



AGENDA

SILOAM SPRINGS BOARD OF DIRECTORS
MARCH 19, 2019
BOARD MEETING / 6:30 PM

WORKSHOP: Water Plant Upgrade Design Review – 5:30 PM

Regular Board of Directors Meeting:

I. Opening of Regularly Scheduled Meeting

Call to Order
Roll Call
Prayer
Pledge of Allegiance

II. Approval of Minutes

Regular Meeting of March 5, 2019

III. Public Input

Items from the Public not on the Agenda (public may address any City business not listed on the agenda)

IV. Regularly Scheduled Items

Contracts and Approvals

A. Amendment / 2019-2020 Board Goals

Ordinances

B. Ordinance 19-09 / 2nd Reading / Amending Section 102-50 of the City Municipal Code /
Correction / Zoning Code

V. Staff Reports

C. January 2019 Financials
D. Administrator's Report

VI. Directors Reports

VII. Adjournment

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY, ARKANSAS,
HELD MARCH 5, 2019

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the Siloam Springs' Administration Building on March 5, 2019.

The meeting was called to order by Mayor John Turner.

Roll Call: Sappington, Smiley, Burns, Hunt, Rissler, Coleman, Carroll – Present.

City Representatives Present: Phillip Patterson, City Administrator; Jay Williams, City Attorney; Renea Ellis, City Clerk; Jeremy Criner, Fire Chief; Jim Wilmeth, Police Chief; Steve Gorszczyk, Public Works Director; Justin Bland, City Engineer; Don Clark, Community Development Director; and Ben Rhoads, Senior City Planner.

Opening prayer was led by Director Sappington.

Mayor Turner led the Pledge of Allegiance.

A copy of the February 19, 2019, minutes of the regular meeting had previously been given to each Director. A motion was made by Smiley and seconded by Coleman to approve the minutes. Turner called for a voice vote. Motion passed unanimously.

Public Input: No one came forward.

Item A: Front-End Loader / Public Works Department / Street Division / Scott Equipment / \$170,298.10. Dennis Kindy briefed the item. A motion was made by Smiley and seconded by Carroll to approve the item. Motion passed unanimously.

Item B: Ordinance 19-04 / 3rd Reading / Small Cell Tower. Jay Williams briefed the item. Janet Silbernagel, 22991 Lawlis Road, asked questions about where the city was in the process; if the city was aware this was detrimental to health; and if the city didn't care about the harm that could come to its citizens if this was allowed. Williams addressed the questions. A motion to place Ordinance 19-04 on its third reading, suspending the rules and reading title only, was made by Smiley and seconded by Burns. Motion passed unanimously.

An ordinance entitled: An Ordinance Adopting Small Wireless Communication Facility Standards for the City of Siloam Springs; Amending Article II of Chapter 98 of the Siloam Springs City Code; was read on its third reading.

A motion to adopt was made by Smiley and seconded by Burns. Motion passed unanimously.

Item C: Ordinance 19-05 / 3rd Reading / Amending Section 102-21 of the City Municipal Code / Rezoning from C-2 to R-3 / 992 S. Lincoln Street. Ben Rhoads briefed the item. A motion to

place Ordinance 19-05 on its third reading, suspending the rules and reading title only, was made by Smiley and seconded by Coleman. Motion passed unanimously.

An ordinance entitled: An Ordinance Amending Section 102-21 of the Siloam Springs Municipal Code (city zoning map); Rezoning (from C-2 to R-3) the property located at 992 S. Lincoln Street; was read on its third reading.

A motion to adopt was made by Sappington and seconded by Carroll. Motion passed unanimously.

Item D: Ordinance 19-06 / 3rd Reading / Amending Section 18-354 of the City Municipal Code / Street and Building Numbering. Ben Rhoads briefed the item. A motion to place Ordinance 19-06 on its third reading, suspending the rules and reading title only, was made by Smiley and seconded by Coleman. Motion passed unanimously.

An ordinance entitled: An Ordinance Amending Section 18-354 of the Municipal Code with Respect to Street Naming; was read on its third reading.

