

Ordinance 0-97-18

AN ORDINANCE AMENDING THE ARKADELPHIA LAND DEVELOPMENT CODE, ORDINANCE NO B-425, FOR THE INCLUSION OF THE CENTRAL BUSINESS DESIGN OVERLAY DISTRICT TO BE ESTABLISHED FOR A TWO YEAR PERIOD; DECLARING SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, there is need to bring about the redevelopment of the Arkadelphia downtown as a result of the March 1, 1997 tornado, and

WHEREAS, there is a need to develop a set of standards for redevelopment that are unique to the needs of the downtown area, and

WHEREAS, on March 15, 1997 the Board of Directors of Arkadelphia passed ordinance No. 0-97-11 which amended the Land Use Ordinance to provide for the inclusion of design overlay districts.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA, ARKANSAS:

Section 1. The Arkadelphia Land Development Code is hereby amended to include the Central Business Design Overlay District, (CBDOD), to read as follows:

Article 5-10 Central Business Design Overlay District (CBDOD).

A. Purpose and Intent. The purpose of creating the Central Business Design overlay District (referred to herein as the "CBDOD"), is to create a framework to support well planned and orderly redevelopment of the downtown area destroyed by the March 1st tornado. The CBDOD is not intended to become a burdensome set of regulations for business and property owners. Rather, the intent is to define and facilitate the work necessary to upgrade the quality and appearance of the pedestrian environment of downtown Arkadelphia. The goal of the district is positive economic development.

B. District Boundaries. The district is identified on the Map attached to this ordinance as Exhibit A and the Street Description attached as Exhibit B.

C. Application of District Regulations. The DOD shall be in addition to and shall overlay all other zoning districts and other ordinance requirements regulating the development of land so that nay parcel of land lying in the overlay district shall also lie within one or more of the other underlying zoning districts. therefore, all property within this overlay district shall have requirements of both the underlying and overlay districts in addition to any other provisions regulating the development of land. In case of conflicting standards between this article and other city ordinances, the overlay ordinance shall control.

D. CBDOD Design Element Categories. The following design elements are subject to review and recommendation under the CBDOD ordinance:

1. Exterior Building Improvements
2. Storefront Designs
3. Exterior Color Selections
4. Signage
5. Awnings and Banners
6. New Construction
7. Build-To Lines
8. Building Heights
9. Door and Window Shape and Placement
10. Building Materials and Ornamentation
11. Off Street Parking Requirements
12. Landscape Requirements

E. CBDOD Design Review Committee

(A) Design Review Committee (DRC). A Design Review Committee shall be appointed by the Board of Directors. The committee will consist of nine representatives from the community and will be as follows:

1. Chairman of the Planning and Zoning Committee
2. Two property owners
3. Two business owners
4. Three bank representatives
5. A design professional, such as an architect, engineer or landscape architect.

(B) Responsibilities. The primary goal of the DRC is to provide leadership, substance, and governance to the Central Business Design Overlay District. The DRC is charged with the following responsibilities:

1. The DRC is to develop design guidelines for the Central Business Redevelopment District.
2. The DRC is to deliver timely reviews and recommendations for all exterior improvement and development proposals within the CBDOD. Additionally, the DRC is to maintain a comprehensive report of all applications made by the business and property owners within the district.

(C) Authority of the DRC

1. All proposals submitted for new development and redevelopment or expansion of existing development within the CBDOD shall meet with the DRC prior to the request for a building permit. No building permit shall be issued unless the DRC has approved the proposal. This ordinance also applies when any exterior improvement is undertaken which may not require a building permit, but affects the exterior visible elements of the structure. The DRC will meet on call as projects are filed with the city. A written record of the review and

recommendation of proposals will be forwarded to the Building Official of the City Code Enforcement Office.

2. The DRC shall have the authority to form committees, comprised of citizens from the community, in order to develop and return recommendations regarding design guidelines.

(D) Submission of Proposals. In order to facilitate an informed review and recommendation process, all proposals submitted to the DRC for review require proper documentation. Proper documentation includes:

1. A petition providing the legal description of the property .
2. A small scale vicinity map.
3. A site plan drawn to scale showing lot size, streets, significant landscaping, adjacent properties, existing utilities, fire mains, development proposal(s), and other such information as reviewing officials may reasonably require.
4. Schematic floor plans and exterior elevations of development proposals to communicate building heights, circulation patterns, building materials and ornamentation, and door and window size and placement.

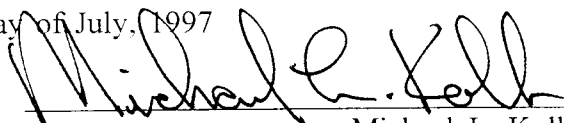
(E) Appeal. Appeals from the action of the DRC may be made to the Board of Directors. Such appeals shall be written and filed with the City Clerk within (30) days of the DRC action . Appeals can be filed by the applicant or record objectors aggrieved by an action of the DRC.

Section 2. Severability. This ordinance and its various parts are hereby declared to be severable. If any section, clause, provision or portion of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole. All parts not declared invalid or unconstitutional shall remain in full force and effect.

