



113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Ordinance: 6658

File Number: 2023-678

AMEND §151, 161, 166 DEFINITIONS, ZONING REGULATIONS, URBAN DESIGN:

AN ORDINANCE TO AMEND CHAPTER 151 DEFINITIONS, CHAPTER 161 ZONING REGULATIONS, AND CHAPTER 166 URBAN DESIGN STANDARDS OF THE UNIFIED DEVELOPMENT CODE TO PROVIDE CONSISTENT AND CLEAR LANGUAGE FOR TWO, THREE, FOUR AND MULTI FAMILY DWELLINGS

WHEREAS, staff noted several inconsistencies in the language used to regulate two, three, and four family dwellings in Chapters 161 and 166; the definition for multi-family dwellings in Chapter 151 conflicts with the description of multi-family in Chapter 162; and there is also no definition for three and four family dwellings in § 151.01; and

WHEREAS, both City staff and the Planning Commission recommend amending the Unified Development Code to provide consistent and clear language for these types of dwellings.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby amends §151.01 **Definitions** by amending the definition of “Dwelling, multi-family (zoning)” and enacting a new definition of “Dwelling, three-family or four-family (zoning)” to read as follows:

“Dwelling, multi-family (zoning). A residential building designed for or occupied by five (5) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling, three-family or four-family (zoning). A residential building designed for or occupied by three (3) or four (4) families, with the number of families in residence not exceeding the number of dwelling units provided.”

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends (D) *Bulk and Area Regulations* of §161.11 **District RI-12, Residential Intermediate-Twelve (12) Units Per Acre** in Chapter 161 **Zoning Regulations** as shown in Exhibit A attached hereto.

Section 3: That the City Council of the City of Fayetteville, Arkansas hereby amends (B)(1) *Permitted Uses*; (D)(1) *Lot Width Minimum*; and (D)(2) *Lot Area Minimum* of §161.13 **District RMF-6, Residential Multi-Family-Six (6) Units Per Acre** in Chapter 161 **Zoning Regulations** as shown in Exhibit B attached hereto.

Section 4: That the City Council of the City of Fayetteville, Arkansas hereby amends (B)(1) *Permitted Uses*; (D)(1) *Lot Width Minimum*; and (D)(2) *Lot Area Minimum* of §161.14 **District RMF-12, Residential Multi-Family - Twelve (12) Units Per Acre** in Chapter 161 **Zoning Regulations** as shown in Exhibit C attached hereto.

Section 5: That the City Council of the City of Fayetteville, Arkansas hereby amends (B)(1) *Permitted Uses*; (D)(1) *Lot Width Minimum*; and (D)(2) *Lot Area Minimum* of §161.15 **District RMF-18, Residential Multi-Family — Eighteen (18) Units Per Acre** in Chapter 161 **Zoning Regulations** as shown in Exhibit D attached hereto.

Section 6: That the City Council of the City of Fayetteville, Arkansas hereby amends (B)(1) *Permitted Uses*; (D)(1) *Lot Width Minimum*; and (D)(2) *Lot Area Minimum* of §161.16 **District RMF-24, Residential Multi-Family - Twenty-Four (24) Units Per Acre** in Chapter 161 **Zoning Regulations** as shown in Exhibit E attached hereto.

Section 7: That the City Council of the City of Fayetteville, Arkansas hereby amends (B)(1) *Permitted Uses*; (D)(1) *Lot Width Minimum*; and (D)(2) *Lot Area Minimum* of §161.17 **District RMF-40, Residential Multi-Family - Forty (40) Units Per Acre** in Chapter 161 **Zoning Regulations** as shown in Exhibit F attached hereto.

Section 8: That the City Council of the City of Fayetteville, Arkansas hereby amends (D)(1) *Lot Width Minimum* of §161.18 **NS-L, Neighborhood Services - Limited** in Chapter 161 **Zoning Regulations** by adding “family” to (2) Lot Area Minimum, as shown in Exhibit G attached hereto.

Section 9: That the City Council of the City of Fayetteville, Arkansas hereby amends (F)(2) of § 166.08 **Street Design and Access Management Standards** by adding “and four (4) family” so that it reads as follows:

“(2) Separation for two (2) family, three (3) and four (4) family, multi-family and nonresidential development.”