A motion to adopt was made by Carroll and seconded by Sappington. Motion passed unanimously.

Item E: Ordinance 19-07 / 3rd Reading / Annexation of 20.707 acres / 3755 E. Kenwood Street. Ben Rhoads briefed the item. A motion to place Ordinance 19-07 on its third reading, suspending the rules and reading title only, was made by Carroll and seconded by Coleman. Motion passed unanimously.

An ordinance entitled: An Ordinance accepting the annexation of certain territory to the City of Siloam Springs, Arkansas and assigning same to a Ward; was read on its third reading.

A motion to adopt was made by Smiley and seconded by Carroll. Motion passed unanimously.

Item F: Ordinance 19-08 / 3rd Reading / Amending Section 102-21 of the City Municipal Code / Rezoning from I-2 to C-2 and R-3 / 100 Block of N. Lincoln Street. Ben Rhoads briefed the item. A motion to place Ordinance 19-08 on its third reading, suspending the rules and reading title only, was made by Smiley and seconded by Burns. Motion passed unanimously.

An Ordinance Amending Section 102-21 of the Siloam Springs Municipal Code (city zoning map); Rezoning (from I-2 to C-2 and R-3) the property located at 100 Block of N. Lincoln Street; was read on its third reading.

A motion to adopt was made by Smiley and seconded by Carroll. Motion passed unanimously.

Item G: Ordinance 19-09 / 1st Reading / Amending Section 102-50 of the City Municipal Code / Correction / Zoning Code. Ben Rhoads briefed the item. A motion to place Ordinance 19-09 on

its first reading, suspending the rules and reading title only, was made by Smiley and seconded by Coleman. Motion passed unanimously.

An ordinance entitled: An Ordinance Amending Section 102-50 of the City Municipal Code to Correct an Error Regarding Setback Requirements in the H-1 (Historic) Overlay District; was read on its first reading.

Item H: Ordinance 19-10 / 1st Reading / Authorizing Sole-Source Purchase of Motorola Astro P-25 Public Safety Simulcast Radio System with Accompanying Integration to the Arkansas Wireless Information Network / Motorola Corporation / \$1,781,515 plus an additional \$130,000 in project costs. Jim Wilmeth briefed the item. Following comments from the board, a motion to place Ordinance 19-10 on its first and only reading, suspending the rules and reading title only, was made by Coleman and seconded by Smiley. Motion passed unanimously.

An ordinance entitled: An Ordinance Authorizing the City Administrator to Contract for a Motorola public safety radio system without competitive bidding and for such other and further actions as necessary for deployment of said system, for a total cost not to exceed \$1,911,515.00; was read on its first and only reading.

A motion to adopt Ordinance 19-10 was made by Coleman and seconded by Carroll. Motion passed unanimously.

Item I: Resolution 06-19 / Preliminary Plat Development Permit / Lawlis Ranch Addition / 23000 Block of Lawlis Road. Ben Rhoads briefed Item I and Item J simultaneously. Mike Burns, 23014 Lawlis Road; Greg Cady, 22895 Lawlis Road; Mark Bennage, 22919 Lawlis Road; Tim and Deborah Treguboff, 2406 Bridle Creek; Richard McElheny, 608 W. Hatcreek; Barry Campbell, 23001 Lawlis Road; Mike Cureton, 606 W. Hatcreek; and Janet Silbernagel, 22991 Lawlis Road; all addressed the audience in opposition of the number of units being proposed and expressed numerous concerns including property devaluation, traffic, lot density, additional future development, the fire lane (easement, gate and surfacing), and safety. Justin Bland addressed questions relating to engineering issues. Ron Homeyer of Civil Engineering, 701 S. Mt. Olive, on behalf of the developer, addressed the question of the change in proposed density, explaining that cost overruns were the reason. He also pointed out the developer was willing to plant trees as an additional buffer between the properties, and had been in favor of annexing when approached by the City. After lengthy discussion, a motion to approve Resolution 06-19 was made by Smiley and seconded by Burns. Motion passed unanimously.

