage should be clear, durable, and informative to the public. Signage is desirable for advertising local area shops and offices, and as a decoration.

Signage should be scaled to the nature of the area: mixed-use, pedestrian oriented, with slow-moving automobile traffic. Signage that is glaring or too large creates distraction, intrudes into and lessens the experience of the area, while creating visual clutter.

The statement above and the illustrations on this page are advisory only.

B. STANDARDS FOR SIGNS:

1. General Standards: Unless otherwise specified in this section, all signs shall comply with the applicable requirements set forth in Chapter 98 of the Springdale Municipal Code.
2. Residential Districts (NR1, NR2, and NR3):
 - a. All signs shall be displayed without lighting having a primary purpose or primary effect of lighting the sign.
 - b. All signs shall be located on premises currently used and controlled by the person having use and control of the sign message.



4.0 BUILDING DEVELOPMENT STANDARDS

B. STANDARDS FOR SIGNS (CONTINUED):

2. Campus Districts (C1 and C2): No signs are permitted except those exempt per section 98-36 (subject to section 98-61) of the Springdale Municipal Code, and:
 - a. Each lot or parcel shall contain, for each separately licensed business located thereon, no more than:
 - i. One non-flashing wall or projecting sign per building frontage. The sign area shall not exceed 32 square feet. Sign height shall not exceed 40 feet;
 - ii. One real estate sign. The sign area shall not exceed 32 square feet. Any billboard, wall sign or projecting sign duly permitted hereunder may advertise real estate.
 - b. Each lot or parcel shall contain no more than one billboard per every 1,320 feet of frontage on a public thoroughfare or fraction thereof.
3. Mixed-Use Districts (NC1 and NC2): No signs are permitted except those exempt per section 98-36 (subject to section 98-61) of the Springdale Municipal Code, and:
 - a. Each lot or parcel shall contain, for each separately licensed business located thereon, no more than:
 - i. One nonflashing, projecting or wall sign per building frontage. The sign area shall not exceed 300 square feet. Sign height shall not exceed 45 feet;
 - ii. One real estate sign. The sign area shall not exceed 32 square feet. Any billboard, freestanding sign, wall or projecting sign duly permitted hereunder may advertise real estate.
 - b. Each lot or parcel shall contain no more than one billboard per every 1,320 feet of frontage on a public thoroughfare, or fraction thereof, on parcels with direct frontage to the right-of-way of Thompson Street / U.S. 412 only.
 - c. Each lot or parcel shall contain no more than one temporary sign or banner.

4.0 BUILDING DEVELOPMENT STANDARDS

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5.0

USE TABLES

5.0 USE TABLES

WHAT IS THE PURPOSE OF THE USE TABLES?

The purpose of the Use Tables are to convert the language of existing City of Springdale land use units contained within the zoning ordinance to the simplified language of the Form-Based District.

In general with respect to the use tables, this District is intended to foster and preserve the core residential character of the neighborhood, while allowing for a mix of uses and intensities to exist along the edges of the area, within developing areas, and along key vibrant streets.

WHAT DO THE USE TABLES CONSIST OF?

The Use Tables consist of the following basic types:

- 5.1 Residential Uses** (*SEE PAGE 5-2*)
- 5.2 Primary Retail Uses** (*SEE PAGE 5-2*)
- 5.3 Secondary Retail Uses** (*SEE PAGE 5-2*)
- 5.4 Office Uses** (*SEE PAGE 5-2*)
- 5.5 Civic / Institutional Uses** (*SEE PAGE 5-2*)
- 5.6 Agricultural Uses** (*SEE PAGE 5-2*)
- 5.7 Industrial Uses** (*SEE PAGE 5-2*)
- 5.8 Utility and Services Uses** (*SEE PAGE 5-2*)
- 5.9 Special Uses** (*SEE PAGE 5-2*)

HOW DO I USE THE USE TABLES?

The Use Tables are constructed as a series of reference tables which each have a set of uses (as defined within the existing zoning ordinance) as rows, and the Building Envelope Standard as columns. Within the specific table, the user can identify what type of use they intend to use, and what Building Envelope Standards apply to the property; thus identifying whether the use is Permitted (P), Conditional (C), or prohibited (X) on the parcel of land.

5.0 USE TABLES

5.1 RESIDENTIAL USES		NR1	NR2	NR3	NC1	NC2	C1	C2
Unit 8	Single-family dwellings	P	P	P	X	X	X	X
Unit 9	Zero lot line	X	P	P	X	P	X	X
Unit 10	Townhouse	X	P	P	X	P	X	X
Unit 11	Duplexes	P	P	P	X	P	X	X
Unit 12	High density residential	X	X	X	P	P	P	P
Unit 13	Three and four family residential	X	X	X	X	P	X	X
Unit 14	Medium density single family affordable housing (SF4)	P	P	P	X	P	X	X
Unit 15	Manufactured home park	X	X	X	X	X	X	X
Unit 28	Home occupation	P	P	P	P	P	P	P
Unit 29	Home office	P	P	P	P	P	P	P
Unit 53	Transitional housing	X	X	X	X	X	X	X
5.2 PRIMARY RETAIL USES		NR1	NR2	NR3	NC1	NC2	C1	C2
Unit 17A	Eating places, other than drive-in restaurants	X	X	X	P	P	P	P
Unit 17B	Eating places, including drive-in restaurants	X	X	X	X	X	X	X
Unit 18	Hotel, motel, and entertainment facilities	X	X	X	P	P	P	P
Unit 19	Neighborhood shopping goods	X	X	X	P	P	P	P
Unit 20	Shopping goods	X	X	X	P	P	X	X
Unit 52	Food truck courts	X	X	X	C	C	C	C
5.3 SECONDARY RETAIL USES		NR1	NR2	NR3	NC1	NC2	C1	C2
Unit 21	Trades and services	X	X	X	P	P	C	C
Unit 22	Automotive services	X	X	X	C	C	X	X
Unit 23	Commercial large sites	X	X	X	X	X	X	X
Unit 37	Auction houses	X	X	X	C	C	X	X
Unit 38	Open display retail sales	X	X	X	X	X	X	X
Unit 41	Automobile sales	X	X	X	C	C	X	X
Unit 43	Automobile sale - Damaged vehicles	X	X	X	X	X	X	X
Unit 46	Flea market, indoor	X	X	X	X	C	C	C
Unit 47	Flea market, outdoor	X	X	X	X	X	X	X
Unit 48	Automotive, machinery, and equipment open display retail sales	X	X	X	X	X	X	X
Unit 49	Commercial assembly	X	X	X	C	C	P	P
5.4 OFFICE USES		NR1	NR2	NR3	NC1	NC2	C1	C2
Unit 16	Offices, studios, and related services	X	X	X	P	P	P	P
5.5 CIVIC / INSTITUTIONAL USES		NR1	NR2	NR3	NC1	NC2	C1	C2
Unit 1	Citywide public uses by right	C	C	C	C	C	P	P
Unit 4	Cultural, recreation, and health facilities	X	X	X	C	C	P	P
Unit 5	Institutional facilities	X	X	X	C	C	P	P
Unit 40	Temporary classrooms	X	X	X	C	C	P	P
Unit 42	Church synagogue	C	C	C	C	C	P	P
Unit 45	Health care clinic	X	X	X	C	C	P	P
5.6 AGRICULTURAL USES		NR1	NR2	NR3	NC1	NC2	C1	C2
Unit 6	Agriculture	X	X	X	X	X	X	X
Unit 7	Animal husbandry	X	X	X	X	X	X	X
Unit 36	Horses kept in residential areas	X	X	X	X	X	X	X
Unit 50	Agricultural occupation	X	X	X	X	X	X	X
5.7 INDUSTRIAL USES		NR1	NR2	NR3	NC1	NC2	C1	C2
Unit 24	Dedicated warehousing	X	X	X	X	X	X	X
Unit 25	Limited manufacturing	X	X	X	X	X	X	X
Unit 26	General industrial	X	X	X	X	X	X	X
Unit 39	Temporary storage units	X	X	X	X	X	X	X
5.8 UTILITIES AND SERVICES USES		NR1	NR2	NR3	NC1	NC2	C1	C2
Unit 3	Utility facilities	C	C	C	C	C	C	C
Unit 27	Parking lot	C	C	C	P	P	P	P
Unit 31	Recycling collection facilities	X	X	X	X	C	C	C
Unit 33	Self-supporting tower, antenna structure, or monopole	C	C	C	C	C	C	C
Unit 35	Transportation services	X	X	X	C	C	C	C
Unit 51	Airport hanger with flight crew quarter	X	X	X	X	X	X	X
5.9 SPECIAL USES		NR1	NR2	NR3	NC1	NC2	C1	C2
Unit 2	Citywide uses by conditional use permit	X	X	X	X	X	X	X
Unit 30	Recreational vehicle park	X	X	X	X	X	X	X
Unit 32	Temporary buildings	C	C	C	C	C	C	C
Unit 34	Model home/temporary marketing office	C	C	C	C	C	C	C
Unit 44	Mobile vending site	X	X	X	X	X	X	X

5.0 USE TABLES

USE TABLE KEY

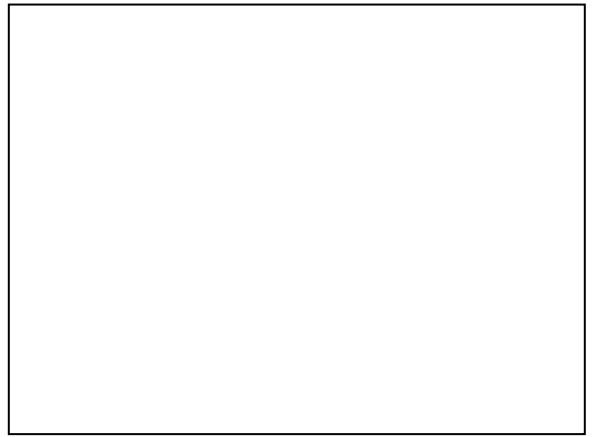
- NR1** – Neighborhood Residential Type 1
- NR2** – Neighborhood Residential Type 2
- NR3** – Neighborhood Residential Type 3
- NC1** – Neighborhood Center Type 1
- NC2** – Neighborhood Center Type 2
- C1** – Campus Type 1
- C2** – Campus Type 2
- P**

 Permitted Use
- C**

 Conditional Use
- X**

 Prohibited Use





ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R23-19) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-3) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Benton County, gave notice required by law and set a hearing date of May 2, 2023 for hearing the matter of a petition of Schuber Mitchell Homes, LLC requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Medium Density Single Family Residential District (SF-3).

Layman's Description: NE Intersection of Marchant and Kelly Roads

Legal Description: COMMENCING AT A POINT N87°29'02"W 262.68 FEET OF THE SOUTHEAST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 31 WEST TO THE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24, N87°29'02"W 1084.09 FEET; THENCE ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER N03°21'26"E 1326.08 FEET; THENCE ALONG THE NORTH LINE OF THE SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER S87°13'25"E 1327.06 FEET; THENCE ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER S02°30'19"W 364.91 FEET; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24, S87°33'26"E 320.29 FEET; THENCE S02°26'34"W 98.91 FEET; THENCE N87°16'11"W 320.41 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE N87°16'11"W 262.68 FEET; THENCE S02°30'19"W 858.68 FEET; TO THE POINT OF BEGINNING, BENTON

COUNTY, ARKANSAS, CONTAINING 35.31 ACRES MORE OR LESS,
SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF
RECORD OR FACT.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned (R23-19) from Agricultural District (A-1) to Medium Density Single Family Residential District (SF-3) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to Medium Density Single Family Residential District (SF-3).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

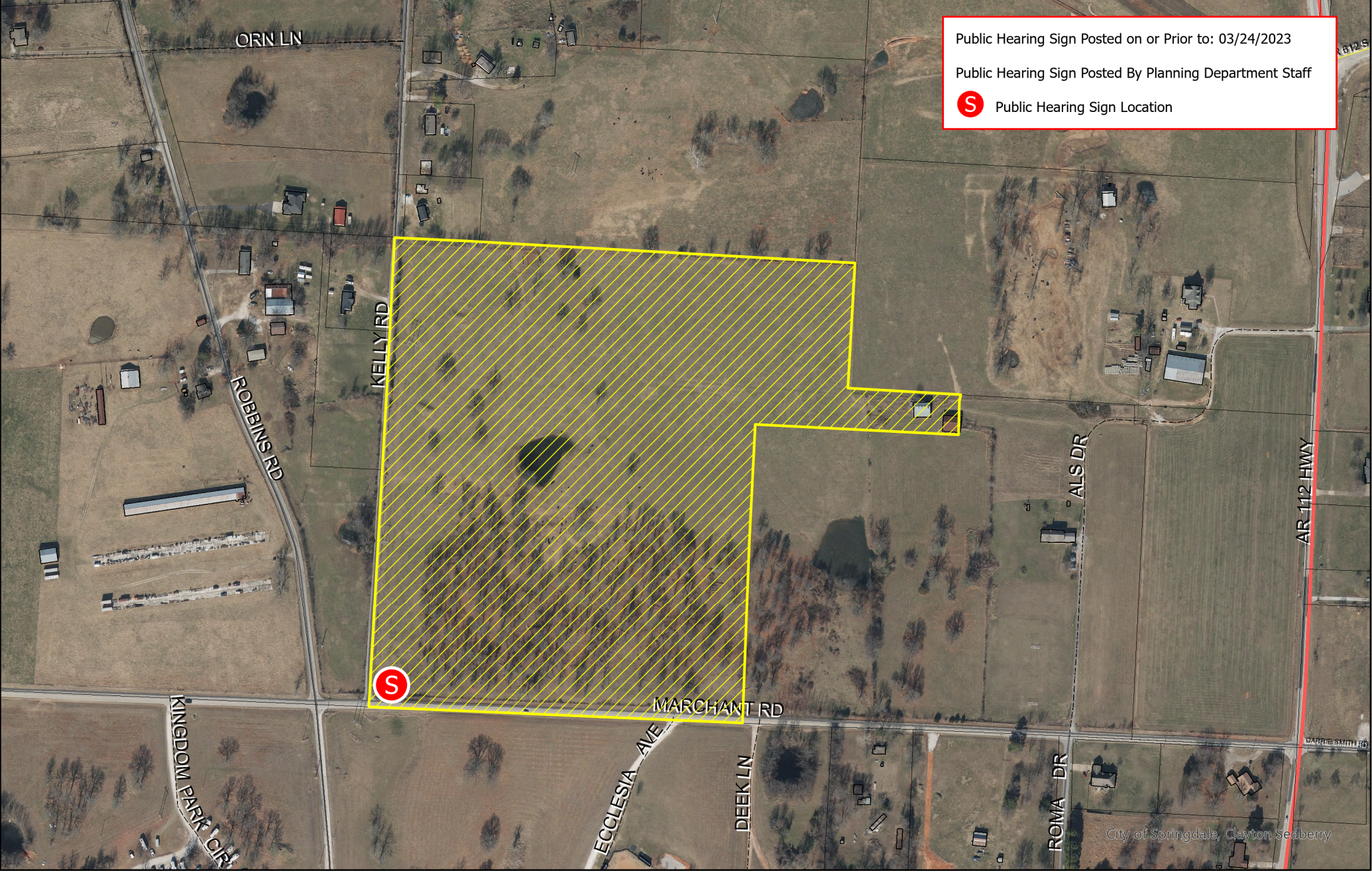
Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

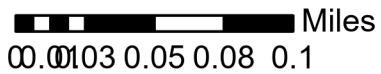
APPROVED AS TO FORM:

Ernest Cate, City Attorney

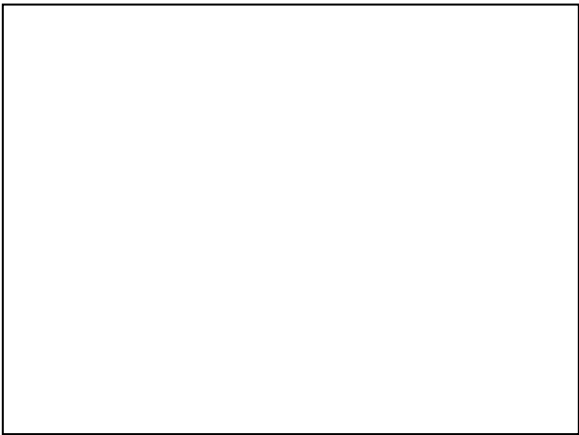


Public Hearing Sign Posted on or Prior to: 03/24/2023
Public Hearing Sign Posted By Planning Department Staff
S Public Hearing Sign Location

TABLED UNTIL MAY 2, 2023
Planning Commission Meeting
April 4, 2023



PROJECT: R23-19
APPLICANT: Schuber Mitchell Homes, LLC
REQUEST: Rezone from A-1 to SF-3



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R23-20) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of May 2, 2023 for hearing the matter of a petition of James & Michelle Dugger requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

Layman's Description: 2703 Chapman Avenue

Legal Description: PART OF THE SW/4 OF THE NE/4 OF SECTION 10, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, SPRINGDALE, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SW/4 OF THE NE/4, THENCE S87°52'06"E 1195.11 FEET TO THE POINT OF BEGINNING, THENCE S02°00'15"W 21.39 FEET, THENCE S32°14'38"W 82.21 FEET, THENCE S3°03'34"W 92.75 FEET, THENCE S6°26'54"W 99.54 FEET, THENCE S87°50'15"E 47.71 FEET, THENCE S2°16'57"W 74.87 FEET, THENCE N87°53'30"W 45.66 FEET, THENCE S5°17'23"W 131.21 FEET, THENCE S87°35'37"E 172.65 FEET, THENCE N2°12'08"E 491.24 FEET, THENCE N87°52'06" W 117.68 FEET TO THE POINT OF BEGINNING, CONTAINING 1.71 ACRES.