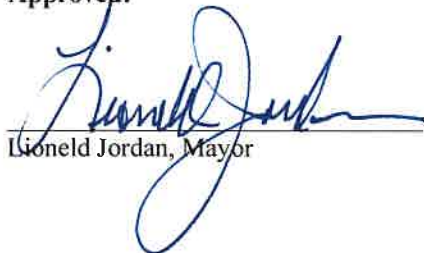
Section 10: That the City Council of the City of Fayetteville, Arkansas hereby repeals § 166.23(B) *Applicability* and enacts a replacement § 166.23(B) as follow:

“(B) *Applicability*. All references to urban residential design standards shall include the following uses as permitted by right or conditional use in all zoning districts:

- (1) Two (2) family dwellings
- (2) Three (3) and four (4) family dwellings
- (3) Multi-family dwellings”

PASSED and APPROVED on May 2, 2023

Approved:


Lionel Jordan, Mayor

Attest:


Kara Paxton, City Clerk Treasurer



EXHIBIT A

161.11 District RI-12, Residential Intermediate- Twelve (12) Units Per Acre

(D) *Bulk and Area Regulations.*

	Single-family	Two (2) family	Three (3) and four (4) family
Lot width minimum	50 feet	50 feet	90 feet
Lot area minimum	5,000 square feet	7,260 square feet	10,890 square feet.

EXHIBIT B

161.13 District RMF-6, Residential Multi-Family—Six (6) Units Per Acre

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single-family	50 feet
Two (2) family	50 feet
Three (3) family or more	90 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a Manufactured home park	4,200 square feet
Townhouse: Individual lot	2,500 square feet
Single-family	6,000 square feet
Two (2) family	7,000 square feet
Three (3) family or more	9,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acre

EXHIBIT C

161.14 District RMF-12, Residential Multi-Family - Twelve (12) Units Per Acre

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single family	45 feet
Two (2) family	45 feet
Three (3) family or more	80 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 square feet
Townhouse: Individual lot	2,500 square feet
Single-family	4,500 square feet
Two (2) family	6,000 square feet
Three (3) family or more	9,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acre

EXHIBIT D

161.15 District RMF-18, Residential Multi-Family — Eighteen (18) Units Per Acre

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a manufactured home park	50 feet
Single-family	40 feet
Two (2) family	40 feet
Three (3) family or more	75 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 square feet
Townhouse: Individual lot	2,500 square feet
Single-family	4,000 square feet
Two (2) family	5,000 square feet
Three (3) family or more	7,500 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acre

EXHIBIT E

161.16 District RMF-24, Residential Multi-Family - Twenty-Four (24) Units Per Acre

(B) *Uses.*

(1) Permitted Uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a Manufactured home park	50 feet
Single-family	35 feet
Two (2) family	35 feet
Three (3) family or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 square feet
Townhouses: Individual lot	2,000 square feet
Single-family	3,000 square feet
Two (2) family	4,000 square feet
Three (3) family or more	7,000 square feet
Fraternity or Sorority	2 acres
Professional offices	1 acres

EXHIBIT F

161.17 District RMF-40, Residential Multi-Family - Forty (40) Units Per Acre

(B) *Uses.*

(1) *Permitted Uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two (2) family dwellings
Unit 10	Three (3) and four (4) family dwellings
Unit 26	Multi-family dwellings
Unit 41	Accessory dwellings
Unit 44	Cluster Housing Development
Unit 46	Short-term rentals

(D) *Bulk and Area Regulations.*

(1) *Lot Width Minimum.*

Manufactured home park	100 feet
Lot within a Manufactured home park	50 feet
Single-family	30 feet
Two (2) family	30 feet
Three (3) family or more	70 feet
Professional offices	100 feet

(2) *Lot Area Minimum.*

Manufactured home park	3 acres
Lot within a mobile home park	4,200 square feet
Townhouses: Individual lot	2,000 square feet
Single-family	2,500 square feet
Two (2) family	3,000 square feet
Three (3) family or more	7,000 square feet
Fraternity or Sorority	1 acre

EXHIBIT G

161.18 NS-L, Neighborhood Services - Limited

(D) *Bulk and Area.*

(1) *Lot Width Minimum.*

Single-family	35 feet
Two (2) family or more	35 feet
All other uses	None