Item J: Resolution 07-19 / Final Plat Development Permit / Lawlis Ranch Addition / 23000 Block of Lawlis Road. Ben Rhoads had previously briefed the item. A motion to approve Resolution 07-19 with staff's recommended condition was made by Smiley and seconded by Burns. Motion passed unanimously.

Item K: Resolution 08-19 / Significant Development Permit / Park Front Properties, LLC / 502 W. Tahlequah Street. Ben Rhoads briefed the item. A motion to approve Resolution 08-19 with

staff's recommended condition was made by Smiley and seconded by Coleman. Motion passed unanimously.

Item L: Resolution 09-19 / TAP Grant / North Hico Street. Justin Bland, City Engineer, briefed the item. A motion to approve Resolution 09-19 was made by Burns and seconded by Hunt. Motion passed unanimously.

Administrator's Report: Patterson reminded the new board members of orientation tomorrow; reported an expenditure in the fire department of \$37,900 for a diesel exhaust removal system; and an expenditure in the electric department of \$33,572 for a 2019 Ford truck.

Directors' Reports: Hunt said she was appreciative of citizen turnout; of staff's work on the E. Main Street design, and that spring break would be the week of the 18th and that she would be absent from the March 19th meeting. Burns said he appreciated the workshop and that the process worked. Sappington said she enjoyed the information provided by Crafton Tull and familiarizing themselves with the business owners and taking the needs of the residents into account. Rissler she was impressed with the public meeting turnout, the presentation and the walk through; she pointed out the Chamber showcase event this weekend; and Girl's Night Out on March 14th starting at 5pm. Carroll encouraged everyone to participate in early voting on the new Benton County Courthouse measure; said he was impressed with the E. Main meeting and with the public turnout tonight. Smiley said she appreciated the citizen response to the E. Main Street project and tonight's audience; encouraged early voting on the courthouse question; and pointed out from 5-8pm on the 14th the inaugural Art at the Artwalk would be hosted by the Siloam Springs Center for the Arts. Coleman concurred with opinions voiced regarding the E. Main Design; commended Wilmeth on the AWIN project; said the Lawlis items were a hard vote and urged residents in the county to consider annexation; and said he too would be absent March 19th.

A Motion to adjourn was made by Coleman and seconded by Smiley. The mayor called for a voice vote. Motion passed unanimously.

Meeting adjourned.

ATTEST:

APPROVED:

Renea Ellis, City Clerk

John Mark Turner, Mayor

{Seal}



STAFF REPORT

TO: Mayor and Board of Directors
FROM: Phillip Patterson, City Administrator
DATE: March 12, 2019
RE: Amendment / 2019-2020 Board Goals

Recommendation: Approve the amendments to the 2019-2020 Board Goals as recommended by staff.

Background: The Board adopted its 2019-2020 Goals on July 17, 2018. The goals include 12 objectives that are to be completed prior to year-end 2020. Two (2) of those objectives include the development of a form-based code for the historic downtown commercial area, and the creation of a new, updated comprehensive plan. Since the adoption of the goals, there have been Board discussions related to the development of a unified development code. Such a code combines the traditional zoning and subdivision regulations with other city regulations such as sign codes, landscape codes, master street plans, floodplain and stormwater management, and could include a form-based code for the downtown commercial area. For this reason, staff recommends amending Objective D.1 to reference the development of a unified development code that includes a downtown commercial form-based code.

Before a unified development code is developed, it would be appropriate to first adopt a new comprehensive plan as referenced in Objective E.1. However, as currently written, both objectives are to be completed in 2020. Staff recommends amending the timeline for Objective E.1 so that the process starts in 2019 rather than in 2020.

Fiscal Impact: Amending the timeline for Objective E.1 will require a budget amendment once a qualified planning firm has been selected and a contract for the development of the plan is proposed. As currently drafted, this expenditure would likely occur in 2020 rather than in 2019. Amending Objective D.1 for a unified development code will likely require a greater expenditure for a consulting firm than if it was to just develop a form-based code for the downtown commercial area.