SUBJECT TO AN INGRESS, EGRESS AND UTILITY EASEMENT BEGINNING S87°52'06"E N E/4, THENCE 1166.23 FEET FROM THE NW CORNER OF SAID NW/4 OF THE S2°07'54"W 21.43 FEET TO THE SOUTH RIGHT-OF-WAY OF CHAPMAN AVENUE, THENCE S11°58'02"W 72.14 FEET, THENCE

S3°03'34"W 92.75 FEET, THENCE S6°26'54"W 99.54 FEET, THENCE S87°50'15"E 35.32 FEET ALONG THE NORTH BOUNDARY OF A CELL TOWER LEASE LOCATION, THENCE N7°09'57"E 264.16 FEET, THENCE N87°52'06"W 39.06 FEET TO THE POINT OF BEGINNING AND SUBJECT TO ANY OTHER EASEMENTS OF RECORD OR FACT.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned (R23-20) from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

Public Hearing Sign Posted on or Prior to: 03/24/2023

Public Hearing Sign Posted By Planning Department Staff

 Public Hearing Sign Location

815-29108-020

CHAPMAN AVE

815

000



815-29111-010

815-29110-020

815-29110-010

2701

815-29111-000

815-29115-011

815-29111-030

2839

815-29111-020

815-29111-040

2707
2887

815-29111-060

2301

815-29111-050

2871

2705

City of Springdale, Clayton Sedberry

Planning Commission Meeting

April 4, 2023

RP23-03 was tabled at March PC

0.00 0.01 0.03 0.05 0.08 0.1 Miles



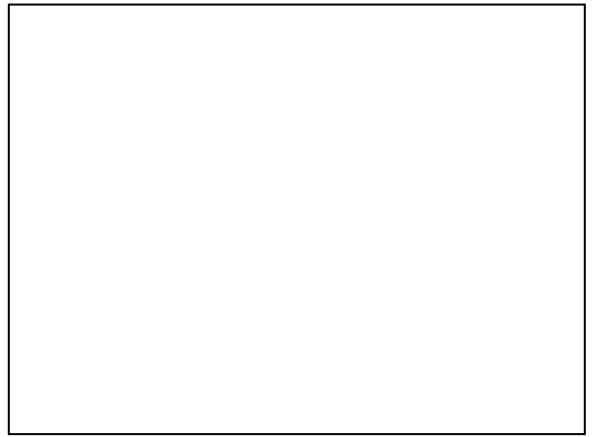
PROJECT: R23-20

APPLICANT: James and Michelle Duggar

REQUEST: Rezone from A-1 to SF-2



SPRINGDALE
WE'RE MAKING IT HAPPEN



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R23-21) CERTAIN LANDS FROM LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) TO GENERAL COMMERCIAL DISTRICT (C-2) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of May 2, 2023 for hearing the matter of a petition of Teresa Reed requesting that the following described tract of real estate to be zoned from Low/Medium Density Single Family Residential District (SF-2) to General Commercial District (C-2).

Layman's Description: NE of Intersection of 48th St. & Bob Mills Rd.

Legal Description: PART OF THE NW/4 OF THE SE/4 OF SECTION 28 IN TOWNSHIP 18 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT, THENCE N02°01'23"W ALONG THE CENTERLINE OF A ROAD, A DISTANCE OF 297.98 FEET, THENCE LEAVING SAID CENTERLINE N82°52'43"E A DISTANCE OF 129.14 FEET TO THE WEST RIGHT-OF-WAY OF U.S. HIGHWAY 71; THENCE ALONG SAID RIGHT-OF-WAY S13°05'00"E A DISTANCE OF 320.49 FEET TO THE SOUTH LINE OF SAID FORTY ACRE TRACT; THENCE LEAVING SAID RIGHT-OF-WAY ALONG SAID SOUTH LINE S89°30'33"W, A DISTANCE OF 190.18 FEET TO THE POINT OF BEGINNING, CONTAINING 48906.03 SQUARE FEET OR 1.12 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY OF A ROAD ON THE WEST SIDE THEREOF. SUBJECT TO ALL OTHER EASEMENTS, RIGHTS-OF-WAY OR RESTRICTIONS. LESS AND EXCEPT TO THE

WEST 30 FEET OF THE HEREIN DESCRIBED PROPERTY WHICH
MIGHT LIE IN THE ROAD.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned (R23-21) from Low/Medium Density Single Family Residential District (SF-2) to General Commercial District (C-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Low/Medium Density Single Family Residential District (SF-2) to General Commercial District (C-2).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

S Public Hearing Sign Location



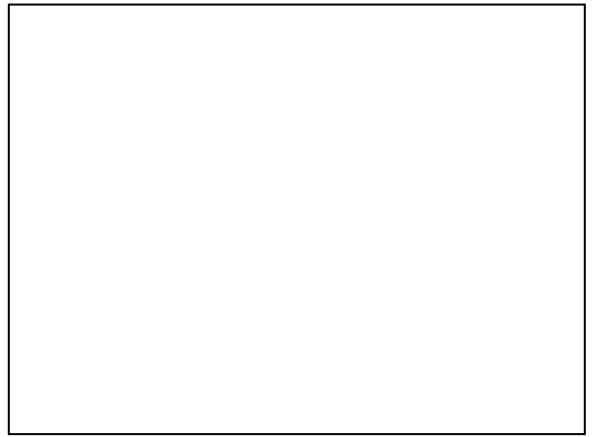
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PROJECT: R23-21
APPLICANT: Teresa Reed
LOCATION: 1749 N. 48th Street & Parcel to the North
REQUEST: Rezone From SF-2 to C-2



SPRINGDALE™
WE'RE MAKING IT HAPPEN



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R23-22) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of May 2, 2023 for hearing the matter of a petition of Derick & Rebecca Nolan requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

Layman's Description: 875 E. Don Tyson Parkway

Legal Description: PT E/2 NE NE 1.00 AC FURTHER DESCRIBED FROM 2020-21789 AS: PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 17 NORTH, RANGE 30 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: FROM THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE SOUTH 00°06'15" EAST 532.30 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY ALONG SAID LINE A DISTANCE OF 259.70 FEET; THENCE SOUTH 89°54'20: WEST 164.99 FEET; THENCE NORTH 00°06'15" WEST 259.97 FEET, THENCE EAST 164.99 FEET TO THE POINT OF BEGINNING.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned (R23-22) from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) for the purposes of that Zoning Ordinance would be more

properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

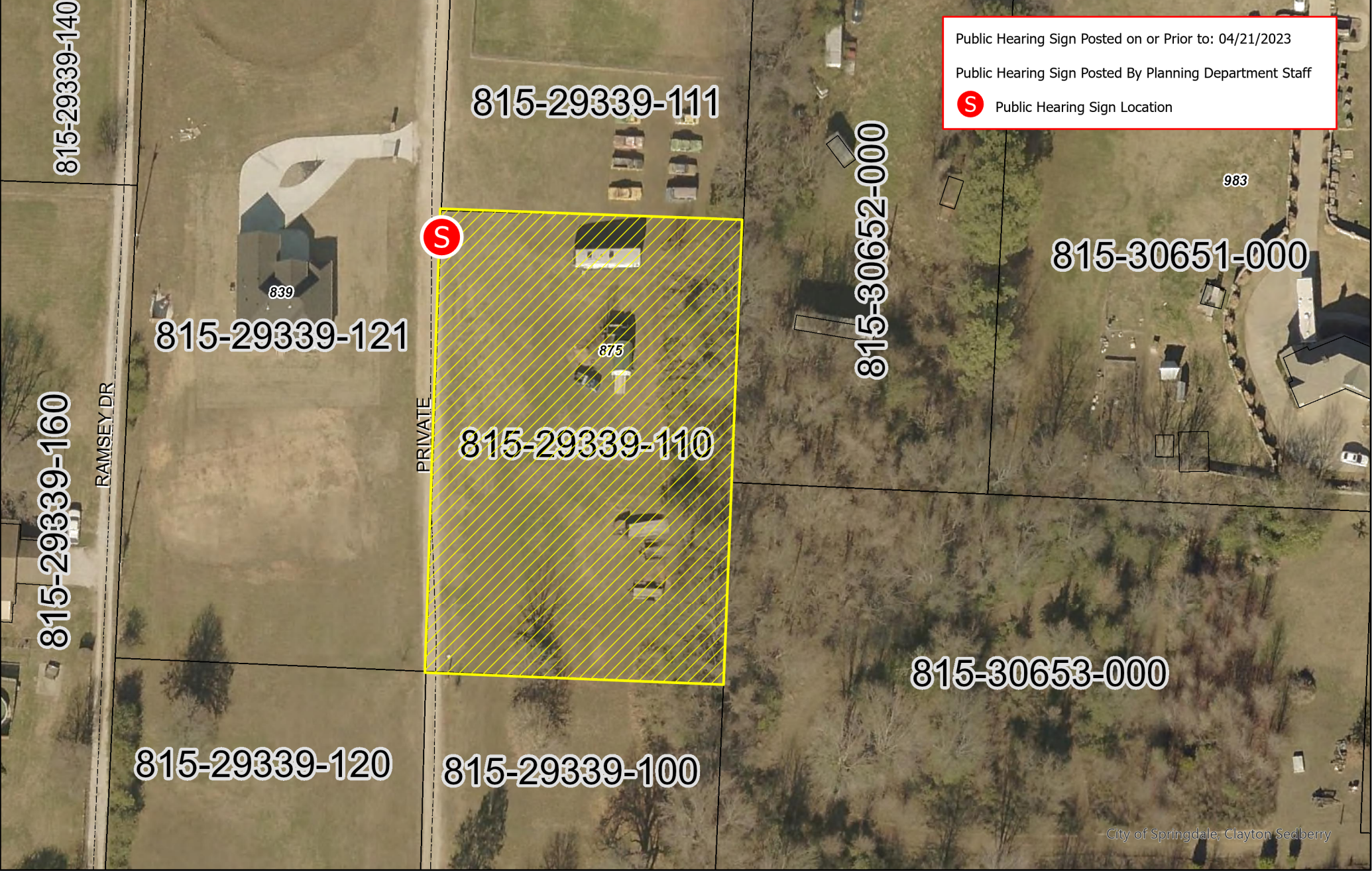
ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

Public Hearing Sign Posted on or Prior to: 04/21/2023
Public Hearing Sign Posted By Planning Department Staff
S Public Hearing Sign Location



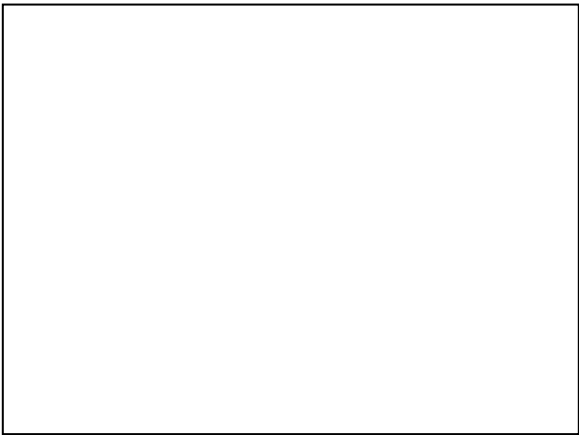
Planning Commission Meeting
May 2, 2023

0 00.01 0.01 0.02 0.02 Miles



PROJECT: R23-22
APPLICANT: Derick and Rebecca Nolan
LOCATION: 875 E. Don Tyson Parkway
REQUEST: Rezone From A-1 to SF-2





ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R23-23) CERTAIN LANDS FROM LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) TO LOW/MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (MF-4) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of May 2, 2023 for hearing the matter of a petition of LD Gibson Properties, LLC requesting that the following described tract of real estate to be zoned from Low/Medium Density Single Family Residential District (SF-2) to Low/Medium Density Multi-Family Residential District (MF-4).

Layman's Description: 2608 Powell Street

Legal Description: A PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION TWELVE (12), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY (30) WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N00°02'32"W 544.0 FEET AND S89°56'46"E 1127.16 FEET FROM THE SOUTHWEST CORNER OF SAID 40 ACRE TRACT, AND RUNNING THENCE S89°56'46"E 182.44 FEET; THENCE N00°02'32"W 118.0 FEET; THENCE N89°56'46"W 182.44 FEET; THENCE S00°02'32"E 118.0 FEET TO THE POINT OF BEGINNING, CONTAINING 0.49 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RIGHTS-OF-WAY AND PROTECTIVE CONVENANTS OF RECORD, IF ANY.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be

rezoned (R23-23) from Low/Medium Density Single Family Residential District (SF-2) to Low/Medium Density Multi-family Residential District (MF-4) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Low/Medium Single Family Residential District (SF-2) to Low/Medium Density Multi-Family Residential District (MF-4).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

815-29248-050

815-29248-062

Public Hearing Sign Posted on or Prior to: 04/21/2023
Public Hearing Sign Posted By Planning Department Staff
 Public Hearing Sign Location

815-29248-061

815-29248-071

815-29247-000

POWELL ST

City of Springdale, Clayton Sedberry

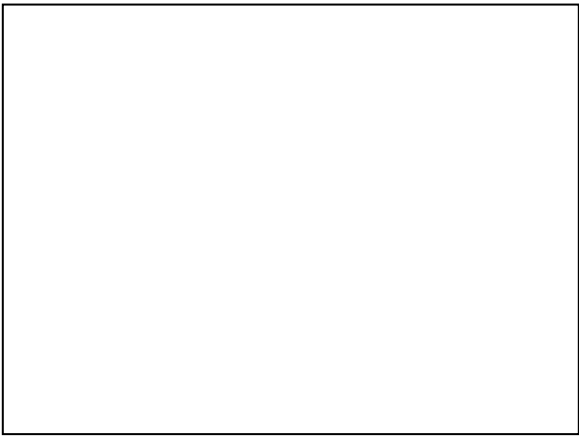
Planning Commission Meeting
May 2, 2023

0 0 0 0 0.01 0.01 Miles



PROJECT: R23-23
APPLICANT: LD Gibson Properties, LLC
LOCATION: 2608 Powell Street
REQUEST: Rezone From SF-2 to MF-4





ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING (R23-24) CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) AND DECLARING AN EMERGENCY.

