

ORDINANCE No. 2013-02

AN ORDINANCE AMENDING THE CITY OF BRYANT ZONING ORDINANCE 1999-16 AFFECTING THE LOCATION AND ESTABLISHING DEVELOPMENT STANDARDS FOR MULTI-FAMILY DWELLINGS AND MULTI-FAMILY DWELLING COMPLEXES WITHIN THE CITY OF BRYANT,

WHEREAS, the City Council of Bryant Arkansas adopted the Bryant Zoning Ordinance as Ordinance No. 1999-16 on September 27, 1999; and

WHEREAS, the Planning Commission for the City of Bryant held a public hearing on the 11th of February, 2013 to consider Ordinance 1999-16 and amendments thereto, the Planning Commission has recommended to the City Council that the below amendments to Ordinance 1999-16 be approved; and

WHEREAS, the City Council of Bryant, Arkansas finds that the following amendments to the Bryant Zoning Ordinance 1999-16 are in the best interest of development for the City of Bryant.

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

Section 1: That Ordinance 1999-16 of the City of Bryant shall be amended as follows:

SECTION 15.A.2.A. – Is to be DELETED in its entirety. The Subparagraphs under Section 15.A.2.A. are to be renumbered accordingly.

Section 2: That Ordinance 1999-16 of the City of Bryant is further amended by adding the following section:

SECTION 15.I Requirements for Multi-Family Dwellings and Multi-Family Complexes (hereinafter referred to as Multi-Family Developments)

A. General Requirements for Multi-Family Developments

- 1. Platting Required:** All multi-family developments shall be platted according to the current Subdivision Ordinance requirements of the City of Bryant.

- 2. Ratio of Multi-Family Units to Single Family Units:** The percentage of apartment units to single family units shall not exceed 20% of the total residential housing stock of the city. The percentage shall be updated on a yearly basis utilizing current building permit records. The ratio will reflect any additions or subtractions of housing units due to annexation or dis-annexation procedures.

3. **Location and Maximum Density of Development:** All multi-family developments are restricted to those areas and densities as outlined in the most current City of Bryant Comprehensive Growth Plan.
4. **Maximum Size of Development and Distance from other Developments:**
 - No development shall be more than 5 acres (gross) in size and not be located closer than one quarter mile from another development as measured in a straight line from closest property line to closest property line.
5. **Additional Development Location Policies:** Multi-family developments shall locate near areas with the following characteristics:
 - at or near the intersection of collector or arterial streets as identified on the City of Bryant Master Street Plan;
 - as transitional or infill land uses between lower density residential and commercial/retail uses/zoning;
 - along the periphery of the neighborhood residential core;
 - within walking distance of public transportation, employment centers and/or retail areas;
 - not in areas designed or intended for commercial/retail use as identified by the City of Bryant Comprehensive Growth Plan;
 - where adequate utility infrastructure, Fire and Police services are available to safely serve the development.
6. **Building Scale and Architecture:** Multi-family developments located in or adjacent to lower density residential neighborhoods shall resemble the lower density character of the neighborhood with similar building styles and materials to fit within the neighborhood fabric. Buildings containing three (3) or more attached units shall provide a variety of building types, densities and architectural elements. Architectural elements shall include but are not limited to: bay windows, balconies, porches, varied building materials, two (2)-foot minimum offsets in each elevation. A range of building heights shall be provided to scale down the bulkiness of large buildings. Patios and balconies shall be a minimum of fifty (50) square feet with a minimum narrow width of five feet and are to remain open and unenclosed.
7. **Building Orientation and Clustering:** Buildings shall be oriented to minimize views overlooking low density neighborhoods. Clustering of buildings shall be incorporated into the design to reduce impact on adjacent properties and to allow better utilization of open space. Taller buildings shall be located near activity centers away from the site periphery. Development design shall take advantage of

topography and natural features. Individual buildings shall be situated to create courtyards so as to maximize surveillance and create views of natural areas.

8. **Landscape and Screening:** The extensive use of plant materials throughout the development is considered a high priority in establishing a sense of desirable aesthetics. A Landscape Plan, prepared by a Landscape Architect or Certified Landscape Arborist, shall be included as part of the review process for all multi-family developments. The Plan shall emphasize the use of any existing natural features including vegetation, topography and natural water features. Landscape plans shall utilize both evergreen/deciduous plants in addition to annual/perennial plants to enhance the sense of seasonal variations. Emphasis shall be placed on landscaping areas around entryways, walkways, and buildings. The use of larger scale vegetation shall be utilized along the boundaries of the development to mitigate the impact of the development on any adjacent lower density residential neighborhoods. All tree plantings shall be located at minimum of 7.5' from any utility line.