Attachments:

Proposed Amendments to the 2019-2020 Board Goals

PROPOSED AMENDMENTS TO 2019-2020 BOARD GOALS

Goal Statement

D. Improve placemaking and downtown design through regulatory means.

Objective

D.1 ~~Develop a form-based zoning code for the historic commercial downtown area~~Create a unified development code that includes a form-based or hybrid code for the historic downtown commercial area.

Analysis: ~~Form-based codes differ from traditional zoning in that they prescribe specific urban design standards and place fewer restrictions on land use. In addition, many cities use hybrid codes for unique local conditions. These codes combine elements of form-based codes with traditional zoning. Staff will consultant with various professional planning firms to develop an idea of the cost to hire a consulting firm to assist with the development of such a code, and develop a road map for planning, adoption, and implementation of such code~~A unified development code combines traditional zoning and subdivision regulations, along with other desired city regulations such as sign regulations, floodplain and stormwater management, landscape regulations, Form-based codes differ from traditional zoning in that they prescribe specific urban design standards and place fewer restrictions on land use. In addition, many cities use hybrid codes, which combine elements of form-based codes with traditional zoning, for unique local conditions. Staff will consultant with various professional planning firms to develop an idea of the cost to hire a consulting firm to assist with the development of such a code, and develop a road map for planning, adoption, and implementation of such code.

Timeline: ~~This project includes three (3) phases: 1st Phase—3rd quarter 2019 budget funds; 2nd Phase—1st quarter 2020 hire consultant; and 3rd Phase—3rd quarter 2020 submit proposed code for approval~~After the completion of Objective E.1.

Measurement: Report preliminary budget findings and plan for developing ~~the form-based~~a unified development code to Board ~~as part of 2020 budget review~~. Subject to funding, hire consultant ~~in 2020~~ to assist with drafting codes. Final measurement is to submit proposed code to PC and Board for approval.

Progress:

Assigned to: Don Clark, Community Development Director

E. Develop a plan to serve as a guideline for assisting the City in realizing its future growth goals

Objective

E.1 Create a new and updated comprehensive plan for the City.

Analysis: The City's Comprehensive Plan was last updated in 2008. This update was completed in-house with the assistance of the NW Arkansas Regional Planning Commission. The 2008 plan basically just updated the 1996 plan that was authored by a private consulting firm. Staff will research preliminary budgets, draft an RFQ, and develop a plan of action for selecting a qualified firm to develop the plan.

Timeline: ~~This project includes three (3) phases: 1st Phase—3rd quarter 2019 budget funds; 2nd Phase—1st quarter 2020 hire consultant; and 3rd Phase—4th quarter 2020 submit proposed plan for approval~~2nd quarter 2019 – RFQ will be published; a qualified firm will be selected and recommended to board along with a budget amendment. Planning process to start in the 3rd quarter 2019 and update comprehensive plan is to be submitted for approval no later than 4th quarter 2020.

Measurement: ~~Report preliminary budget findings and plan for developing the form-based code to Board as part of 2020 budget review. Subject to funding, hire consultant in 2020 to assist with drafting new comprehensive plan. Final measurement is to submit proposed plan to PC and Board for approval~~Publish RFP. Submit contract and budget to Board for approval. Final measurement is to submit updated comprehensive plan to Board for approval.

Progress:

Assigned to: Don Clark, Community Development Director



STAFF REPORT

TO: Phillip Patterson, City Administrator
FROM: Ben Rhoads, AICP, Senior Planner *BR*
Cc: Don Clark, Community Development Director
DATE: January 22, 2019
RE: Ordinance 19-09 / Amending Section 102-50 of the City Municipal Code / Correction / Zoning Code

Recommendation: Place Ordinance No. 19-09 on its ___ (1st, 2nd, or 3rd) reading, suspending the rules and reading by title only.