WHEREAS, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of, May 2, 2023 for hearing the matter of a petition of Kiangta Xaysanasy & Dlavanh Xaysingkhram that the following described tract of real estate to be zoned from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

Layman's Description: 3295 Habberton Road

Legal Description: A PART OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION NINE (9), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-NINE (29) WEST, WASHINGTON COUNTY, ARKANSAS, AS DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 9; THENCE N00°01'31"W 347.24 FEET; THENCE N89°04'56"W 502.11 FEET; THENCE N00°01'31"W 533.45 FEET; THENCE N89°04'56"W 808.98 FEET TO THE POINT OF BEGINNING; THENCE EAST 242 FEET; THENCE NORTH 180 FEET; THENCE WEST 242 FEET TO THE WEST LINE OF THE SW ¼ OF THE SE ¼; THENCE SOUTH 180 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, AND PROTECTIVE COVENANTS OF RECORD, IF ANY.

SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES, IF ANY.

AND WHEREAS, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning,

recommends to the Springdale City Council that the area described herein should be rezoned (R23-24) from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

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

SECTION 1: That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: EMERGENCY CLAUSE: It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

815-36192-100 815-36191-000

815-36191-400

Public Hearing Sign Posted on or Prior to: 04/21/2023

Public Hearing Sign Posted By Planning Department Staff



Public Hearing Sign Location



815-36192-700

3295

3299

815-36191-800

HABBERTON RD

City of Springdale, Clayton Sedberry

Planning Commission Meeting
May 2, 2023

0 0 0 0.01 0.01 0.01 Miles



PROJECT: R23-24
APPLICANT: Kiangta Xaysanasy & Dalavanh Xaysingham
LOCATION: 3295 Habberton Road
REQUEST: Rezone From A-1 to SF-2



SPRINGDALE
WE'RE MAKING IT HAPPEN

Page 145

RESOLUTION NO. _____

**A RESOLUTION APPROVING A CONDITIONAL USE
(C23-05) AT 2308 N. MOUNTAIN ROAD AS SET FORTH
IN ORDINANCE NO. 4030**

WHEREAS, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

WHEREAS, the Planning Commission held a public hearing on May 2, 2023 a request by CCO Investments for a conditional use for a Tandem Lot Split in an Agricultural District (A-2) at 2380 N. Mountain Road; and

WHEREAS, following the public hearing the Planning Commission by a vote of eight (8) yes and zero (0) no recommends that a conditional use be granted to CCO Investments, LLC for a Tandem Lot Split in an Agricultural District (A-1) with the following conditions – No conditions set.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby grants a conditional use (C23-05) to CCO Investments, LLC for a Tandem Lot Split in an Agricultural District (A-1) with the following conditions – No conditions set.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

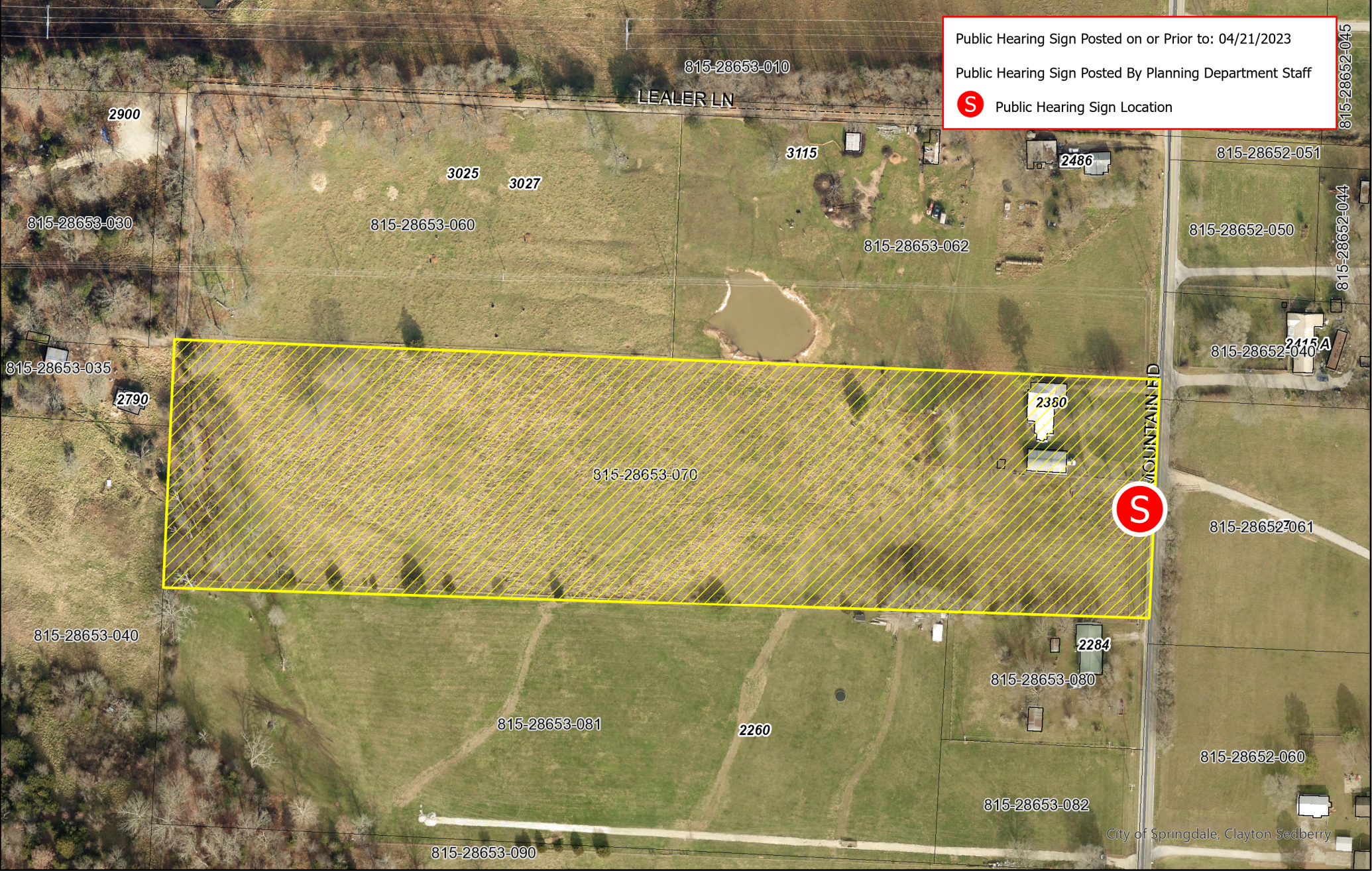
ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

Public Hearing Sign Posted on or Prior to: 04/21/2023
 Public Hearing Sign Posted By Planning Department Staff
 Public Hearing Sign Location



Planning Commission Meeting
 May 2, 2023

 Miles
 0.0 0.1 0.2 0.3 0.4



PROJECT: C23-05
 APPLICANT: CCO Investments, LLC
 LOCATION: 2380 N. Mountain Road
 REQUEST: Conditional Use for a Tandem Lot in an A-1 Zoning



SPRINGDALE
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RESOLUTION NO. _____

**A RESOLUTION APPROVING A WAIVER (W23-14) OF
STREET IMPROVEMENTS, DRAINAGE, CURBS,
GUTTERS AND SIDEWALKS AS SET FORTH IN
ORDINANCE NO. 3725 TO IN CONNECTION WITH 5503
W. COUNTY LINE ROAD, A SINGLE-FAMILY RESIDENCE**

WHEREAS, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters and sidewalks to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

WHEREAS, the Planning Commission reviewed a request for waiver (W23-14) of street improvements to 5503 W. County Line Road in connection with a single-family dwelling and the Planning Commission recommends approval of the waiver request subject to a Bill of Assurance.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, that the City Council hereby:

Option 1: Grants a waiver of street improvements to including improvements related thereto, sidewalks in connection with 5503 W. County Line Road a single-family dwelling.

Option 2: Denies a waiver of street improvements to W. County Line Road including improvements related thereto, sidewalks in connection with 5503 W. County Line Road with a single-family dwelling.

Option 3: Approves payment in lieu of improvements to W. County Line Road in connection with 5503 W. County Line Road, a single-family dwelling with an estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

Option 4: Denies a waiver and allow a Bill of Assurance for a period not to exceed _____ years for street improvements to W. County Line Road including improvements related thereto, and sidewalks to be built in connection with 5503 W. County Line Road a single-family dwelling.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest Cate, City Attorney

RESOLUTION NO: _____

**A RESOLUTION ADOPTING AND APPROVING THE
CONSOLIDATION PLAN 2023-2028 AND THE 2023
ACTION PLAN FOR THE COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM.**

WHEREAS, in accordance with the guidelines established by the Department of Housing & Urban Development for the Community Development Block Grant Program, the Consolidation Plan (5- Year) and the 2023 Program Year Action Plan was developed, a copy of which is attached and made a part of the resolution; and

WHEREAS, a first public meeting was held on January 16, 2023 and the first committee meeting was held on May 15, 2023.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF SPRINGDALE, ARKANSAS:**

1. That the 2023 Program Year Action Plan for use of Community Development Block Grant Program Funds, and the Consolidation Plan a copy of which is attached and made a part as though set out herein word or word, is approved and authorized for submission to the United States Department of Housing and Urban Development on June 1, 2023.
2. That Mayor Doug Sprouse is hereby designated as the authorized official to execute all documents pertaining to the Community Development Block Grant Program.

PASSED AND APPROVED this 23th day of May, 2023

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



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Community Development Block Grant Program

The CDBG Program



Where the funds go?

Program Administration- up to 20%

Public Services- Up to 15%

Public Facility- depending on project

Housing Rehabilitation- no maximum allowance

The fiscal year approach to funding:

- Program Admin- 10%
- Public Services -13.6%
- Public Facility- 30%- Miracle League Resurfacing
- Housing Rehabilitation- 46.4%

Public Service



Between January 1 and February 1 of the fiscal year, applications are accepted.

Environmental assessment will be conducted- usually exempt due to no construction work being done.

- Must be in the City of Springdale
- Must be Non-profit
- Audits will be turned in every 3 months
- Audits need to have the following
 - Name or identifier
 - Amount used and check number, if possible
 - Race and age (if possible head of household)
 - Number of family member in home
 - Income, either low to moderate income
 - What the funds are used for



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Community Development Block Grant Program Consolidation Plan- 5 year Plan

Consolidated Plan



What is the Consolidated Plan?

The City is looking at \$4,349,315 from HUD in the next 5 years (\$869,863 x5). This number will likely change from year to year and this will be changed in the HUD program.

The goal is to preserve the older housing stock, in doing this at least 80% of the grant will go to housing rehabilitation.

Consolidated Plan



What is the Consolidated Plan?

The four main objectives for the Con Plan is:

- Housing Rehabilitation- no maximum amount
- Public Service- Max 15%
- Program Administration- up to 20%- using 10%
- Public Facility- depends on project requirements

During the developmental stage of the Con Plan, HUD requires us to hire a separate consulting firm to perform the Fair Housing Act report, or Articles of Impediments.

Consolidated Plan



Articles of Impediments

There are 7 Impediments that will be addressed:

These are the Impediments that were found during the process with J-Quad Planning Group, an independent consultant.

- Increase resources for affordable housing development,
- De-concentration of poverty, race/ethnicity, public and assisted housing (R-ECAP)
- Limited development subsidies,
- Housing affordability and insufficient income, and cost burden.
- Limited housing resources to assist lower income, elderly and disabled homeowners, maintain homes and enhance neighborhood stability.
- Expand supply of affordable housing, housing choice and access to financing.
- Special needs housing, regulations and services, socio-economic, banking, finance, regulatory, policy



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Community Development Block Grant Program Action Plan

Action Plan



2023 Action Plan

Our goal has been and always will be to preserve the older housing stock.

- Housing Rehabilitation Program- it is still taking around 30-60 days to complete a rehab due to the supply demand for materials.
- We have multiple houses in various stages of work
- We have eleven homeowners on the waiting list

Action Plan



Summary of the Housing Rehabilitation Program

- For the fiscal year 2020-2021, we have spent \$622,413 on 40 homes, this would average out \$15,560.32 per single-family dwelling. This affected 142 family members.
- At this time, we are spending fiscal year 22 funds now.
- We do have a Public Facility project coming up, this is the Bridge crossing Spring Creek project to Dean's Trail.

Action Plan



Before



Action Plan

Before



Action Plan



After



Action Plan



After



Action Plan



What is upcoming with the program

Public Facilities Project: Miracle League resurfacing-
\$273,617.38

These funds will come out of FY21 Funds

Bridge from the Spring Creak Development to Dean's Trail-
\$250,000

These funds will come out of FY22 Funds

An update on the Miracle League:

Material was ordered, material should be here around June 12, 2023. Work should take about 15 days to complete.

Action Plan



FY23 Non-Profit applicants

Feed the 479 asking \$15,000

Bread of Life asking \$24,000

VFW Aux asking \$15,000

Hydration for Life asking \$7,300

Compassion House asking- \$24,000

CASA of NWA asking \$10,000

NWA Continuum of Care asking \$8,600

Community Clinic asking- \$12,000

RootED NWA asking- \$24,000

Total Amount asking: \$139,900 (16%)

Action Plan



FY23 Non-Profit applicants

Since the Asking amount is over the 15% maximum, The City Council will need to approve the disbursement of funds to the non-profits.

- One recommendation is to subtract \$1,046.78 from each of the non-profits that submitted their application.
- Another recommendation is to eliminate \$9,421 from one of the non-profit organizations to meet the requires maximum allowance of 15%

This is what one of the recommended disbursements would look like:

Action Plan



FY23 Non-Profit applicants

Feed the 479 - \$13,953.22

Bread of Life - \$22,953.22

VFW Aux - \$13,953.22

Hydration for Life - \$6,253.22

Compassion House - \$22,953.22

CASA of NWA - \$8,953.22

NWA Continuum of Care - \$7,553.22

Community Clinic - \$10,953.22

RootED NWA- \$22,953.22

Total Amount asking: \$130,478.98 (14.9%)

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING PAYMENT OF AN
INVOICE FOR THE HARBER AVENUE EXTENSION
PROJECT (PROJECT NO. 18BPS12).**

WHEREAS, Section 2-158 of the Code of Ordinances of the City of Springdale, Arkansas, requires City Council approval before paying any bill which exceeds \$1,000,000.00;

WHEREAS, the City has contracted with Crossland Heavy Contractors, Inc., for the construction of the Harber Avenue Extension Project (Project No. 18BPS12); and,

WHEREAS, the City has received an invoice for \$1,124,599.70 from Crossland Heavy Contractors, Inc., for construction expenses for the Project for April 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor and City Clerk are authorized to pay Crossland Heavy Contractors, Inc., \$1,124,599.70 with funds from the 2018 Street Bond fund.

PASSED AND APPROVED this _____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



MONTHLY INVOICE PREPARED BY GARVER

PROJECT NAME: Har-Ber Avenue Extension - 40th Street to Gutensohn INVOICE NUMBER: 11

OWNER: City of Springdale
201 Spring Street
Springdale, AR 72764 FROM: 04/01/23
TO: 04/30/23

ORIGINAL: Crossland Heavy Contractors, Inc.
501 S. East Avenue
Columbus, KS 66725 GARVER PROJECT NUMBER: 1804-7150

CONTRACT DATE: April 28, 2022 CONTRACT COMPLETION DATE: 06/15/23

DATE WORK BEGAN: 06/21/22

SUBSTANTIAL COMPLETION:

CONTRACT AMOUNT: CONSTRUCTION TIME:

ORIGINAL:	\$	11,386,350.15	ALLOTTED:	360	Calendar Days
CHANGE ORDERS:	\$	(1,400,655.30)	SUSPENDED:		Calendar Days
REVISED:	\$	9,985,694.85	USED:	314	Calendar Days

72% of Contract Amount Used To-date

87% of Contract Time Used To-Date

Weather Time Added This Invoice 1
Other Delays Claimed This Invoice 0

Total Weather Time To Date 1
Total Other Delays To Date 0

CERTIFICATION, RECOMMENDATION, & APPROVAL

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract referred to above have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by all prior Applications for Payment; (2) title of all Work, materials and equipment incorporated into said Work or otherwise listed in or covered by the Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Lien, security interest or encumbrance); (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective; (4) all contract labor standards requirements have been complied with by Contractor and by each subcontractor employing mechanics or laborers at the site of the work; and (5) the quantities shown on the attached Unit Price Schedule reflect the quantities complete at the closing date of this invoice period.

