

TITLE 15

SUBDIVISION REGULATIONS

Chapters:

15.04 Suburban Overlay District

CHAPTER 15.04

SUBURBAN OVERLAY DISTRICT

Sections:

| | |
|----------|---|
| 15.04.01 | Purpose |
| 15.04.02 | Zoning Districts |
| 15.04.03 | Overlay District Boundaries |
| 15.04.04 | Design Element Guidelines for Commercial Structures |
| 15.04.05 | Design Review |
| 15.04.06 | Application of Overlay District Regulations and Standards |
| 15.04.07 | Submission Requirements |
| 15.04.08 | Site Development Standards |
| 15.04.09 | Nonresidential Site Design and Development Standards |

15.04.01 Purpose

A. The Suburban Overlay District is hereby established for the purpose of enhancing and protecting the aesthetics, sustainability, and marketability of the lands surrounding this area by providing for non-residential development which will maximize preservation and enhancement of the natural and rural qualities of the area. In particular, the purposes of the district are:

1. To address the issues associated with traffic and safety.
2. To create a parkway/scenic corridor atmosphere with extensive landscaping and buffering.
3. To address environmental concerns, which include, but are not limited to, soil erosion, vegetation preservation, drainage, and heat islands.

4. To preserve and enhance the economic value and viability of property within the overlay district corridor and in the areas surrounding and accessed by this corridor through the protection and enhancement of its scenic and aesthetic qualities. (Ord. No. 2014-04, Sec. 1)

15.04.02 Zoning Districts

B. The standards set forth herein shall apply in the following zoning districts except as noted:

1. R-2 Multi-Family Residential District
2. C-1 District, Retail Commercial
3. C-2 District, Town Center Commercial
4. C-3 District, Service Commercial
5. C-4 District, Highway Commercial
6. C-5 District, Resort Commercial
7. Any other zoning district when commercial, office, institutional and industrial uses are allowed as a conditional use. (Ord. No. 2014-04, Sec. 1)

15.04.03 Overlay District Boundaries

C. The overlay district boundaries encompass all land lying within three hundred (300) feet of each side of the right-of-way of State Highway 365 and State Highway 89 (both North and South), Interstate Drive, and Interstate 40 that lie within the City of Mayflower and all future extensions of said highways that may result from future annexations. Said boundaries are set out on the official plat pages along with a legal description of such boundaries located in the planning office. If any portion of the lot(s) proposed for improvement is within the overlay district boundaries, the applicant shall conform to all of the overlay district ordinance standards. (Ord. No. 2014-04, Sec. 1)

15.04.04 Design Element Guidelines for Commercial Structures

D.1. Regulation Perimeters. All new structures shall uphold the following design standards on the entire facade including:

- a. Front facades that face the public street and act as the primary entrance to the structure;
- b. Side facades
- c. Back facades; and

- d. Facades that abut street frontage.

2. Building Materials.

- a. Preferred Materials:

(1.) New structures shall maximize the use of these materials: Brick, Stone, Stucco/Plaster, Stained Concrete, Architectural Metal, or like material.

- b. Acceptable Materials

(1.) New structures shall limit the use of these materials to no more than 30 percent of the regulated facade surface: Precision Concrete Block, Wood, Vinyl, and Composite Siding.

- c. Prohibited Materials

(1.) Use of Corrugated Sheet Metal and like material is strictly prohibited.

3. **Facade Articulation.** Large, uninterrupted, blank walls shall not meet the requirements of this section. All facades shall be articulated by at least one discernable architectural element every 20 feet including, but are not limited to:

- a. Changes in material, color, and/or texture either horizontally or vertically at intervals not less than 20 feet and not more than 60 feet;
- b. The construction of building entrances, bay windows, display windows, storefronts, arcades, facade relief, panels, balconies, cornices, bases, pilasters, or columns.

Examples of Acceptable Articulation:



Examples of Prohibited Articulation:



4. **Facade Fenestration.** New structures shall have an adequate amount of window coverage.
- a. Ground floors shall have 30 to 40 percent window coverage at minimum.
 - b. Upper floors shall be 20 to 25 percent window coverage at minimum.