Background: On February 19, 2019, staff was made aware that ordinance 18-25 contains a textual error, where the ordinance does not match the redacted code, which was presented as Attachment A. The error copied the more stringent (proposed) setbacks found in section 102-50(d)(2) to the setbacks intended to remain unaltered in 102-50(d)(1). The proposed ordinance corrects this textual error to match the redacted version. Because this is an ordinance correction, the ordinance does not need to go to the Planning Commission for recommendation.

Fiscal Impact: Staff is not aware of any fiscal impacts at this time.

Attachments:

Planning Commission Staff Report with Attachment "A"
Ordinance No. 19-09



PLANNING COMMISSION STAFF REPORT

TO: Planning Commission
FROM: Ben Rhoads, AICP, Senior Planner *BZR*
Cc: Don Clark, Community Development Director
DATE: October 24, 2018
RE: Amendments to City Code Chapter 102 (Zoning Regulations)

Recommendation: Approval of the Code change.

Background: Due to recent concerns raised by the neighbors in the Hico and Gunter areas of town, located in the vicinity of N. Mt. Olive and Helena St., staff has considered amending the setbacks and housing density regulations in the historic overlay zone district, called the H-1 Overlay District. The H-1 District functions differently than other zones, which are called base zones. The district does not proscribe land uses, i.e. can you build a house or a business on a plot of land, but rather provides augmented zoning standards to facilitate development and renovation in the older, historic parts of town.

What was recently brought to the City's and the public's attention is that within the H-1 zone's standards, there is a blanket, zone-wide, housing density cap set at 20 dwelling units per acre. This does not mean that 20 dwelling units are permitted on any lot, but rather a fractional derivative based on the lot size. For instance, if there is a half-acre lot, the maximum housing density allowed would be 10 units (half of 20 for half of an acre). Upon further review into the density section, it was determined to be too simplistic, taking a "one-size fits-all" approach for housing density throughout the entire district. As noted through the deliberations of the recent rezoning case occurring at 817 N. Mt. Olive St., for Rex Pruner, the set density had in effect, made the density suggestions of the 2030 future land use map redundant and ineffectual due to the zoning ordinance standards trumping those of the future land use map. It is clear there needs to be more care given to housing density and the locations where this is appropriate or inappropriate throughout the H-1 overlay district, which covers the core of the City.

Therefore, City staff suggests a staggered approach based on the use units involved. The scheme sets density for single-family uses at no more than 8 dwelling units per acre, a sharp reduction from the current 20 units allowed. Furthermore, the two-family (duplex) use unit is set at 15 units per acre, while the 20 units per acre is retained for locations where multi-family is permitted by right. A case study as to why 20 units per acre is needed are the multi-family dwellings located at E. Benton St. and N. Elm St. There are eight units on a lot that is 0.43 acres. When multiplying 0.43 by 20, one arrives with 8.6. Eight units are the maximum allowed on a lot that size, fractional remainders are not permitted to be rounded up to the nearest whole number. Had the density been set lower, for example at 16 units/acre, this lot would permit only six units. Staff believes the 8-unit development works well in the

neighborhood, so setting the density lower is unaccommodating for typical multi-family housing density. In summary, the higher density requirements are essential when developing on smaller lots, particularly in a multi-family setting. Again, for clarity, it must be distinctly understood that the multi-family uses are *only* permitted in the R-4 zone, so existing R-2, single-family uses, are protected if they abut to like zoning, i.e. R-2 next to R-2.

Additional concerns were raised by a representative of the Hico/Gunter neighborhood that the H-1 setbacks are limited, reduced, for all uses, including multi-family. In theory, one could build a multi-family structure, if they were in the R-4 zone, only five feet from a side property line. If the house abutting to this hypothetical development was also setback at five feet, there would be only 10 feet between the side wall of a single-family house and the side wall of a multi-family or commercial structure. The intention of setbacks are to allow for separation between uses to mitigate excessive noise, visual clutter, and otherwise provide light and air between structures. Staff reviewed the setbacks and the new proposal keeps the existing setbacks *only* for single-family, two-family, and residential office uses. These land uses were lumped together as being, more or less, the same in terms of visual and general neighborhood impacts. All other land uses are required to have a greater setback only in instances where the lot abuts the R-2 or R-3 zones, the zones that permit single and two-family dwellings. The greater setbacks are going from 5 to 10 feet on the sides; 12 to 15 feet on the side to corner; and 15 to 20 feet on the rear.