Certified By:
CONTRACTOR: Crossland Heavy Contractors, Inc.

By: Jason Necessary

Date: 05/05/2023

Recommended By:
ENGINEER: Garver

By: Sam Young

Date: Digitally Signed 05/05/2023

Approval for Payment By:
OWNER: City of Springdale

Approved By: Ryan L

Date: 5-8-23

Total Amount of Work Done	\$ 7,236,322.85
Plus Materials Stored	\$ -
TOTAL	\$ 7,236,322.85
Less Retainage (5% of Total Amount of Work Done)	\$ 361,816.14
Difference	\$ 6,874,506.71
Less Previous Payments	\$ 5,749,907.01
AMOUNT DUE ON CONTRACT THIS INVOICE	\$ 1,124,599.70

RESOLUTION NO._____

**A RESOLUTION OF INTENT REGARDING THE
BOND IMPROVEMENT PROJECTS**

WHEREAS, the City of Springdale, Arkansas (the "City") proposes to undertake senior center projects to be financed with proceeds of sales and use tax bonds that were approved by the voters at the special election held May 9, 2023, in the maximum principal amount of \$16,250,000, and

WHEREAS, the City proposes to undertake park and recreational improvement projects to be financed with proceeds of sales and use tax bonds that were approved by the voters at the special election held May 9, 2023, in the maximum principal amount of \$16,250,000, and

WHEREAS, the City proposes to undertake fire department projects to be financed with proceeds of sales and use tax bonds that were approved by the voters at the special election held May 9, 2023, in the maximum principal amount of \$7,750,000, and

WHEREAS, the City proposes to undertake street improvement projects to be financed with the proceeds of sales and use tax bonds that were approved by the voters at the special election held May 9, 2023, in the maximum principal amount of \$135,000,000, and

WHEREAS, the purpose of this Resolution is for the City to declare its "official intent" for the reimbursement of certain expenditures from the proceeds of the sales and use tax bonds approved by the voters at the special election held May 9, 2023 (the “bonds”), within the meaning of Regulation No. 1.150-2 promulgated by the United States Treasury Department (the "Regulation").

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
FOR THE CITY OF SPRINGDALE, ARKANSAS;**

Section 1: The City hereby expresses its official intent under the Regulation to advance up to the project amounts shown below from the City's General Fund balances to pay the capital costs of the projects prior to the issuance of the Bonds and to reimburse itself from Bond proceeds for such expenditures.

<u>Projects</u>	<u>Amounts</u>
Senior Center	\$900,000
Parks and Recreational	\$300,000
Fire Department	\$500,000
Streets	\$1,000,000

Section 2: Proceeds of the Bonds will be applied to reimburse the City for any capital expenditures related to the projects made before the Bonds are issued within eighteen (18) months after the later of (a) the date of the expenditure

or (b) the date on which the particular project is placed in service and, in any event, within three (3) years after the date of the expenditure.

PASSED AND APPROVED this 23rd day of May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF TRAFFIC DETECTION PROGRAM SOFTWARE AND EQUIPMENT; TO WAIVE COMPETITIVE BIDDING, AND FOR OTHER PURPOSES.

WHEREAS, the City of Springdale, Arkansas, is in need of traffic monitoring, detection, and reporting technology to better assist in the flow and safety of traffic within the City;

WHEREAS, Miovision Technologies, Inc., is the owner and sole source provider of TrafficLink, a remote corridor monitoring, detection, and reporting system which will meet the City’s traffic needs as stated herein;

WHEREAS, the TrafficLink program is reasonably priced, is considered the state of the art in this type of software, and is the exclusive provider of this type of software; and

WHEREAS, the 2023 Budget of the City of Springdale contemplated the purchase and implementation of this program, and the costs thereof were included in the 2023 Budget of the Public Works Department;

WHEREAS, the City Council finds that the TrafficLink system would be beneficial to those using the public streets of the City;

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

Section 1: That the Mayor is hereby authorized to enter into an agreement with Miovision Technologies, Inc., for the purchase and implementation of the TrafficLink program for the Public Works Department, in an amount not to exceed \$153,120.00, to be paid from the 2023 Budget of the Public Works Department.

Section 2: That competitive bidding is not deemed feasible or practical because of the exceptional situation previously set out herein and therefore competitive bidding is hereby waived under Ark. Code Ann. §14-58-104.

PASSED AND APPROVED this _____ day of May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

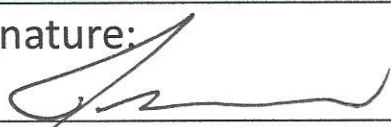
APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY



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DEPARTMENT FUNDING REQUEST

Department: <u>Public Works</u>		Date: <u>4-26-2023</u>
Point of Contact: <u>James Smith</u>	Amount Requested: <u>\$ 153,120.</u>	
Date to be Presented to Committee: <u>5 / 15 / 2023</u>		
Brief Description of Funding Request: <u>AI Moi-Vision Traffic detection - 10</u>		
Funding Source: (General Fund, Special Fund, etc.)		
IS IT BUDGETED?		
YES ☒	NO ☐	
\$0 - \$34,999 No Council approval needed	☐ \$0 - \$4,999	
Request to waive bidding? ☐ Buy Board ☐ Sole Source	☐ \$5,000 - \$34,999 Requires 3 Quotes	
Signature: 	☐ \$35,000+ Requires Bid	
Please attach supplemental information	Request to waive bidding? ☐ Buy Board ☒ Sole Source	



April 18, 2023

Delivered Via Email to: kreither@springdalear.gov

Springdale Public Works Department
269 E. Randall Wobbe Ln.
Springdale AR, 72764

Attention: Kurt Reither, Traffic Superintendent

Dear Mr. Reither,

Miovision Technologies Incorporated ("Miovision") is the owner of Miovision TrafficLink™ ("TrafficLink"), a remote corridor monitoring, detection, and reporting technology.

TrafficLink is unique in that it provides government agencies with all the elements required for remote corridor monitoring, detection, and continuous turning movement count data collection in a single solution package from one vendor.

Further to your request, this letter is provided to you to confirm that as of the date hereof, Pinkley Sales Company is Miovision's sole approved distributor of TrafficLink hardware in the State of Arkansas. However, please note that Miovision may change its distributors in its sole discretion from time to time and without a requirement to notify you.

Should you have any questions, please contact the undersigned.

Kind Regards,

MIOVISION TECHNOLOGIES INCORPORATED

Per:

DocuSigned by:

C280962881DB405...
Jared Gillespie
Senior Legal Counsel

May 12th, 2022

Marty Pinkley
Pinkley Sales Company
344 West Hefner Road
Oklahoma City, OK 73114

To Whom it May Concern:

Please find this letter as confirmation that Pinkley Sales Company is the sole, exclusive distributor of our TrafficLink products in the state of Arkansas.

With warmest regards,

Michael

Michael W. Harvard
Enterprise Executive for Sales
Miovision
865-324-4710

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE PORTIONS OF LAND FROM TJ HOMES, LLC., FOR THE DON TYSON PARKWAY PROJECT (HWY 112 TO 56TH STREET), PROJECT NO. CP1518.

WHEREAS, the City of Springdale is in need of acquiring portions of land for the Don Tyson Parkway Project (Hwy 112 to 56th Street), Project No. CP1518, Tract 17 and Tract 18, said lands being owned by TJ Homes, LLC;

WHEREAS, the City of Springdale has determined by appraisal that the sum of \$108,900.00 (\$55,200.00 for Tract 17 and \$53,700.00 for Tract 18) is the estimated just compensation for the property needed from TJ Homes, LLC;

WHEREAS, the property owner has extended a counter-offer that the City pay the total sum of \$122,000.00 to acquire the lands needed for the project, said amount being justified by the nature of these properties, and the increase in property values;

WHEREAS, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of \$13,100.00 to acquire the property needed from TJ Homes, LLC, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of acquiring this property by eminent domain proceedings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City is hereby authorized to acquire a portion of land for the Don Tyson Parkway Project (Hwy 112 to 56th Street), Project No. CP1518, Tract 17 and Tract 18, said lands being owned by TJ Homes, LLC, the total sum of \$122,000.00 to be paid from the general fund.

PASSED AND APPROVED this ____ day of _____, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

APPRAISAL REPORT

ON

THE TJ HOMES, LLC PROPERTY,
(0.69± ACRE/30,000± SQUARE FEET);
LOCATED AT 5824 DEARING ROAD,
SPRINGDALE, ARKANSAS; WASHINGTON COUNTY.

ARDOT JOB 040717 – F.A.P STPU-9399(23)
TRACT: 17

FOR

ARKANSAS DEPARTMENT OF TRANSPORTATION
PO BOX 2261, LITTLE ROCK, AR 72203

AND

CITY OF SPRINGDALE
SPRINGDALE, AR

BY

REED & ASSOCIATES, INC.
3739 N. STEELE BLVD., SUITE 322
SPRINGDALE, ARKANSAS 72703

FILE NO. 6582-17

AS OF

OCTOBER 11, 2022

Reed & Associates, Inc.

Real Estate Appraisers – Consultants

*3739 N. Steele Blvd., Suite 322, Fayetteville, AR 72703 * 479-521-6313 * Fax: 479-521-6315 * www.reedappraisal.biz*

*Tom Reed, MAI • Katie Hampton • Shannon Mueller • E. P. Scruggs III
• Blake Hopper • Ann Julian*

October 13, 2022

Ben Peters
Director of Engineering
City of Springdale
201 Spring Street
Springdale, AR 72764

RE: Tract 17 – TJ Homes, LLC (0.69± Acre/30,000± Square Feet);
Located At 5824 Dearing Road, Springdale, Arkansas; Washington
County.

Dear Mr. Peters:

In compliance with your request and for the purpose of estimating the market value of the above captioned property, I hereby certify that I have examined the subject property and made a survey of the matters pertinent to the estimation of its value.

I further certify that I have no interest, present or contemplated, in the property appraised, and that my fee was not contingent upon the value estimate reported.

The following real property appraisal report contains data gathered in my investigation, information from my files, and shows the method of appraisal in detail. This report is presented under the Appraisal Report Option.

This report addresses: the market value of the Whole Property prior to the City of Springdale acquiring 5,734± square feet (SF), or .13± acre (AC) in right-of-way acquisition (ROW), 2,000± SF, or .05± AC in permanent utility easement (PUE), and 1,000± SF, or .02± AC in temporary construction easement (TCE) as of October 11, 2022, and, the market value of the Remainder Property after the acquisition of 5,734± square feet (SF), or .13± acre (AC) in ROW, 2,000± SF, or .05± AC in PUE, and 1,000± SF, or .02± AC in TCE is in place, also as of October 11, 2022.

Based on an analysis of relevant data, and contingent on the Assumptions and Limiting Conditions which follow and appear in the Addenda Section of this report, it is my opinion the market value of the subject property, as of October 11, 2022, was as follows:

Whole Property	=	\$252,000
Remainder Property	=	<u>\$198,400</u>
Subtotal	=	\$ 53,600
Plus: Temporary Construction Easement	=	<u>\$ 1,600</u>
Damage To Market Value - - -	=	\$ 55,200

The preceding values reflect terms equivalent to cash to the owners and represent those for real property only.

The following Extraordinary Assumptions are utilized in this report:

1. Subject land sizes, Whole Property and Remainder Property, is approximately as indicated;
2. The area of acquisitions are approximately as indicated;
3. The City of Springdale, at their expense, will put the land area located within the permanent utility easement, and temporary construction easement areas back to as near original condition as possible;
4. Subject will have adequate ingress/egress to/from Dearing Road;
5. Subject and adjacent properties are in compliance with all applicable EPA regulations.

If any, or all, of these Extraordinary Assumptions prove to be untrue, one or both of the preceding value estimates could be influenced.

The reader is referred to additional Assumption and Limiting Conditions presented in the Addenda Section of this report.

A Hypothetical Condition of this appraisal is that the Don Tyson Parkway Extension project is complete and in place as of the effective date of this report in estimating the market value of the Remainder Property. In reality, the Don Tyson Parkway Extension project was not complete and in place as of October 11, 2022. If this Hypothetical Condition is not considered, the estimated market value of the Remainder Property could be influenced.

The appraiser is invoking the Jurisdictional Exception Rule in this appraisal. The Uniform Standards of Professional Appraisal Practice requires, under Standards Rule 1-2 (c) (iv), “When reasonable exposure time is a component of the definition for the value opinion being developed, the appraisers must also develop an opinion of reasonable exposure time linked to that value opinion.” However, the Uniform Appraisal Standards For Federal Land Acquisitions, under Section 1.2.4, states “Appraisers should not link opinions of value under these Standards to a specific opinion of exposure time, unlike appraisal assignments for other purposes under USPAP Standards Rule 1-2 (c).”

USPAP states the following under Sections Rule 1-4 (f): “When analyzing anticipated public or private improvements, located on or off the site, an appraiser must analyze the effect on value, if any, of such anticipated improvements to the extent they are reflected in market actions.” This appraisal is prepared in conformity to the provisions of the “Uniform Act” and its implementing regulation 49 CFR Part 24. The 49 CFR Part 24 regulation requires appraisers to disregard any decrease or increase in the market value of the property that has been caused directly by the project

in the "Before Acquisition Value" appraisal. This is considered a Jurisdictional Exception. In addition, General Benefits as a result of the project have not been considered in the valuation of the Remainder Property based on 49 CFR Part 24. Considering USPAP Standards Rule 1-4 (f), this is also considered a Jurisdictional Exception.

Sincerely,



Shannon Reed Mueller, CG2302
REED & ASSOCIATES, INC.



APPRAISAL REPORT

ON

THE TJ HOMES, LLC PROPERTY,
(0.69± ACRE/30,000± SQUARE FEET);
LOCATED AT 5794 DEARING ROAD,
SPRINGDALE, ARKANSAS; WASHINGTON COUNTY.

ARDOT JOB 040717 – F.A.P STPU-9399(23)
TRACT: 18

FOR

ARKANSAS DEPARTMENT OF TRANSPORTATION
PO BOX 2261, LITTLE ROCK, AR 72203

AND

CITY OF SPRINGDALE
SPRINGDALE, AR

BY

REED & ASSOCIATES, INC.
3739 N. STEELE BLVD., SUITE 322
SPRINGDALE, ARKANSAS 72703

FILE NO. 6582-18

AS OF

OCTOBER 11, 2022

Reed & Associates, Inc.

Real Estate Appraisers – Consultants

*3739 N. Steele Blvd., Suite 322, Fayetteville, AR 72703 * 479-521-6313 * Fax: 479-521-6315 * www.reedappraisal.biz*

*Tom Reed, MAI • Katie Hampton • Shannon Mueller • E. P. Scruggs III
• Blake Hopper • Ann Julian*

October 13, 2022

Ben Peters
Director of Engineering
City of Springdale
201 Spring Street
Springdale, AR 72764

RE: Tract 18 – The TJ Homes, LLC Property, (0.69± Acre/30,000± Square Feet); Located At 5794 Dearing Road, Springdale, Arkansas; Washington County.

Dear Mr. Peters:

In compliance with your request and for the purpose of estimating the market value of the above captioned property, I hereby certify that I have examined the subject property and made a survey of the matters pertinent to the estimation of its value.