Proposed plant species shall follow the recommendations as outlined in the City of Bryant Landscape Ordinance then in effect. Other native species (as recommended by the Arkansas Forestry Commission) may be utilized as well. All landscaping shall utilize an automatic underground irrigation system. Minimum tree and shrub sizes as well as landscape maintenance shall follow the requirements set forth in the City of Bryant Landscape Ordinance.

B. Specific Design Requirements for Multi-Family Development

1. **Minimum Unit Living Area:** Individual living units shall meet the following minimum size requirements:
 - One Bedroom, 1000 square feet;
 - Two Bedroom, 1000 square feet;
 - An additional 250 square feet for each individual bedroom;
 - Average unit size shall be 1,000 square feet for any Multi-Family Dwelling or Multi-Family Dwelling Complex.
2. **Exterior Building Materials:** All developments shall be 100% constructed from any combination of the following exterior materials:
 - brick,
 - pre-cast textured concrete,
 - natural or cultured stone,
 - mortar,
 - glass,

- tile,
- stucco
- HardiPlank.

Masonry coverage calculation shall not include doors, windows, trim, chimneys, dormers, window box-outs, eaves or bay windows that do not extend to the foundation. Balconies, stairways, landings and primary walkways shall be covered. All windows that can be opened shall have screens installed and maintained. A Building Elevations Plan shall be submitted as part of the review process.

3. **Exterior Building Setbacks:** All proposed buildings over one (1) story in height shall maintain a three (3) to one (1) ratio of setback to height from adjacent low density residential zoning. In all other areas a minimum of twenty-five (25) feet is required as a setback from exterior boundaries of the site.
4. **Signs:** All signage shall meet the requirements of the City of Bryant Sign Ordinance. All developments shall provide a directory sign and emergency contact number at or near the main entrance identifying buildings and access throughout the development. Lettering must be of contrasting color from background and at least 16" tall. Signs shall either be lighted or constructed using reflective materials.
5. **Parking:** The minimum off-street parking requirement shall consist of:
 - 2 (two) spaces for each one (1) bedroom unit;
 - 3 (three) spaces for each 2 and 3 bedroom unit
 - 1 (one) space visitor parking per unit. Visitor parking shall be scattered throughout the development;
 - 20% of the required parking spaces shall be covered.

Required handicapped accessibility spaces are in addition to the above requirements. Individual parking spaces shall be ten (10) feet wide by twenty (20) feet in length. Parking spaces for compact vehicles may be smaller in dimension as long as industry standards are utilized. Any proposed garages or carports shall be constructed with a roof design and building materials similar to the main building. Covered parking shall be sprinkled. Parking spaces shall not infringe on any fire lane or utility easement. No on-street parking is allowed on adjacent public streets. Parking calculations shall be included on the site plan notes.

6. **Open Storage:** Recreational vehicle, car and boat parking/storage shall be screened from view of public streets and adjacent single family zoned areas. Screening shall consist of a combination of opaque fencing and vegetative screen.

7. **Open Space:** A minimum of 20% of the development shall be devoted to open space. All required landscaping and parking will count toward meeting open space requirements. Open space calculations shall be included on the site plan notes.
8. **Enhanced Entrances:** Masonry perimeter walls or a combination of masonry and ornamental steel fencing with electronic security gates at all entrances shall be required. An acceptable means of 24 hour access shall be provided to all emergency personnel and vehicles. A turnaround must be provided prior to the gate. Main entrance features shall include a combination of landscaping with features such as rocks, sculptures, water, landscaped medians, ground signs, markers or entryway walls, displaying the name of the complex, street pavers, or other features that create a sense of identity.
9. **Fencing:** All developments shall be enclosed by a fenced perimeter. A minimum seven (7') foot opaque screening wall shall be placed between any multi-family development and single-family zoned property. The fence may be constructed of a variety of materials (including wood and PVC) but must utilize steel frames and posts. Ornamental steel fencing shall be used in all other areas.
10. **Roof Pitch:** Roof articulation and/or the traditional roof forms including but not limited to: gables, hips and dormers shall be incorporated. Roofs shall have a minimum 6:12 roof pitch. Flat roofs and wood shingles are prohibited. Roof material shall be a minimum 30-year warranty product.
11. **Utilities:** All utility transmission lines, including but not limited to electric, water/sewer, gas, phone and cable shall be placed underground and shall be built to the current standards of the City of Bryant. In addition, any proposed public streets shall be built to the current standards of the City of Bryant. All community use satellite dishes and roof/ground-mounted equipment shall be either screened or incorporated into the building architecture. Window-mounted air conditioning units are not permitted.
12. **Drainage Impact:** A Drainage Impact Analysis shall be prepared for all developments. The development may require significant revisions to the existing storm water drainage system to accommodate an increase in generated impervious surfaces. As such, the city may require an agreement with the developer to participate in or share the cost of such improvement.
13. **Fire Safety:** All units will have fire suppression sprinklers;