Finally, unrelated to the historic district, staff is suggesting an increase to the lot coverage in the R-3 (Residential, two-family) zone from 40% to 45%. The increase permits typical two-family development and should have been updated in the 2017 general zoning code update to correspond to the wider allowed driveway widths of 40 feet. This change should be considered a housekeeping measure in the R-3 zone, so all zone metrics are in harmony for a two-family form of development on a typical two-family sized lot.

Fiscal Impact: None anticipated.

Attachments:

Attachment A: Redacted Ordinance Chapter 102
Proposed Ordinance

Attachment “A”

Chapter 102 of the City Code (“Zoning”) is hereby amended as follows (added terms are underlined>; deleted terms are ~~struck through~~):

102-41. – Use Units

Zone District	Zone District Standards										
	Front Setback (ft)	Side Setback (ft)	Rear Setback (ft)	Side on Corner	Minimum Lot Surface Area (sq ft)	Minimum Lot Width	Maximum Lot Coverage	Maximum Floor Area Ratio	Height Limit (ft)	Open Space	Housing Unit Density (per
A-1	50	20	20	50	130,680	200	20%	0.33	n/a	n/a	0.2
R-E	50	25	50	25	43,560	150	20%	0.66	35— 45*	n/a	1
R-1	35	10	25	25	10,000	80	35%	0.33	35— 40*	n/a	4
R-2	25	8	20	20	7,000	60	40%	0.33	30— 40*	n/a	6
R-3	25	8	20	25	3,500**	70**	40 45%	0.33	30— 35*	n/a	8
R-4	30	10	20	25	3,500**	70**	60%	0.5	30— 35*	10 ft buffer, 6 ft screen, 40% O.S.	16**
M-H	(75) 25**	(75) 25**	(75) 10**	25**	43,560**	200**	40%	n/a	20— 30*	20 ft buffer, 6 ft screen, 60% O.S.	6
R-O	25	10	25	25	6,000**	60**	30%	See note***	35	10 ft buffer, 6 ft screen**, 70% O.S.	12
H-1	20	5**	15**	12**	4,000**	40**	50%**	0.50—1**	35— 45*	n/a	<u>8</u> - <u>20</u> **

H-1DT	0**	0**	15**	15	5,000	50	90%	n/a	n/a	5 ft buffer 6 ft screen*	*, **
C-1A	30	10	15	30	5,000	50	50%**	0.6	35— 40*	10 ft buffer, 6 ft screen, 50% O.S.	6— 16**
C-1	5**	0**	15**	15	5,000	50	40%**	0.6	40— 60*	10 ft buffer, 6 ft screen, 60% O.S.	16**
C-2	40**	10**	30**	15	8,000	80	85%	0.6	35— 45*	10 ft buffer, 6 ft screen, 15% O.S.	n/a
I-1	50**	10**	25**	20**	30,000	150	80%	0.6	35— 50*	10 ft buffer, 6 ft screen**, 20% O.S.	n/a
I-2	50**	30**	25**	30**	20,000	125	85%	0.6	35— 45*	10 ft buffer, 6 ft screen**, 15% O.S.	n/a
P-D**	30	8**	25**	25**	6,000**	60**	40%	0.5	35— 40*	10 ft buffer, 6 ft screen**, 60% O.S.	16
G-I	30**	10**	15**	15**	5,000	50	60%	0.6	72**	6 ft buffer 6 ft screen**, 40% O.S.	n/a
P-K	Standards do not apply unless through the provisions of a Significant Development permit and approved as appropriate for the site.										

*See Code citation for extensions beyond the minimum required. O.S. = Open Space

**Additional regulations apply based on use or site condition.

***FAR is the same as nearest residential zoning district.

Section 102-46. – R-3 District (Residential, two-family).