I further certify that I have no interest, present or contemplated, in the property appraised, and that my fee was not contingent upon the value estimate reported.

The following real property appraisal report contains data gathered in my investigation, information from my files, and shows the method of appraisal in detail. This report is presented under the Appraisal Report Option.

This report addresses: the market value of the Whole Property prior to the City of Springdale acquiring 5,736± square feet (SF), or .13± acre (AC) in right-of-way acquisition (ROW), 2,000± SF, or .05± AC in permanent utility easement (PUE), and 1,000± SF, or .02± AC in temporary construction easement (TCE) as of October 11, 2022, and, the market value of the Remainder Property after the acquisition of 5,736± square feet (SF), or .13± acre (AC) in ROW, 2,000± SF, or .05± AC in PUE, and 1,000± SF, or .02± AC in TCE is in place, also as of October 11, 2022.

Based on an analysis of relevant data, and contingent on the Assumptions and Limiting Conditions which follow and appear in the Addenda Section of this report, it is my opinion the market value of the subject property, as of October 11, 2022, was as follows:

Whole Property	=	\$250,500
Remainder Property	=	<u>\$198,400</u>
Subtotal	=	\$ 52,100
Plus: Temporary Construction Easement	=	<u>\$ 1,600</u>
Damage To Market Value - - -	=	\$ 53,700

The preceding values reflect terms equivalent to cash to the owners and represent those for real property only.

The following Extraordinary Assumptions are utilized in this report:

- 1. Subject land sizes, Whole Property and Remainder Property, is approximately as indicated;**
- 2. The area of acquisitions are approximately as indicated;**
- 3. The City of Springdale, at their expense, will put the land area located within the permanent utility easement, and temporary construction easement areas back to as near original condition as possible;**
- 4. Subject will have adequate ingress/egress to/from Dearing Road;**
- 5. Subject and adjacent properties are in compliance with all applicable EPA regulations.**

If any, or all, of these Extraordinary Assumptions prove to be untrue, one or both of the preceding value estimates could be influenced.

The reader is referred to additional Assumption and Limiting Conditions presented in the Addenda Section of this report.

A Hypothetical Condition of this appraisal is that the Don Tyson Parkway Extension project is complete and in place as of the effective date of this report in estimating the market value of the Remainder Property. In reality, the Don Tyson Parkway Extension project was not complete and in place as of October 11, 2022. If this Hypothetical Condition is not considered, the estimated market value of the Remainder Property could be influenced.

The appraiser is invoking the Jurisdictional Exception Rule in this appraisal. The Uniform Standards of Professional Appraisal Practice requires, under Standards Rule 1-2 (c) (iv), “When reasonable exposure time is a component of the definition for the value opinion being developed, the appraisers must also develop an opinion of reasonable exposure time linked to that value opinion.” However, the Uniform Appraisal Standards For Federal Land Acquisitions, under Section 1.2.4, states “Appraisers should not link opinions of value under these Standards to a specific opinion of exposure time, unlike appraisal assignments for other purposes under USPAP Standards Rule 1-2 (c).”

USPAP states the following under Sections Rule 1-4 (f): “When analyzing anticipated public or private improvements, located on or off the site, an appraiser must analyze the effect on value, if any, of such anticipated improvements to the extent they are reflected in market actions.” This appraisal is prepared in conformity to the provisions of the “Uniform Act” and its implementing regulation 49 CFR Part 24. The 49 CFR Part 24 regulation requires appraisers to disregard any decrease or increase in the market value of the property that has been caused directly by the project

in the "Before Acquisition Value" appraisal. This is considered a Jurisdictional Exception. In addition, General Benefits as a result of the project have not been considered in the valuation of the Remainder Property based on 49 CFR Part 24. Considering USPAP Standards Rule 1-4 (f), this is also considered a Jurisdictional Exception.

Sincerely,



Shannon Reed Mueller, CG2302
REED & ASSOCIATES, INC.



RESOLUTION NO. _____

**A RESOLUTION TO APPROPRIATE FUNDS FOR
ARCHITECTURAL DESIGN SERVICES FOR
RENOVATIONS AT THE SPRINGDALE PARKS AND
RECREATION FACILITY**

WHEREAS, the Springdale Parks and Recreation Department would like to renovate the first floor of the Springdale Parks and Recreation facility, and

WHEREAS, the Springdale Parks and Recreation Department has received a quote from Hight Jackson Associates in the amount of \$25,750.00 for renovations, and

WHEREAS, the Springdale Parks and Recreation Department is requesting to appropriate funds from the city's General Fund in the amount of \$25,750.00 for this project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that funds in the amount of \$25,750.00 be appropriated out of the city's General Fund, to be paid to Hight Jackson Associates for the renovation of the first floor at the Springdale Parks and Recreation facility.

PASSED AND APPROVED this 23rd day of May, 2023.

Doug Sprouse, MAYOR

ATTEST:

Denise Pearce, CITY CLERK

APPROVED:

Ernest B. Cate, CITY ATTORNEY

AIA® Document B104® – 2017

Standard Abbreviated Form of Agreement Between Owner and Architect

AGREEMENT made as of the Ninth day of May in the year Two Thousand Twenty-three
(In words, indicate day, month and year.)

BETWEEN the Architect's client identified as the Owner:
(Name, legal status, address and other information)

City of Springdale
201 Spring Street
Springdale, AR 72764

and the Architect:
(Name, legal status, address and other information)

Hight Jackson Associates PA
5201 W. Village Parkway, Suite 300
Rogers, AR 72758

for the following Project:
(Name, location and detailed description)

City of Springdale Parks & Recreation Building Partial Remodel
1906 Cambridge Street
Springdale, AR 72762

The Owner and Architect agree as follows.

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

TABLE OF ARTICLES

1	INITIAL INFORMATION
2	ARCHITECT'S RESPONSIBILITIES
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4	SUPPLEMENTAL AND ADDITIONAL SERVICES
5	OWNER'S RESPONSIBILITIES
6	COST OF THE WORK
7	COPYRIGHTS AND LICENSES
8	CLAIMS AND DISPUTES
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10	MISCELLANEOUS PROVISIONS
11	COMPENSATION
12	SPECIAL TERMS AND CONDITIONS
13	SCOPE OF THE AGREEMENT

ARTICLE 1 INITIAL INFORMATION

§ 1.1 This Agreement is based on the Initial Information set forth below:

(State below details of the Project's site and program, Owner's contractors and consultants, Architect's consultants, Owner's budget for the Cost of the Work, and other information relevant to the Project.)

Refer to the attached Proposal Letter dated April 19, 2023

§ 1.2 The Owner and Architect may rely on the Initial Information. Both parties, however, recognize that such information may materially change and, in that event, the Owner and the Architect shall appropriately adjust the schedule, the Architect's services and the Architect's compensation. The Owner shall adjust the Owner's budget for the Cost of the Work and the Owner's anticipated design and construction milestones, as necessary, to accommodate material changes in the Initial Information.

§ 1.3 The parties shall agree upon protocols governing the transmission and use of Instruments of Service or any other information or documentation in digital form. The parties will use AIA Document E203™–2013, Building Information Modeling and Digital Data Exhibit, to establish the protocols for the development, use, transmission, and exchange of digital data.

§ 1.3.1 Any use of, or reliance on, all or a portion of a building information model without agreement to protocols governing the use of, and reliance on, the information contained in the model and without having those protocols set forth in AIA Document E203™–2013, Building Information Modeling and Digital Data Exhibit, and the requisite AIA Document G202™–2013, Project Building Information Modeling Protocol Form, shall be at the using or relying party's sole risk and without liability to the other party and its contractors or consultants, the authors of, or contributors to, the building information model, and each of their agents and employees.

ARTICLE 2 ARCHITECT'S RESPONSIBILITIES

§ 2.1 The Architect shall provide the professional services set forth in this Agreement consistent with the professional skill and care ordinarily provided by architects practicing in the same or similar locality under the same or similar circumstances. The Architect shall perform its services as expeditiously as is consistent with such professional skill and care and the orderly progress of the Project.

§ 2.2 The Architect shall maintain the following insurance until termination of this Agreement. If any of the requirements set forth below are in addition to the types and limits the Architect normally maintains, the Owner shall pay the Architect as set forth in Section 11.8:

(Identify types and limits of insurance coverage, and other insurance requirements applicable to the Agreement, if any.)

.1 General Liability

Two Million Dollars (\$2,000,000) for each occurrence and Two Million Dollars (\$2,000,000) aggregate

.2 Automobile Liability

One Million Dollars (\$1,000,000)

.3 Workers' Compensation

One Million Dollars (\$1,000,000)

.4 Professional Liability

One Million Dollars (\$1,000,000), Two Million Dollars (\$2,000,000)

ARTICLE 3 SCOPE OF ARCHITECT'S BASIC SERVICES

§ 3.1 The Architect's Basic Services consist of those described in this Article 3 and include usual and customary structural, mechanical, and electrical engineering services. Services not set forth in this Article 3 are Supplemental or Additional Services.

§ 3.1.1 The Architect shall coordinate its services with those services provided by the Owner and the Owner's consultants. The Architect shall be entitled to rely on (1) the accuracy and completeness of the services and information furnished by the Owner and (2) the Owner's approvals. The Architect shall provide prompt written notice to the Owner if the Architect becomes aware of any error, omission, or inconsistency in such services or information.

§ 3.1.2 As soon as practicable after the date of this Agreement, the Architect shall submit for the Owner's approval a schedule for the performance of the Architect's services. Once approved by the Owner, time limits established by the schedule shall not, except for reasonable cause, be exceeded by the Architect or Owner. With the Owner's approval, the Architect shall adjust the schedule, if necessary, as the Project proceeds until the commencement of construction.

§ 3.1.3 The Architect shall assist the Owner in connection with the Owner's responsibility for filing documents required for the approval of governmental authorities having jurisdiction over the Project.

§ 3.2 Design Phase Services

§ 3.2.1 The Architect shall review the program and other information furnished by the Owner, and shall review laws, codes, and regulations applicable to the Architect's services.

§ 3.2.2 The Architect shall discuss with the Owner the Owner's program, schedule, budget for the Cost of the Work, Project site, and alternative approaches to design and construction of the Project. The Architect shall reach an understanding with the Owner regarding the Project requirements.

Init.

§ 3.2.3 The Architect shall consider the relative value of alternative materials, building systems and equipment, together with other considerations based on program, aesthetics, and any sustainable objectives, in developing a design for the Project that is consistent with the Owner's schedule and budget for the Cost of the Work.

§ 3.2.4 Based on the Project requirements, the Architect shall prepare Design Documents for the Owner's approval consisting of drawings and other documents appropriate for the Project and the Architect shall prepare and submit to the Owner an estimate of the Cost of the Work prepared in accordance with Section 6.3.

§ 3.2.5 The Architect shall submit the Design Documents to the Owner, and request the Owner's approval.

§ 3.3 Construction Documents Phase Services

§ 3.3.1 Based on the Owner's approval of the Design Documents, the Architect shall prepare for the Owner's approval Construction Documents consisting of Drawings and Specifications setting forth in detail the requirements for the construction of the Work. The Owner and Architect acknowledge that in order to construct the Work the Contractor will provide additional information, including Shop Drawings, Product Data, Samples and other similar submittals, which the Architect shall review in accordance with Section 3.4.4.

§ 3.3.2 The Architect shall incorporate the design requirements of governmental authorities having jurisdiction over the Project into the Construction Documents.

§ 3.3.3 The Architect shall submit the Construction Documents to the Owner, update the estimate for the Cost of the Work and advise the Owner of any adjustments to the estimate of the Cost of the Work, take any action required under Section 6.5, and request the Owner's approval.

§ 3.3.4 The Architect, following the Owner's approval of the Construction Documents and of the latest estimate of the Cost of the Work, shall assist the Owner in obtaining bids or proposals and awarding and preparing contracts for construction.

§ 3.4 Construction Phase Services

§ 3.4.1 General

§ 3.4.1.1 The Architect shall provide administration of the Contract between the Owner and the Contractor as set forth below and in AIA Document A104™–2017, Standard Abbreviated Form of Agreement Between Owner and Contractor. If the Owner and Contractor modify AIA Document A104–2017, those modifications shall not affect the Architect's services under this Agreement unless the Owner and the Architect amend this Agreement.

§ 3.4.1.2 The Architect shall advise and consult with the Owner during the Construction Phase Services. The Architect shall have authority to act on behalf of the Owner only to the extent provided in this Agreement. The Architect shall not have control over, charge of, or responsibility for the construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, nor shall the Architect be responsible for the Contractor's failure to perform the Work in accordance with the requirements of the Contract Documents. The Architect shall be responsible for the Architect's negligent acts or omissions, but shall not have control over or charge of and shall not be responsible for, acts or omissions of the Contractor or of any other persons or entities performing portions of the Work.

§ 3.4.1.3 Subject to Section 4.2, the Architect's responsibility to provide Construction Phase Services commences with the award of the Contract for Construction and terminates on the date the Architect issues the final Certificate for Payment.

§ 3.4.2 Evaluations of the Work

§ 3.4.2.1 The Architect shall visit the site at intervals appropriate to the stage of construction, or as otherwise required in Section 4.2.2, to become generally familiar with the progress and quality of the portion of the Work completed, and to determine, in general, if the Work observed is being performed in a manner indicating that the Work, when fully completed, will be in accordance with the Contract Documents. However, the Architect shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. On the basis of the site visits, the Architect shall keep the Owner reasonably informed about the progress and quality of the portion of the Work completed, and promptly report to the Owner (1) known deviations from the Contract Documents, (2) known deviations

from the most recent construction schedule submitted by the Contractor, and (3) defects and deficiencies observed in the Work.

§ 3.4.2.2 The Architect has the authority to reject Work that does not conform to the Contract Documents and has the authority to require inspection or testing of the Work.

§ 3.4.2.3 The Architect shall interpret and decide matters concerning performance under, and requirements of, the Contract Documents on written request of either the Owner or Contractor. The Architect's response to such requests shall be made in writing within any time limits agreed upon or otherwise with reasonable promptness.

§ 3.4.2.4 When making such interpretations and decisions, the Architect shall endeavor to secure faithful performance by both Owner and Contractor, shall not show partiality to either, and shall not be liable for results of interpretations or decisions rendered in good faith.

§ 3.4.2.5 The Architect shall render initial decisions on Claims between the Owner and Contractor as provided in the Contract Documents.

§ 3.4.3 Certificates for Payment to Contractor

§ 3.4.3.1 The Architect shall review and certify the amounts due the Contractor and shall issue certificates in such amounts. The Architect's certification for payment shall constitute a representation to the Owner, based on the Architect's evaluation of the Work as provided in Section 3.4.2 and on the data comprising the Contractor's Application for Payment, that, to the best of the Architect's knowledge, information and belief, the Work has progressed to the point indicated, the quality of the Work is in accordance with the Contract Documents, and that the Contractor is entitled to payment in the amount certified.

§ 3.4.3.2 The issuance of a Certificate for Payment shall not be a representation that the Architect has (1) made exhaustive or continuous on-site inspections to check the quality or quantity of the Work, (2) reviewed construction means, methods, techniques, sequences or procedures, (3) reviewed copies of requisitions received from Subcontractors and suppliers and other data requested by the Owner to substantiate the Contractor's right to payment, or (4) ascertained how or for what purpose the Contractor has used money previously paid on account of the Contract Sum.

§ 3.4.4 Submittals

§ 3.4.4.1 The Architect shall review and approve, or take other appropriate action, upon the Contractor's submittals such as Shop Drawings, Product Data and Samples, but only for the limited purpose of checking for conformance with information given and the design concept expressed in the Contract Documents. Review of such submittals is not for the purpose of determining the accuracy and completeness of other information such as dimensions, quantities, and installation or performance of equipment or systems, which are the Contractor's responsibility. The Architect's review shall not constitute approval of safety precautions or any construction means, methods, techniques, sequences or procedures.

