

1 Subsection (b). That Chapter 36., Section 36-256. (b)(1) be amended to provide for the addition
2 of new text and to then read as follows:

- 3 1. *Permitted Uses.* Permitted uses are single-family and two-family residences and lots.
4 Two-family dwellings shall be attached by wall, roof and/or foundation; however,
5 subject to the area regulations and siting standards in 36-256(d)(7) two single-family
6 detached dwellings may be constructed as a two-family lot on a single lot or lot of
7 record.

8 Subsection (c). That Chapter 36., Section 36-256. (d)(1), (2), and (3) be amended to provide
9 for the addition of new text and to then read as follows:

- 10 1. *Front-Yard.* There shall be a front-yard setback having a depth of the lesser of not less
11 fifteen (15) feet from the front property boundary; or the average setback of the nearest
12 structures on each side if either of those structures have a setback on the same block
13 facing the same street of twenty-five (25) or fewer feet.
- 14 2. *Side-Yard.* There shall be a side-yard on each side of the building having a width of
15 not less than 10% of the average width of the lot, not to exceed five (5) feet measured
16 from the side boundaries of the property. Building overhangs, including but not limited
17 to, sills, cornices, ornamental projections, or eaves, may extend into the required side
18 yard setback provided that stormwater runoff is sufficiently collected or diverted so
19 that it does not create a hazard or detriment to adjacent property. No building overhang
20 or building feature may extend beyond the property boundary.
- 21 3. *Rear-Yard.* There shall be a rear-yard having a depth of not less than twenty-five (25)
22 feet from the rear property boundary; except on lots that do not conform to the lot area
23 regulations of (d)(4) and having a depth of less than 100 feet, there shall be a rear-yard
24 depth of not less than 10% of the depth of the lot. Building overhangs, including, but
25 not limited to, sills, cornices, ornamental projections or eaves, may extend into the
26 required rear yard setback provided that stormwater runoff is sufficiently collected or
27 diverted so that it does not create a hazard or detriment to adjacent property. No
28 building overhand or building feature may extend beyond the property boundary.

29 Subsection (d). That Chapter 36., Section 36-256. (d)(5)a, b, c, d, e, f, and h be amended and
30 renumbered to provide for the addition of new text, including the addition of new Subsections b
31 and c and to then read as follows:

- 32 5. Other area regulations and siting standards.
- 33 a. The following minimum siting standards shall apply to all instances of
34 placement of a manufactured home in the R-4, Two-Family District, by
35 Conditional Use Permit:

1. A pitched roof of three (3) in twelve (12) or fourteen (14) degrees or greater.
2. Removal of all transport elements.
3. Permanent foundation.
4. Exterior wall finished so as to be compatible with the neighborhood.
5. Orientation compatible with placement of adjacent structures.
6. Underpinning with permanent materials.
7. All homes shall be multisectional.
8. Off-street parking per single-family dwelling standard.

b. All dwellings on two-family lots, including two-family dwellings, shall be constructed with separate, applicable utility connections unless it is expressly acknowledged by the lot owner and contractor to whom the construction permit is issued that an application for lot split shall be rejected by the director of planning and development, and will not be considered by the Board of Directors, unless: 1) the utilities serving the dwellings are reconstructed to provide for distinct utility service to each dwelling; or 2) the property is replatted as a horizontal property regime, pursuant to the Horizontal Property Act [Ark. Code Ann. 18-13-101 et seq].

c. Any Storm-Water Drainage Plan submitted pursuant to this District Code shall provide sufficient information to enable the Planning Department to identify: 1) the general direction of anticipated water flow; 2) the methods to be employed in capturing or directing the flow of storm-water, including, not limited to, the use of gutters, buried drainpipes or rain swales; and 3) any other information necessary for the understanding of the general storm-water drainage concept on or for the benefit of the subject property to be employed for the mitigation and avoidance of injury to surrounding properties.

Subsection (e). That Chapter 36., Section 36-256. (d) be amended to provide for the addition of new Subsections (7), (7)a., (7)a.i,ii, and iii, (7)b., (7)b.i and ii, (7)c., (7)c.i,ii, iii, and iv and to then read as follows:

7. Area Regulations and siting standards for two (2) single-family dwellings on one (1) lot. The following minimum siting standards shall apply to all instances of construction or placement of two single-family dwelling units constructed on one (1) lot in the R-4, Two-Family District:

a. On corner lots:

1. Each dwelling shall front on a different street.

- 1 2. The front dwelling shall abide by front-yard area regulations in 36-
2 256(d)(1), and side-yard area regulations in 36-256(d)(2). The
3 separation between the front dwelling and the rear dwelling shall be
4 not less than eight (8) feet unless appropriate Fire Protection Standards
5 are adequately depicted in construction documents and constructed to
6 meet the standards set out in the appropriate Building Code.
- 7 3. The rear dwelling shall have a front-yard setback with a depth of the
8 lesser of the side-yard setback of the front dwelling, or ten (10) feet
9 from the property boundary nearest the front of the rear dwelling. The
10 rear dwelling shall have a setback of not less than five (5) feet from
11 the rear of the structure to the property boundary behind the rear
12 dwelling. The side of the rear dwelling nearest the rear property
13 boundary shall have a setback of at least five (5) feet. The rear
14 dwelling may not occupy more than 30% of the rear-yard area required
15 by 36-156(d)(3).

16 b. On double frontage lots:

- 17 1. Each dwelling shall front on a different street.
- 18 2. Both dwellings shall be treated as having front-yards, and shall abide
19 by front yard area regulations in 36-256(d)(1), and side-yard area
20 regulations in 36-256(d)(2). The separation between the dwelling
21 units shall be not less than eight (8) feet unless appropriate Fire
22 Protection Standards are adequately depicted in construction
23 documents and constructed to meet the standards set out in the
24 applicable Building Code.

25 c. On lots that are neither corner lots or double frontage lots:

- 26 1. The front dwelling shall abide by front-yard area regulations in 36-
27 256(d)(1), and side yard area regulations in 36-256(d)(2). The
28 separation between the front dwelling and the rear dwelling shall be
29 not less than eight (8) feet unless appropriate Fire Protection Standards
30 are adequately depicted in construction documents and constructed to
31 meet the standards set out in the appropriate Building Code.
- 32 2. The rear dwelling resident shall be provided adequate, improved
33 access from the street right of way or parking area by a gravel or paved
34 path.

- 3. The rear dwelling may be constructed as a dwelling unit over a garage serving either dwelling, or as a stand-alone dwelling.
- 4. The rear dwelling may not occupy more than 30% of the rear-yard area required by 36-156(d)(3). The rear dwelling shall maintain at least a ten (10)-foot setback from the rear-yard property line.

Section 2. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

Section 3. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

PASSED: August 15, 2023

ATTEST:

APPROVED:

Susan Langley, City Clerk

Frank Scott, Jr., Mayor

APPROVED AS TO LEGAL FORM:

Thomas M. Carpenter, City Attorney

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