(3) Maximum lot coverage: ~~40~~ 45 percent

Section 102-50. – H-1 Overlay District (Historic).

(d) *Building limits:*

(1) Setback required for single-family residential, two-family residential, and residential office uses:

- a. ~~All~~ The front setbacks must be within ten feet of the front setback of adjacent structures, as determined by the administrator.
- b. Front: 20 feet.
- c. Sides (except side on corner): Eight feet, unless and except where the rear yard is served by an alley, or an alternative means of access having a width of at least eight feet is available on the subject property, in which case the setback may be five feet.
- d. Side on corner: 12 feet.
- e. Rear: 15 feet.

(2) Setbacks required for all other uses, when abutting to an R-2 or R-3 zoned lot:

- a. The front setback must be within ten feet of the front setback of the adjacent structure, as determined by the administrator.
- b. Front: 20 feet.
- c. Sides (except on corner): Ten feet.
- d. Side on corner: 15 feet.
- e. Rear: 20 feet.

~~(2)~~ (3) *Height limit:*

- a. No building shall exceed 35 feet in height, unless each exceeding portion of the building is set back by the above-listed distances, plus an additional one foot for each one foot that its height exceeds 35 feet.
- b. In no event shall any building exceed 45 feet in height.

~~(3)~~ (4) *Floor/area ratio:*

- a. *Use Unit 3:* 0.50 (maximum).
- b. *Use Unit 4:* 0.75 (maximum).
- c. *Use Unit 5:* 1 (maximum).

~~(4)~~ (5) *Density.* Development shall not exceed ~~a density of 20 dwelling units per acre.~~ the housing density per lot as follows:

- a. Use Unit 3 uses: 8 units per acre.
- b. Use Unit 4 uses: 15 units per acre.
- c. Use Unit 5 uses: 20 units per acre.

###

ORDINANCE NO. 19-09

AN ORDINANCE AMENDING SECTION 102-50 OF THE MUNICIPAL CODE TO CORRECT AN ERROR REGARDING SETBACK REQUIREMENTS IN THE H-1 (HISTORIC) OVERLAY DISTRICT.

Whereas, on the 2nd day of January 2019 the City Board of Directors adopted Ordinance No. 18-25, revising certain zoning district regulations with respect to the R-3 (Residential, two-family) and H-1 (Historic) Overlay Districts; and

Whereas, staff has discovered that the final draft of said ordinance contained a typographical error, not present in the redacted version previously presented to the Board, whereby setback requirements of Section 102-50(d)(2) were inadvertently substituted for standards intended for Section 102-50(d)(1); and

Whereas, it is necessary and desirable to correct said error; **Now Therefore:**

Be It Enacted, by the Board of Directors of the City of Siloam Springs, as follows:

Section 1. Subsection (d)(1) of Section 102-50, Article IV, Chapter 102, of the Siloam Springs Code is hereby amended to read as follows:

(d) *Building limits:*

(1) *Setback required for single-family residential, two-family residential, and residential office uses:*

- a. The front setback must be within ten feet of the front setback of adjacent structures, as determined by the administrator.
- b. Front: 20 feet.
- c. Sides (except side on corner): 8 feet, unless and except where the rear yard is served by an alley, or an alternative means of access having a width of at least 8 feet is available on the subject property, in which case the setback may be 5 feet.
- d. Side on corner: 12 feet.
- e. Rear: 15 feet.

The remainder of Section 102-50 is unchanged and is omitted for brevity.

Section 2. Repealer and severability.

Prior Ordinances in conflict with the provisions enacted herein are repealed to the extent of the conflict. If any provision of a section of this Ordinance or the application thereof to any person or circumstances is held invalid by a court of competent jurisdiction, the invalidity does not affect the provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

Ordained and Enacted this _____ day of _____, 2019.

Attest:

Approved:

Renea Ellis, City Clerk
(SEAL)

John Mark Turner, Mayor