§ 3.4.4.2 If the Contract Documents specifically require the Contractor to provide professional design services or certifications by a design professional related to systems, materials or equipment, the Architect shall specify the appropriate performance and design criteria that such services must satisfy. The Architect shall review and take appropriate action on Shop Drawings and other submittals related to the Work designed or certified by the Contractor's design professional, provided the submittals bear such professional's seal and signature when submitted to the Architect. The review shall be for the limited purpose of checking for conformance with information given and the design concept expressed in the Contract Documents. The Architect shall be entitled to rely upon, and shall not be responsible for, the adequacy and accuracy of the services, certifications, and approvals performed or provided by such design professionals.

§ 3.4.4.3 The Architect shall review and respond to written requests for information about the Contract Documents. The Architect's response to such requests shall be made in writing within any time limits agreed upon, or otherwise with reasonable promptness.

§ 3.4.5 Changes in the Work

The Architect may order minor changes in the Work that are consistent with the intent of the Contract Documents and do not involve an adjustment in the Contract Sum or an extension of the Contract Time. Subject to Section 4.2.3, the Architect shall prepare Change Orders and Construction Change Directives for the Owner's approval and execution in accordance with the Contract Documents.

§ 3.4.6 Project Completion

The Architect shall conduct inspections to determine the date or dates of Substantial Completion and the date of final completion; issue Certificates of Substantial Completion; forward to the Owner, for the Owner's review and records, written warranties and related documents required by the Contract Documents and received from the Contractor; and issue a final Certificate for Payment based upon a final inspection indicating that, to the best of the Architect's knowledge, information, and belief, the Work complies with the requirements of the Contract Documents.

ARTICLE 4 SUPPLEMENTAL AND ADDITIONAL SERVICES

None at this time

(Paragraphs deleted)

§ 4.2 The Architect may provide Additional Services after execution of this Agreement without invalidating the Agreement. Upon recognizing the need to perform Additional Services, the Architect shall notify the Owner. The Architect shall not provide the Additional Services until the Architect receives the Owner's written authorization. Except for services required due to the fault of the Architect, any Additional Services provided in accordance with this Section 4.2 shall entitle the Architect to compensation pursuant to Section 11.3.

§ 4.2.1 The Architect shall provide services necessitated by a change in the Initial Information, changes in previous instructions or approvals given by the Owner, or a material change in the Project including size; quality; complexity; the Owner's schedule or budget for Cost of the Work; or procurement or delivery method as an Additional Service.

(Paragraph deleted)

§ 4.2.3 The Architect shall, as an Additional Service, provide services made necessary by a Contractor's proposed change in the Work. The Architect shall prepare revisions to the Architect's Instruments of Service necessitated by Change Orders and Construction Change Directives as an Additional Service.

§ 4.2.4 If the services covered by this Agreement have not been completed within Thirty-six (36) months of the date of this Agreement, through no fault of the Architect, extension of the Architect's services beyond that time shall be compensated as Additional Services.

ARTICLE 5 OWNER'S RESPONSIBILITIES

§ 5.1 Unless otherwise provided for under this Agreement, the Owner shall provide information in a timely manner regarding requirements for and limitations on the Project, including a written program which shall set forth the Owner's objectives, schedule, constraints and criteria, including space requirements and relationships, flexibility, expandability, special equipment, systems and site requirements.

§ 5.2 The Owner shall establish the Owner's budget for the Project, including (1) the budget for the Cost of the Work as defined in Section 6.1; (2) the Owner's other costs; and, (3) reasonable contingencies related to all of these costs. The Owner shall update the Owner's budget for the Project as necessary throughout the duration of the Project until final completion. If the Owner significantly increases or decreases the Owner's budget for the Cost of the Work, the Owner shall notify the Architect. The Owner and the Architect shall thereafter agree to a corresponding change in the Project's scope and quality.

§ 5.3 The Owner shall furnish surveys to describe physical characteristics, legal limitations and utility locations for the site of the Project; a written legal description of the site; and services of geotechnical engineers or other consultants, when the Architect requests such services and demonstrates that they are reasonably required by the scope of the Project.

Init.

§ 5.4 The Owner shall coordinate the services of its own consultants with those services provided by the Architect. Upon the Architect's request, the Owner shall furnish copies of the scope of services in the contracts between the Owner and the Owner's consultants. The Owner shall require that its consultants and contractors maintain insurance, including professional liability insurance, as appropriate to the services or work provided.

§ 5.5 The Owner shall furnish tests, inspections and reports required by law or the Contract Documents, such as structural, mechanical, and chemical tests; tests for air and water pollution; and tests for hazardous materials.

§ 5.6 The Owner shall furnish all legal, insurance and accounting services, including auditing services, that may be reasonably necessary at any time for the Project to meet the Owner's needs and interests.

§ 5.7 The Owner shall provide prompt written notice to the Architect if the Owner becomes aware of any fault or defect in the Project, including errors, omissions or inconsistencies in the Architect's Instruments of Service.

§ 5.8 The Owner shall endeavor to communicate with the Contractor through the Architect about matters arising out of or relating to the Contract Documents.

§ 5.9 The Owner shall provide the Architect access to the Project site prior to commencement of the Work and shall obligate the Contractor to provide the Architect access to the Work wherever it is in preparation or progress.

§ 5.10 Within 15 days after receipt of a written request from the Architect, the Owner shall furnish the requested information as necessary and relevant for the Architect to evaluate, give notice of, or enforce lien rights.

ARTICLE 6 COST OF THE WORK

§ 6.1 For purposes of this Agreement, the Cost of the Work shall be the total cost to the Owner to construct all elements of the Project designed or specified by the Architect and shall include contractors' general conditions costs, overhead and profit. The Cost of the Work also includes the reasonable value of labor, materials, and equipment, donated to, or otherwise furnished by, the Owner. The Cost of the Work does not include the compensation of the Architect; the costs of the land, rights-of-way, financing, or contingencies for changes in the Work; or other costs that are the responsibility of the Owner.

§ 6.2 If, through no fault of the Architect, construction procurement activities have not commenced within 90 days after the Architect submits the Construction Documents to the Owner the Owner's budget for the Cost of the Work shall be adjusted to reflect changes in the general level of prices in the applicable construction market.

§ 6.3 If the Owner's current budget for the Cost of the Work at the conclusion of the Construction Documents Phase Services is exceeded by the lowest bona fide bid or negotiated proposal, the Owner shall

- .1 give written approval of an increase in the budget for the Cost of the Work;
- .2 authorize rebidding or renegotiating of the Project within a reasonable time;
- .3 terminate in accordance with Section 9.5;
- .4 in consultation with the Architect, revise the Project program, scope, or quality as required to reduce the Cost of the Work; or
- .5 implement any other mutually acceptable alternative.

(Paragraphs deleted)

§ 6.7 If the Owner chooses to proceed under Section 6.6.4, the Architect shall modify the Construction Documents as necessary to comply with the Owner's budget for the Cost of the Work at the conclusion of the Construction Documents Phase Services, or the budget as adjusted under Section 6.6.1. If the Owner requires the Architect to modify the Construction Documents because the lowest bona fide bid or negotiated proposal exceeds the Owner's budget for the Cost of the Work due to market conditions the Architect could not reasonably anticipate, the Owner shall compensate the Architect for the modifications as an Additional Service pursuant to Section 11.3; otherwise the Architect's services shall

be without additional compensation. In any event, the Architect's modification of the Construction Documents shall be the limit of the Architect's responsibility under this Article 6.

ARTICLE 7 COPYRIGHTS AND LICENSES

§ 7.1 The Architect and the Owner warrant that in transmitting Instruments of Service, or any other information, the transmitting party is the copyright owner of such information or has permission from the copyright owner to transmit such information for its use on the Project.

§ 7.2 The Architect and the Architect's consultants shall be deemed the authors and owners of their respective Instruments of Service, including the Drawings and Specifications, and shall retain all common law, statutory and other reserved rights, including copyrights. Submission or distribution of Instruments of Service to meet official regulatory requirements or for similar purposes in connection with the Project is not to be construed as publication in derogation of the reserved rights of the Architect and the Architect's consultants.

§ 7.3 The Architect grants to the Owner a nonexclusive license to use the Architect's Instruments of Service solely and exclusively for purposes of constructing, using, maintaining, altering and adding to the Project, provided that the Owner substantially performs its obligations under this Agreement, including prompt payment of all sums when due pursuant to Article 9 and Article 11. The Architect shall obtain similar nonexclusive licenses from the Architect's consultants consistent with this Agreement. The license granted under this section permits the Owner to authorize the Contractor, Subcontractors, Sub-subcontractors, and suppliers, as well as the Owner's consultants and separate contractors, to reproduce applicable portions of the Instruments of Service, subject to any protocols established pursuant to Section 1.3, solely and exclusively for use in performing services or construction for the Project. If the Architect rightfully terminates this Agreement for cause as provided in Section 9.4, the license granted in this Section 7.3 shall terminate.

§ 7.3.1 In the event the Owner uses the Instruments of Service without retaining the authors of the Instruments of Service, the Owner releases the Architect and Architect's consultant(s) from all claims and causes of action arising from such uses. The Owner, to the extent permitted by law, further agrees to indemnify and hold harmless the Architect and its consultants from all costs and expenses, including the cost of defense, related to claims and causes of action asserted by any third person or entity to the extent such costs and expenses arise from the Owner's use of the Instruments of Service under this Section 7.3.1. The terms of this Section 7.3.1 shall not apply if the Owner rightfully terminates this Agreement for cause under Section 9.4.

§ 7.4 Except for the licenses granted in this Article 7, no other license or right shall be deemed granted or implied under this Agreement. The Owner shall not assign, delegate, sublicense, pledge or otherwise transfer any license granted herein to another party without the prior written agreement of the Architect. Any unauthorized use of the Instruments of Service shall be at the Owner's sole risk and without liability to the Architect and the Architect's consultants.

§ 7.5 Except as otherwise stated in Section 7.3, the provisions of this Article 7 shall survive the termination of this Agreement.

ARTICLE 8 CLAIMS AND DISPUTES

§ 8.1 General

§ 8.1.1 The Owner and Architect shall commence all claims and causes of action against the other and arising out of or related to this Agreement, whether in contract, tort, or otherwise, in accordance with the requirements of the dispute resolution method selected in this Agreement and within the period specified by applicable law, but in any case not more than 10 years after the date of Substantial Completion of the Work. The Owner and Architect waive all claims and causes of action not commenced in accordance with this Section 8.1.1.

§ 8.1.2 To the extent damages are covered by property insurance, the Owner and Architect waive all rights against each other and against the contractors, consultants, agents, and employees of the other, for damages, except such rights as they may have to the proceeds of such insurance as set forth in AIA Document A104-2017, Standard Abbreviated Form of Agreement Between Owner and Contractor. The Owner or the Architect, as appropriate, shall require of the contractors, consultants, agents, and employees of any of them, similar waivers in favor of the other parties enumerated herein.

§ 8.1.3 The Architect and Owner waive consequential damages for claims, disputes or other matters in question, arising out of or relating to this Agreement. This mutual waiver is applicable, without limitation, to all consequential damages due to either party's termination of this Agreement, except as specifically provided in Section 9.6.

§ 8.2 Mediation

§ 8.2.1 Any claim, dispute or other matter in question arising out of or related to this Agreement shall be subject to mediation as a condition precedent to dispute resolution. If such matter relates to or is the subject of a lien arising out of the Architect's services, the Architect may proceed in accordance with applicable law to comply with the lien notice or filing deadlines prior to resolution of the matter by mediation or by dispute resolution.

§ 8.2.2 Mediation, unless the parties mutually agree otherwise, shall be administered by the American Arbitration Association in accordance with its Construction Industry Mediation Procedures in effect on the date of this Agreement. The parties shall share the mediator's fee and any filing fees equally. The mediation shall be held in the place where the Project is located, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

§ 8.2.3 If the parties do not resolve a dispute through mediation pursuant to this Section 8.2, the method of dispute resolution shall be the following:
(Check the appropriate box.)

☒ [X] Litigation in a court of competent jurisdiction in Washington County, AR

If the Owner and Architect do not select a method of dispute resolution, or do not subsequently agree in writing to a dispute resolution method other than litigation, the dispute will be resolved in a court of competent jurisdiction.

(Paragraphs deleted)

ARTICLE 9 TERMINATION OR SUSPENSION

§ 9.1 If the Owner fails to make payments to the Architect in accordance with this Agreement, such failure shall be considered substantial nonperformance and cause for termination or, at the Architect's option, cause for suspension of performance of services under this Agreement. If the Architect elects to suspend services, the Architect shall give seven days' written notice to the Owner before suspending services. In the event of a suspension of services, the Architect shall have no liability to the Owner for delay or damage caused the Owner because of such suspension of services. Before resuming services, the Owner shall pay the Architect all sums due prior to suspension and any expenses incurred in the interruption and resumption of the Architect's services. The Architect's fees for the remaining services and the time schedules shall be equitably adjusted.

§ 9.2 If the Owner suspends the Project, the Architect shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, the Architect shall be compensated for expenses incurred in the interruption and resumption of the Architect's services. The Architect's fees for the remaining services and the time schedules shall be equitably adjusted.

§ 9.3 If the Owner suspends the Project for more than 90 cumulative days for reasons other than the fault of the Architect, the Architect may terminate this Agreement by giving not less than seven days' written notice.

§ 9.4 Either party may terminate this Agreement upon not less than seven days' written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination.

§ 9.5 The Owner may terminate this Agreement upon not less than seven days' written notice to the Architect for the Owner's convenience and without cause.

§ 9.6 In the event of termination not the fault of the Architect, the Architect shall be compensated for services performed prior to termination, Reimbursable Expenses incurred, and all costs attributable to termination, including the costs attributable to the Architect's termination of consultant agreements.

§ 9.7 In addition to any amounts paid under Section 9.6, if the Owner terminates this Agreement for its convenience pursuant to Section 9.5, or the Architect terminates this Agreement pursuant to Section 9.3, the Owner shall pay to the Architect the following fees:

(Set forth below the amount of any termination or licensing fee, or the method for determining any termination or licensing fee.)

.1 Termination Fee:

None

.2 Licensing Fee if the Owner intends to continue using the Architect's Instruments of Service:

To be negotiated

§ 9.8 Except as otherwise expressly provided herein, this Agreement shall terminate one year from the date of Substantial Completion.

ARTICLE 10 MISCELLANEOUS PROVISIONS

§ 10.1 This Agreement shall be governed by the law of the place where the Project is located excluding that jurisdiction's choice of law rules. If the parties have selected arbitration as the method of dispute resolution, the Federal Arbitration Act shall govern Section 8.3.

§ 10.2 Terms in this Agreement shall have the same meaning as those in AIA Document A104-2017, Standard Abbreviated Form of Agreement Between Owner and Contractor.

§ 10.3 The Owner and Architect, respectively, bind themselves, their agents, successors, assigns and legal representatives to this Agreement. Neither the Owner nor the Architect shall assign this Agreement without the written consent of the other, except that the Owner may assign this Agreement to a lender providing financing for the Project if the lender agrees to assume the Owner's rights and obligations under this Agreement, including any payments due to the Architect by the Owner prior to the assignment.

§ 10.4 If the Owner requests the Architect to execute certificates or consents, the proposed language of such certificates or consents shall be submitted to the Architect for review at least 14 days prior to the requested dates of execution. The Architect shall not be required to execute certificates or consents that would require knowledge, services or responsibilities beyond the scope of this Agreement.

§ 10.5 Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Owner or Architect.

§ 10.6 The Architect shall have no responsibility for the discovery, presence, handling, removal or disposal of, or exposure of persons to, hazardous materials or toxic substances in any form at the Project site.