Section 3. Time Limit. This ordinance shall be in effect for two years from the date of passage. Within 18 months from the date of passage, the Design Review Committee shall submit a written report to the Board of Directors in order to determine the effect and utility of this ordinance. At that time, a decision will be made as to the permanency of the ordinance.

Section 4. Emergency Clause. Due to the importance of swift action to aid in the redevelopment of the tornado damaged areas, an emergency is hereby declared and this ordinance shall take effect immediately upon its passage.

PASSED AND ENACTED this 22 day of July, 1997


Michael L. Kolb, Mayor


Nancy Anderson, City Clerk

CBRD

Central Business Redevelopment District

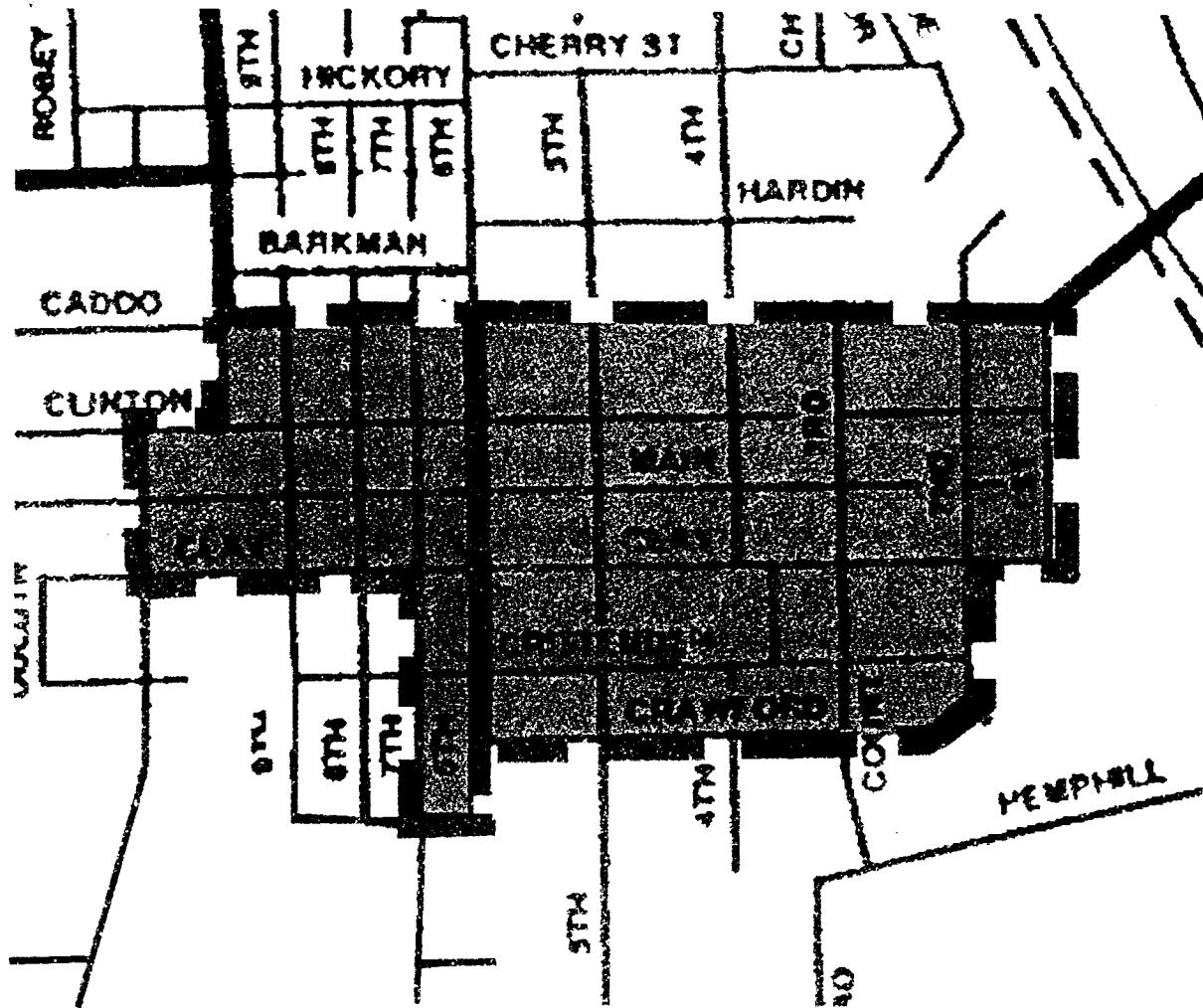


EXHIBIT A

EXHIBIT "B"

Beginning at the intersection of Caddo and 10th Streets; thence South on 10th Street to Clinton, thence West on Clinton to 10th Street; thence South on 10th to Clay; thence East on Clay to 7th; thence south on 7th to Carpenter; thence East on Carpenter to 6th; thence North on 6th to Crawford; thence East on Crawford as extended to the railroad tracks; thence along the Railroad to the Ouachita River; thence Northwest along the river to Caddo; thence continue along the river to the intersection of Hardin if extended with the river; thence West along Hardin extended to the intersection of 2nd; thence South along 2nd to Caddo; thence west along Caddo to the intersection with 10th Street the point of beginning. It is the intent to follow the centerline of all streets.