- 14. Crime Prevention:** Significant attention shall be placed on crime prevention methods/programs and on-site security methods. The Police Department shall review all multi-family development plans as part of the development review process.
- 15. Lighting:** Lighting shall conform to Crime Prevention Through Environmental Design (CPTED) guidelines. Lighting shall be used to create safe and secure public areas while illuminating only those areas for which the lighting is designed. Lighting shall be designed to reduce glare and impact on adjacent residential uses. A Lighting or Illumination Plan shall be submitted as part of the review process.
- 16. Trash Facilities:** All refuse facilities shall be screened on three sides by an eight (8') foot masonry wall. Enclosure doors or gates shall be of an opaque design.
- 17. Non-Smoking:** All public areas including but not limited to: swimming pools, laundries, mail rooms, community rooms, and recreational areas shall be posted as "non-smoking" areas.
- 18. Laundry Facilities:** Each apartment unit shall be provided with both a clothes washer and dryer connection.
- 19. Yearly Inspections:** All developments shall be inspected by the Code Enforcement Department for compliance on a once a year basis.
- 20. School District Impact:** A report shall be prepared by the developer as to the impact of the proposed development on the local school system. The Bryant School System shall be consulted in the development review process.
- 21. Traffic Impact:** A Traffic Impact Analysis (TIA) shall be prepared for all developments in order to determine the short and long-range impacts of the development on the adjacent road system. The analysis shall be prepared under the direction of a licensed professional engineer in the State of Arkansas with sufficient transportation engineering experience to assess traffic impacts. Traffic generation estimates shall utilize the latest version of the Institute of Traffic Engineers Trip Generation Manual. The development may require significant revisions to the existing adjacent street system in order to accommodate an increase in generated traffic volumes or concentrations. As such, the city may require an agreement with the developer to participate in or share the cost of such improvements.

- 22. On-site Management:** Developments shall provide assurance for 24 hour on-site management and the existence of a maintenance plan. In addition developments shall provide a 24 hour on-call security;
- 23. Environmental Performance:** Developments shall be designed to meet the 2013 International Energy Conservation Code (IECC).
- 24. Access and Internal Circulation:** Emphasis shall be placed on efficient internal circulation with access designed to discourage traffic into an adjacent neighborhood. Traffic calming methods shall be employed where necessary. Internal driveways should be offset thirty (30') for each five hundred (500') of in a straight line.
- 25. Internal Pathways:** Developments shall be designed for internal pedestrian activity. Sidewalks, crosswalks, trails and bridges should be provided to separate pedestrian and vehicular traffic. Trails and walkways shall be provided in various open spaces to connect to other neighborhoods and community areas. All developments shall provide exterior boundary sidewalks that meet city standards. Each development shall provide a covered, all-weather bus stop on site.
- 26. Tenant Amenities:** Developments shall include a minimum of four (4) of the following amenities. These amenities may include but are not limited to:
- swimming pool(s),
 - on-site child care,
 - dog park,
 - exercise facility,
 - gazebo,
 - book and video libraries,
 - club house,
 - improved picnic areas, jogging trails, lake(s) with constant water level (minimum ½ acre),
 - playground(s),
 - golf course/putting green,
 - sports courts and;
 - recreational fields (including but not limited to) volleyball, baseball and soccer...etc.
- 27. Postal Facilities:** A centralized, all-weather, mail facility or multiple facilities scattered throughout the complex shall be provided. Temporary parking shall be provided for each mail facility.

28. Trash Recycling Facility: A centralized trash recycling facility shall be provided in addition to provisions for trash collection. All recycling facilities shall be screened in a manner described for trash collection.

29. Additional Provisions: Nothing listed in these requirements shall limit the City Council's ability to require more restrictive standards necessary to protect the public's health, safety and welfare.


Section 3. General Repealer

All laws, ordinances, resolutions, or parts of the same, which are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency or conflict.

Section 4. Severability

Should any title, section, paragraph, item, sentence, clause, or phrase of this Ordinance be declared or adjudged invalid or unlawful by a court of competent jurisdiction, such declaration or adjudication shall not affect the remaining portions of the Ordinance which shall remain in full force and effect as if the portion so declared or adjudged or unconstitutional was not originally a part of the Ordinance.

PASSED AND APPROVED this 28th day of March, 2013



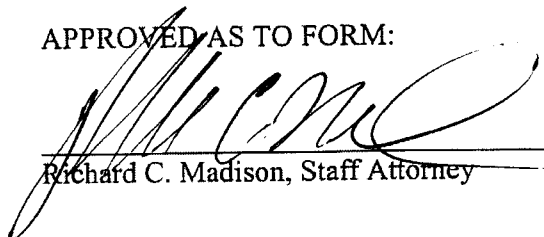
Jill Dabbs, Mayor

ATTEST:



Heather Kizer, City Clerk

APPROVED AS TO FORM:



Richard C. Madison, Staff Attorney