§ 10.7 The Architect shall have the right to include photographic or artistic representations of the design of the Project among the Architect's promotional and professional materials. However, the Architect's materials shall not include information the Owner has identified in writing as confidential or proprietary. The Owner shall provide professional

credit for the Architect in the Owner's promotional materials for the Project. This Section 10.7 shall survive the termination of this Agreement unless the Owner terminates this Agreement for cause pursuant to Section 9.4.

§ 10.8 The invalidity of any provision of the Agreement shall not invalidate the Agreement or its remaining provisions. If it is determined that any provision of the Agreement violates any law, or is otherwise invalid or unenforceable, then that provision shall be revised to the extent necessary to make that provision legal and enforceable. In such case the Agreement shall be construed, to the fullest extent permitted by law, to give effect to the parties' intentions and purposes in executing the Agreement.

ARTICLE 11 COMPENSATION

§ 11.1 For the Architect's Basic Services described under Article 3, the Owner shall compensate the Architect as follows:

.1 Stipulated Sum
(Insert amount)

Twenty-five Thousand, Seven Hundred Fifty Dollars & no/100 (\$25,750.00)

.2 Percentage Basis
(Insert percentage value)

§ 11.2 For Supplemental Services identified in Section 4.1, the Owner shall compensate the Architect as follows:
(Insert amount of, or basis for, compensation. If necessary, list specific services to which particular methods of compensation apply.)

Hourly as shown on the attached Hourly Rate Sheet

§ 11.3 For Additional Services that may arise during the course of the Project, including those under Section 4.2, the Owner shall compensate the Architect as follows:
(Insert amount of, or basis for, compensation.)

Hourly as shown on the attached Hourly Rate Sheet

§ 11.4 Compensation for Supplemental and Additional Services of the Architect's consultants when not included in Section 11.2 or 11.3, shall be the amount invoiced to the Architect plus Twenty percent (20 %), or as follows:

§ 11.5 Where compensation for Basic Services is based on a stipulated sum or percentage of the Cost of the Work, the compensation for each phase of services shall be as follows:

Design Phase	Thirty	percent (	30	%)
Construction Documents	Forty-five	percent (	45	%)
Phase				
Construction Phase	Twenty-five	percent (	25	%)
Total Basic Compensation	one hundred	percent (	100	%)

(Paragraphs deleted)

§ 11.7 The hourly billing rates for services of the Architect and the Architect's consultants, if any, are set forth below. The rates shall be adjusted in accordance with the Architect's and Architect's consultants' normal review practices. *(If applicable, attach an exhibit of hourly billing rates or insert them below.)*

Refer to the attached Hourly Rate Sheet

§ 11.8 Compensation for Reimbursable Expenses

§ 11.8.1 Reimbursable Expenses are in addition to compensation for Basic, Supplemental, and Additional Services and include expenses incurred by the Architect and the Architect's consultants directly related to the Project, as follows:

- .1 authorized out-of-town travel and subsistence;
- .2 , dedicated data and communication services, teleconferences, Project web sites, and extranets;
- .3 Permitting and other fees required by authorities having jurisdiction over the Project;
- .4 Printing, reproductions, plots, and standard form documents;
- .5 Postage, handling, and delivery;
- .6 Expense of overtime work requiring higher than regular rates if authorized in advance by the Owner;
- .7 Renderings, physical models, mock-ups, professional photography, and presentation materials requested by the Owner or required for the Project;
- .8 Expense of professional liability insurance dedicated exclusively to this Project or the expense of additional insurance coverage or limits requested by the Owner in excess of that normally maintained by the Architect and the Architect's consultants;
- .9 All taxes levied on professional services and on reimbursable expenses;
- .10 Other similar Project-related expenditures.

(Paragraph deleted)

§ 11.9 Payments to the Architect

§ 11.9.1 Initial Payment

An initial payment of Zero (\$ 0.00) shall be made upon execution of this Agreement and is the minimum payment under this Agreement. It shall be credited to the Owner's account in the final invoice.

§ 11.9.2 Progress Payments

§ 11.9.2.1 Unless otherwise agreed, payments for services shall be made monthly in proportion to services performed. Payments are due and payable upon presentation of the Architect's invoice. Amounts unpaid () days after the invoice date shall bear interest at the rate entered below, or in the absence thereof at the legal rate prevailing from time to time at the principal place of business of the Architect.

(Insert rate of monthly or annual interest agreed upon.)

National Prime Rate

§ 11.9.2.2 The Owner shall not withhold amounts from the Architect's compensation to impose a penalty or liquidated damages on the Architect, or to offset sums requested by or paid to contractors for the cost of changes in the Work unless the Architect agrees or has been found liable for the amounts in a dispute resolution proceeding.

§ 11.9.2.3 Records of Reimbursable Expenses, expenses pertaining to Additional Services, and services performed on the basis of hourly rates shall be available to the Owner at mutually convenient times.

ARTICLE 12 SPECIAL TERMS AND CONDITIONS

Special terms and conditions that modify this Agreement are as follows:

(Include other terms and conditions applicable to this Agreement.)

None at this time

Init.

ARTICLE 13 SCOPE OF THE AGREEMENT

§ 13.1 This Agreement represents the entire and integrated agreement between the Owner and the Architect and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the Owner and Architect.

§ 13.2 This Agreement is comprised of the following documents identified below:

- .1 AIA Document B104™-2017, Standard Abbreviated Form of Agreement Between Owner and Architect

(Paragraphs deleted)

- .2 Other documents:

(List other documents, if any, including additional scopes of service forming part of the Agreement.)

Proposal Letter dated April 19, 2023

Hourly Rate Sheet

This Agreement entered into as of the day and year first written above.

City of Springdale, AR

Hight Jackson Associates PA

OWNER (Signature)

Doug Sprouse, Mayor
(Printed name and title)



ARCHITECT (Signature)

Brian T. Jackson, President
(Printed name, title, and license number, if required)

April 19, 2023

City of Springdale
Mayor Doug Sprouse

Re: City of Springdale Parks and Recreation Building Partial Remodel

Dear Mayor Sprouse,

This letter serves as a proposal to perform Architectural Design Services for the proposed partial remodel of the first floor at the Springdale Parks and Recreation Building. It is anticipated that this scope of work will include the following:

- Renovate front desk area to be larger with built-in cabinetry with power
- Reconfiguring existing classrooms and office
- Renovate and reconfigure existing weight area
- Renovate and reconfigure existing restrooms and locker rooms
- Add new bleachers to replace existing bleachers
- Explore replacing existing Basketball goals with electric retractable goals
- Develop overall Masterplan of Facility

Our services will include producing Construction Drawings and Specifications that define the scope of work and Construction Administration services as needed through the completion of the project. Our services include Mechanical, Electric, & Plumbing Engineering. Hight Jackson proposes to perform these services for a Lump Sum Fee of \$25,750. Estimated printing, postage, review fees, etc. are included in this lump sum fee as reimbursable costs of the project.

Please do not hesitate to contact Mark Haguewood or myself if you have any questions. If you agree with this proposal, we will provide you with an AIA Document B104-2017 to formalize our contract.

Thank you for considering Hight Jackson Associates to perform these services. We look forward to another great project!

Thank you,



Brian Jackson, President
Hight.Jackson.Associates

January 1, 2023

HOURLY RATE SCHEDULE

Architect Principal	\$180.00 / hour
Engineer Principal	\$180.00 / hour
Project Manager	\$140.00 / hour
Architect 1 (<i>more than 10 years</i>)	\$150.00 / hour
Architect 2 (<i>more than 5, but less than 10 years</i>)	\$130.00 / hour
Architect 3 (<i>less than 5 years</i>)	\$120.00 / hour
Intern Architect 1 (<i>more than 5 years</i>)	\$100.00 / hour
Intern Architect 2 (<i>less than 5 years</i>)	\$85.00 / hour
Interior Designer 1	\$95.00 / hour
Interior Designer 2	\$75.00 / hour
Office Administrator	\$80.00 / hour
Secretary 1	\$60.00 / hour
Secretary 2	\$50.00 / hour
Outside Consultants	Direct Cost x 1.2
Reimbursable Expense	Direct Cost

RESOLUTION NO. _____

**A RESOLUTION TO APPROPRIATE FUNDS FOR
EQUIPMENT FOR THE SPRINGDALE FIRE
DEPARTMENT**

WHEREAS, the Springdale Fire Department is requesting 22 iPads and cases for Apparatus and Ambulances, and

WHEREAS, iPads are a heavily used and mission critical piece of equipment; used for CAD/AVL dispatch, EMS Reporting and in-field inspections/preplans, and

WHEREAS, many of their current iPads are at end-of-life cycle and need to be replaced, which will also replace 1/2 of their currently deployed devices, and

WHEREAS, the iPads and cases will be paid for out of Act 833 Funds with a total not to exceed \$28,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Springdale City Council hereby appropriates up to \$28,000 of funds from Act 833 Funds to purchase 22 iPads and cases for Apparatus and Ambulances.

PASSED AND APPROVED this 23rd day of May, 2023
.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney



DEPARTMENT FUNDING REQUEST

Department: Fire Department		Date: 05/09/2023
Point of Contact: Michael Bronner	Amount Requested: \$ 28,000.00	
Date to be Presented to Committee: <u>05 / 15 / 20 23</u>		
Brief Description of Funding Request: Purchase of 22 iPads & cases for Fire Apparatus and Ambulances. iPads are a heavily used and mission critical piece of equipment; used for CAD/AVL dispatch, EMS Reporting and in-field inspections/preplans. Many of our current iPads are at end of life cycle and need to be replaced. The 22 iPads will replace 1/2 of our currently deployed devices and a budget replacement schedule would be included in future operating budgets.		
Funding Source: (General Fund, Special Fund, etc.) SPECIAL: ACT 833		
IS IT BUDGETED?		
YES ☐		NO ☒
\$0 - \$34,999 No Council approval needed		☐ \$0 - \$4,999
Request to waive bidding? ☐ Buy Board ☐ Sole Source		☒ \$5,000 - \$34,999 Requires 3 Quotes
Signature: 		☐ \$35,000+ Requires Bid
Please attach supplemental information		Request to waive bidding? ☐ Buy Board ☐ Sole Source

Compare and Save on our latest devices.

NASPO MA 152 - Q1 2023; 2 yr term

 Galaxy Tab S8+ 5G in Graphite Your price: \$999.99 Full retail price: \$1099.99	 iPad Air 2022 256GB in Blue Your price: \$799.99 Full retail price: \$899.99	 iPad Air 2022 256GB in Pink Your price: \$799.99 Full retail price: \$899.99	 iPad Air 2022 256GB in Purple Your price: \$799.99 Full retail price: \$899.99	 iPad Air 2022 256GB in Space Gray Your price: \$799.99 Full retail price: \$899.99
 iPad Air 2022 256GB in Starlight Your price: \$799.99 Full retail price: \$899.99	 iPad Air 2022 64GB in Blue Your price: \$649.99 Full retail price: \$749.99	 iPad Air 2022 64GB in Pink Your price: \$649.99 Full retail price: \$749.99	 iPad Air 2022 64GB in Purple Your price: \$649.99 Full retail price: \$749.99	 iPad Air 2022 64GB in Space Gray Your price: \$649.99 Full retail price: \$749.99
 iPad Air 2022 64GB in Starlight Your price: \$649.99 Full retail price: \$749.99	 11-inch Apple iPad Pro (2021) 128GB in Silver Your price: \$899.99 Full retail price: \$999.99	 11-inch Apple iPad Pro (2021) 128GB in Space Gray Your price: \$899.99 Full retail price: \$999.99	 11-inch Apple iPad Pro (2021) 1TB in Silver Your price: \$1599.99 Full retail price: \$1699.99	 11-inch Apple iPad Pro (2021) 1TB in Space Gray Your price: \$1599.99 Full retail price: \$1699.99

New 2-yr line term req'd per device..



Equipment purchased without service activation is not eligible for discounted pricing and will be charged full retail price. New, 2-year agreement required for each device. Limited to Corporate Liable regardless of contract vehicle chosen. If you choose to upgrade or replace equipment due to loss or theft of your device prior to completing 24 months of service, you may be charged full retail price. This offer cannot be combined with any other offer. Other restrictions or charges may apply. Prices are subject to change without notice and quantities may be limited. Please contact your sales representative at the time of purchase for the latest equipment pricing. To the extent that Verizon Wireless provides wireless products to your agency, such products are manufactured by third parties and may be manufactured or substantially transformed in non-designated countries. Please contact us if you need country of origin information for a specific product.

Compare and Save on our latest devices.

NASPO MA 152 - Q1 2023; 2 yr term

 11-inch Apple iPad Pro (2021) 256GB in Silver Your price: \$999.99 Full retail price: \$1099.99	 11-inch Apple iPad Pro (2021) 256GB in Space Gray Your price: \$999.99 Full retail price: \$1099.99	 11-inch Apple iPad Pro (2021) 2TB in Silver Your price: \$1999.99 Full retail price: \$2099.99	 11-inch Apple iPad Pro (2021) 2TB in Space Gray Your price: \$1999.99 Full retail price: \$2099.99	 11-inch Apple iPad Pro (2021) 512GB in Silver Your price: \$1199.99 Full retail price: \$1299.99
 11-inch Apple iPad Pro (2021) 512GB in Space Gray Your price: \$1199.99 Full retail price: \$1299.99	 12.9-inch Apple iPad Pro (2021) 128GB in Silver Your price: \$1199.99 Full retail price: \$1299.99	 12.9-inch Apple iPad Pro (2021) 128GB in Space Gray Your price: \$1199.99 Full retail price: \$1299.99	 12.9-inch Apple iPad Pro (2021) 1TB in Silver Your price: \$1899.99 Full retail price: \$1999.99	 12.9-inch Apple iPad Pro (2021) 1TB in Space Gray Your price: \$1899.99 Full retail price: \$1999.99
 12.9-inch Apple iPad Pro (2021) 256GB in Silver Your price: \$1299.99 Full retail price: \$1399.99	 12.9-inch Apple iPad Pro (2021) 256GB in Space Gray Your price: \$1299.99 Full retail price: \$1399.99	 12.9-inch Apple iPad Pro (2021) 2TB in Silver Your price: \$2299.99 Full retail price: \$2399.99	 12.9-inch Apple iPad Pro (2021) 2TB in Space Gray Your price: \$2299.99 Full retail price: \$2399.99	 12.9-inch Apple iPad Pro (2021) 512GB in Silver Your price: \$1499.99 Full retail price: \$1599.99

New 2-yr line term req'd per device..



Equipment purchased without service activation is not eligible for discounted pricing and will be charged full retail price. New, 2-year agreement required for each device. Limited to Corporate Liable regardless of contract vehicle chosen. If you choose to upgrade or replace equipment due to loss or theft of your device prior to completing 24 months of service, you may be charged full retail price. This offer cannot be combined with any other offer. Other restrictions or charges may apply. Prices are subject to change without notice and quantities may be limited. Please contact your sales representative at the time of purchase for the latest equipment pricing. To the extent that Verizon Wireless provides wireless products to your agency, such products are manufactured by third parties and may be manufactured or substantially transformed in non-designated countries. Please contact us if you need country of origin information for a specific product.

iPad Model	Qty	Price	Total
11- Inch iPad Pro 256 GB	18	\$999.99	\$17,999.82
iPad Air 2022 256GB	4	\$799.99	\$3,199.96
Otterbox Defender for iPad Pro	18	\$89.95	\$1,619.10
Otterbox Defender for iPad Air	4	\$89.95	\$359.80

Sub-Total	\$23,178.68
Tax	\$2,317.87
Total	\$25,496.55

RESOLUTION NO. _____

**A RESOLUTION TO APPROPRIATE FUNDS FOR
EQUIPMENT FOR THE SPRINGDALE FIRE
DEPARTMENT AND TO WAIVE COMPETITIVE
BIDDING**

WHEREAS, the Springdale Fire Department is requesting new automated external defibrillators (AEDs), and

WHEREAS, the current AEDs are at end of life and are no longer supported by the manufacturer, nor are replacement supplies available, and

WHEREAS, the new AEDs will be purchased through TIPS, the Inter-local Purchasing System in the amount of \$39,510.00, and

WHEREAS, the equipment is a sole source item and available on the state buy board, and

WHEREAS, the city council has determined that it is not feasible or practical to follow the procedures of taking competitive bids as described in Arkansas Code 14-58-303, and

WHEREAS, Arkansas Code 14-58-303 states, “The governing body by resolution may waive the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical”;

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

Section 1. This Council finds that due to the specific needs of the Fire Department, it is not feasible or practical to use competitive bidding for the equipment and is here by waived for an amount of \$39,510.00.

Section 2. City Council hereby appropriates \$39,510.00 of funds from the Act 833 Fund for this project.

PASSED AND APPROVED this 23rd day of May, 2023

.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney

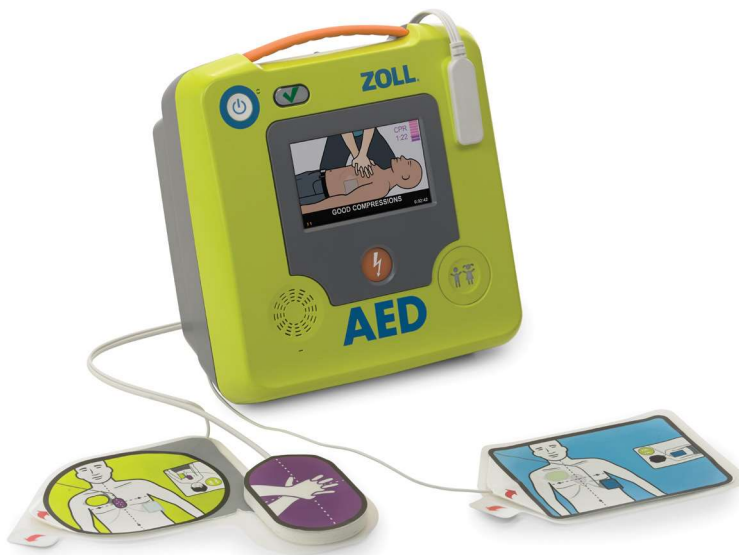


DEPARTMENT FUNDING REQUEST

Department: Fire Department		Date: 05/10/23
Point of Contact: Jim Vaughan	Amount Requested: \$ 39,510.00	
Date to be Presented to Committee: <u>05 / 15 / 2023</u>		
Brief Description of Funding Request: Our current AEDs are at end of life and are no longer supported by the manufacturer, nor are replacement supplies available. We have also added additional units to our fleet that do not currently have an AED available to them. Additionally, the pricing we have obtained is below the contract price through TIPS, The Inter-local Purchasing System.		
Funding Source: (General Fund, Special Fund, etc.) Act 833		
IS IT BUDGETED?		
YES ☐		NO ☒
\$0 - \$34,999 No Council approval needed		☐ \$0 - \$4,999
Request to waive bidding? ☐ Buy Board ☐ Sole Source		☐ \$5,000 - \$34,999 Requires 3 Quotes
Signature: <i>Jim Vaughan</i>		☒ \$35,000+ Requires Bid
Please attach supplemental information		Request to waive bidding? ☒ Buy Board ☐ Sole Source

ZOLL® AED 3®

The ZOLL® AED 3® defibrillator was developed based on extensive usability testing with hundreds of trained and untrained users. It was clear from these studies that users wanted three basic things: an AED that gives better support for rescuers by being easy to use, easy to own and easy to maintain.



FEATURES AND BENEFITS

- Easy to navigate large color LCD screen
- Simple to operate with clear one-touch buttons
- Real CPR Help® guides rescuers in delivering high-quality CPR consistent with current guidelines
- Enhanced bar gauge lets rescuers see when they are doing quality CPR





Quotation

Cintas First Aid & Safety

David Lester
Sales Rep
225 Grant Pl Suite D
Lowell, AR
479-871-3889
Fax #: (501) 803-0119
TIPS #210304

Prepared For: Springdale Fire Department

Blake Holte
417 Holcolmb
Springdale, AR 72765

Date: 5/10/2023
Quote Expires: 6/9/2023

Product Number	Product Description	Unit Price	Quantity	Extended Price
4003z	ZOLL 3 AED-AUTOMATIC / EA	\$2,000.00	18	\$36,000.00

Sales Tax \$3,510.00

Subtotal \$39,510.00

Pending applicable tax

Not an Invoice. Quote Valid for 30 days.

Signature_____

Customer hereby agrees to purchase all of the items listed above in the noted quantities and at the listed prices. Customer will not be invoiced until the items are delivered and will be subject to the usual payment terms.
Provided quantities do not exceed those agreed upon, if any products are held in Cintas inventory longer than 90 days, customer agrees to immediately accept and pay for those goods.

The City Council of the City of Springdale met in regular session on Tuesday, May 9, 2023 in the tiered training room in the new Criminal Justice Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

Doug Sprouse	Mayor
Brian Powell	Ward 3
Amelia Williams	Ward 4
Jeff Watson	Ward 3
Mike Overton	Ward 2
Mike Lawson	Ward 1
Rex Bailey	Ward 2
Randall Harriman	Ward 1
Mark Fougerousse	Ward 4
Ernest Cate	City Attorney
Debbie Pounders	Planning Department

Department heads present:

Colby Fulfer	Chief of Staff
Frank Gamble	Police Chief
Blake Holte	Fire Chief
Patsy Christie	Planning Director
Mike Chamlee	Building Official
James Smith	Public Works Director
Ben Peters	Engineering Dept.

PUBLIC HEARING – VACATING A PORTION OF A CITY STREET (WEST EMMA AVENUE)

A public hearing was held on an ordinance vacating a portion of a city street (West Emma Avenue).

No comments were made.

APPROVAL OF MINUTES

Council Member Williams moved the minutes of the April 25, 2023 City Council meeting be approved as presented. Council Member Harriman made the second.

There was a voice vote of all ayes and no nays.

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Council Member Harriman made the motion to read all Ordinances and Resolutions by title only and to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for all items listed on this agenda. Council Member Williams made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougerousse

No: None

ORDINANCE NO. 5838 – ACCEPTING THE FINAL PLAT (FP23-03) OF COTTAGES AT CLEAR CREEK SUBDIVISION PHASE 1 TO THE CITY OF SPRINGDALE, ARKANSAS AND DECLARING AN EMERGENCY

Assistant Planning Director Rick Barry presented an Ordinance accepting the Final Plat (FP23-03) of Cottages at Clear Creek Subdivision Phase 1 to the City of Springdale, Arkansas and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Powell moved the Ordinance “Do Pass”. Council Member Williams made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

The Ordinance was numbered 5838.

ORDINANCE NO. 5839 – ACCEPTING THE REPLAT (RP23-07) OF LOTS 4 & 5 OF SPRINGDALE INDUSTRIAL PARK II, PHASE III IN THE CITY OF SPRINGDALE, ARKANSAS; AND DECLARING AN EMERGENCY

Assistant Planning Director Rick Barry presented an Ordinance accepting the Replat (RP23-07) of Lots 4 & 5 of Springdale Industrial Park II, Phase III in the City of Springdale, Arkansas; and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Williams made the second.

The vote:

Yes: Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell, Williams

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Overton, Lawson, Bailey, Harriman Fougrousse, Powell, Williams, Watson

No: None

The Ordinance was numbered 5839.

ORDINANCE NO. 5840 – ACCEPTING THE REPLAT (RP23-08) OF BLOCK 10, LOTS 12-16 OF R.L. HAYES ADDITION, TO THE CITY OF SPRINGDALE AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Replat (RP23-08) of Block 10, Lots 12-16 of R.L. Hayes Addition, to the City of Springdale and declaring an emergency.

Planning Commission recommended approval.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Fougrousse made the second.

Yes: Lawson, Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Bailey, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Ordinance was numbered 5840.

RESOLUTION NO. 53-23 – AMENDING THE 2023 BUDGET OF THE SPRINGDALE POLICE DEPARTMENT TO SUPPLEMENT THE IMPLEMENTATION OF THE "ARKANSAS FULL-TIME LAW ENFORCEMENT OFFICER SALARY STIPEND ACT OF 2022"

Council Member Amelia Williams presented a Resolution amending the 2023 Budget of the Springdale Police Department to supplement the implementation of the “Arkansas Full-Time Law Enforcement Officer Salary Stipend Act of 2022”.

RESOLUTION NO. ____

A RESOLUTION AMENDING THE 2023 BUDGET OF THE SPRINGDALE POLICE DEPARTMENT TO SUPPLEMENT THE IMPLEMENTATION OF THE "ARKANSAS FULL-TIME LAW ENFORCEMENT OFFICER SALARY STIPEND ACT OF 2022".

WHEREAS, the Arkansas General Assembly passed the "Arkansas Full-Time Law Enforcement Officer Salary Stipend Act of 2022", Act 224 of the 2022 Fiscal Session ("the Act");

WHEREAS, the Act appropriated funds for a one-time stipend of \$5,000.00 for full time law enforcement officers throughout the State of Arkansas, said funds being paid by the State of Arkansas to the eligible law enforcement agency to disburse to eligible recipients;

WHEREAS, on June 28, 2022, the City Council of the City of Springdale, Arkansas, passed Resolution No. 66-22, which authorized the payment of the stipend pursuant to the Act;

WHEREAS, the Springdale Police Department has identified additional full time law enforcement officers in the Springdale Police Department who qualify for the stipend pursuant to the Act, who were not included in Resolution No. 66-22;

WHEREAS, the Act requires, among other things, that the budget of the eligible local law enforcement agency be adjusted to permit the disbursement of the salary stipends as provided in the Act;

WHEREAS, the Police Department wishes to comply with the provisions of the Act by adjusting its 2023 Budget to allow for the disbursement of the stipend funds received from the State of Arkansas to the additional eligible full-time law enforcement officers of the Springdale Police Department, said amount not to exceed amount \$59,207.50.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the 2023 Budget of the Springdale Police Department is hereby amended in an amount not to exceed \$59,207.50 to ensure compliance

with the Act, and to allow for the disbursement of the remaining stipend funds received from the State of Arkansas to the additional eligible full-time law enforcement officers of the Springdale Police Department.

PASSED AND APPROVED this ____ day of May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED:

Ernest B. Cate, City Attorney

Council Member Fougrousse moved the Resolution be adopted. Council Member Williams made the second.

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Bailey

No: None

The Resolution was numbered 53-23.

**ORDINANCE NO. 5841 – DECLARING PROCUREMENT CONSULTING SERVICES
PURSUANT TO ARK. CODE ANN. §19-11-801, ET SEQ AND AMENDING THE CODE OF
ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS**

Chief of Staff Colby Fulfer presented an Ordinance declaring procurement consulting services pursuant to Ark. Code Ann. §19-11-801, et seq., and amending the Code of Ordinances of the City of Springdale, Arkansas.

ORDINANCE NO. ____

**AN ORDINANCE DECLARING PROCUREMENT
CONSULTING SERVICES TO BE PROFESSIONAL
SERVICES PURSUANT TO ARK. CODE ANN. §19-11-801,
et seq., AND AMENDING THE CODE OF ORDINANCES OF
THE CITY OF SPRINGDALE, ARKANSAS.**

WHEREAS, under Ark. Code Ann. §19-11-801, a city shall not use competitive bidding for the procurement of legal, financial advisory, architectural, engineering, construction management, and land surveying professional consulting services;

WHEREAS, the city shall procure such professional services by not taking competitive bids, but instead by evaluating the qualifications of such firms as set out in Ark. Code Ann. §19-11-803;

WHEREAS, under Ark. Code Ann. §19-11-801(c), cities may designate other professional services to be procured under Ark. Code Ann. §19-11-801 by a two-thirds (2/3) vote of the City Council;

WHEREAS, the City Council for the City of Springdale, Arkansas, finds that procurement consulting services is a professional service, and therefore, the City finds that for procuring such services, the City shall follow the provisions for procuring professional services under Ark. Code Ann. §19-11-801, *et. seq.*; and,

WHEREAS, the Code of Ordinances for the City of Springdale, Arkansas, should be amended to reflect that procurement consulting services is a professional service pursuant to Ark. Code Ann. §19-11-801, *et. seq.*;

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

Section 1. Procurement consulting services are declared to be professional services pursuant to Ark. Code Ann. §19-11-801(c) and such services shall be procured in the same manner as those other professional services set out in Ark. Code Ann. §19-11-801, *et seq.*

Section 2. Chapter 2, Article V, of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to add a new section as follows:

Sec. 2-203. – Procurement consulting services.

Procurement consulting services are declared to be professional services under Ark. Code Ann. §19-11-801(c) and such services shall be procured in the same manner as those other professional services set out in Ark. Code Ann. §19-11-801, *et seq.*

PASSED AND APPROVED this ____ day of May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Overton feels that when we waive competitive bidding on these services, he does not think this is in the best interest of our taxpayers.

Colby explained when we go through the RFP process, bids will be analyzed but we don't necessarily have to accept the lowest bid received.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance "Do Pass". Council Member Lawson made the second.

Yes: Fougrousse, Powell, Williams, Watson, Lawson, Bailey, Harriman

No: Overton

The Ordinance was numbered 5841.

RESOLUTION NO. 54-23 – ADOPTING THE UPDATED RISK ASSESSMENT & STANDARD OF COVER DOCUMENT FOR THE CITY OF SPRINGDALE AND THE SPRINGDALE FIRE DEPARTMENT

City Attorney Ernest Cate presented a Resolution adopting the undated Risk Assessment and Standard of Cover Document for the City of Springdale and the Springdale Fire Department.

RESOLUTION NO. ____

A RESOLUTION ADOPTING THE UPDATED RISK ASSESSMENT & STANDARD OF COVER DOCUMENT FOR THE CITY OF SPRINGDALE AND THE SPRINGDALE FIRE DEPARTMENT.

WHEREAS, as part of the accreditation process for the Springdale Fire Department, a comprehensive assessment of risks to the community and the resources available to respond to said risks was undertaken, the results of which were contained in a document entitled "Risk Assessment & Standard of Cover Document for the City of Springdale and the Springdale Fire

Department" ("the Risk Assessment"), which the City Council for the City of Springdale approved via Resolution No. 13-17 on February 14, 2017;

WHEREAS, the Risk Assessment includes an analysis of, among other things, EMS, hazardous materials, technical rescue, and emergency management issues pertaining to the Springdale Fire Department; and

WHEREAS, the City of Springdale should formally adopt the updated Risk Assessment document to better identify and address issues involving the Springdale Fire Department.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City Council for the City of Springdale, Arkansas hereby adopts by reference a document entitled "Risk Assessment & Standard of Cover Document for the City of Springdale and the Springdale Fire Department 2023" to be utilized by the Springdale Fire Department.

PASSED AND APPROVED this ____ day of May, 2023.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Council Member Williams moved the Resolution be adopted. Council Member Harriman made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse

No: None

The Resolution was numbered 54-23.

ORDINANCE NO. 5842 – VACATING A PORTION OF A DEDICATED PUBLIC STREET KNOWN AS WEST EMMA AVENUE, PURSUANT TO ARK. CODE ANN. §14-301-301, ET SEQ., DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

City Attorney Ernest Cate presented an Ordinance vacating a portion of a dedicated public street known as West Emma Avenue, pursuant to Ark. Code Ann. §14-301-301, et seq., declaring an emergency and for other purposes.

There were no comments made at the Public Hearing held earlier in the meeting.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance "Do Pass". Council Member Lawson made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Bailey, Harriman, Fougrousse, Powell

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

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Yes: Watson, Overton, Lawson, Bailey, Harriman Fougrousse, Powell, Williams

No: None

The Ordinance was numbered 5842.

ADJOURNMENT

Council Member Overton made the motion to adjourn. Council Member Lawson made the second.

After a voice vote of all ayes and no nays, the meeting adjourned at 6:25 p.m.

Doug Sprouse, Mayor

Denise Pearce, City Clerk/Treasurer