Examples of Acceptable Fenestration:



Examples of Prohibited Fenestration:



5. Primary Entrance Design. The primary entrance of all new structures shall be architecturally prominent. All new structure shall contain at least *two* of the following elements:

- a. Architectural Details
 - (1.) Such as arches, friezes, awnings, canopies, arcades, tile work, murals, or moldings.
- b. Integral planters or wing walls that incorporate landscape or seating elements, or
- c. Prominent Three-dimensional, Vertical Features
 - (1.) Such as belfries, chimneys, clock, towers, domes, spires, steeples, towers, or turrets; or
- d. A repeating pattern of pilasters projecting from the facade wall by a minimum of eight inches or architectural or decorative columns.

Examples of Acceptable Entrance Design:



Examples of Prohibited Entrance Design:



6. Construction and appearance design standards for commercial structures.

- a. A commercial structure or development shall be designed to avoid or minimize the elements set forth in D.1. above.
- b. A commercial development, which contains more than one building, should incorporate a recurring, unifying, and identifiable theme for the entire development site.
- c. A development should provide compatibility and transition between adjoining developments.
- d. Structures and signs should incorporate neutral color schemes; excessive use of bright color schemes is discouraged.
- e. Signs shall be in scale with the structure and compatible with adjoining developments.

(Ord. No. 2014-04, Sec. I)

15.04.05 Design Review

E. 1. Submittals. The following drawing, information, and plans shall be submitted to the Planning Commission for design review and approval with large scale development applications, when applicable; or, submitted to the Chief Administrative Officer or the Code Enforcement Office/Building Inspector for design review and approval with, or prior to, building permit applications for non-large-scale development.

- a. Rendered elevation drawing of main facade at 1/16 inch to 1-foot (minimum) scale showing adjoining context and a description of external building materials.
- b. Proposed landscaping to be used as screening shall be shown on the tree preservation plan or site plan.

2. Build Out. Upon approval of a large-scale development or issuance of a building permit, build-out of the project shall conform to the drawings, information, and plan approval.

- a. Amendments to the drawings, information, and plans shall be submitted to the Planning Commission. The Chief Administrative Office or the Code Enforcement/Building Inspector may approve amendments, which are determined to be insignificant or minor. Significant amendments shall be

approved by the Planning Commission when approval was given through the large-scale development process or by the Chief Administrative Officer or the Code Enforcement/Building Inspector when approval was given through the building permit process.

- b. Amendments shall be considered using the same standards as the initial design approval.
- c. Failure to build-out the project according to the approved drawings, information and plans or approved amendments thereto shall render the large-scale development approval or the building permit approval void. (Ord. No. 2014-04, Sec. 1)

15.04.06 Application of Overlay District Regulations and Standards

- F. a. The regulations and standards contained herein shall apply to all nonresidential properties, (including but not limited to new development, redevelopment and expansion of existing development), located within the overlay district boundaries. Such regulations and standards shall be in addition to and shall overlay all other ordinance regulations and standards, including but not limited to nonresidential zoning district and signage regulations and standards. Should the regulations and standards of the underlying and overlay district conflict, the overlay district regulations and standards shall control.
- b. In addition to the nonresidential properties described above, this regulation applies to development in the R-2 Multi-Family Residential District, including but not limited to new development, redevelopment and expansions of existing development, located within the overlay district boundaries. Such regulations and standards shall be in addition to and shall overlay all other ordinance regulations and standards, including but not limited to nonresidential zoning district and signage regulations and standards. Should the regulations and standards of the underlying zoning and overlay district boundaries conflict, the overlay district regulation and standards shall control. (Ord. No. 2014-04, Sec. I)

15.04.07 Submission Requirements

G. When submitting a site plan, preliminary plat, or final plat, applicant must submit the following items:

- a. Landscaping Plan
- b. Elevation Schematics (Screening, Front Facade, and Monument elevations)
- c. Sign Sketches
- d. Parking lot and access management plan (Ord. No. 2014-04, Sec. 1)

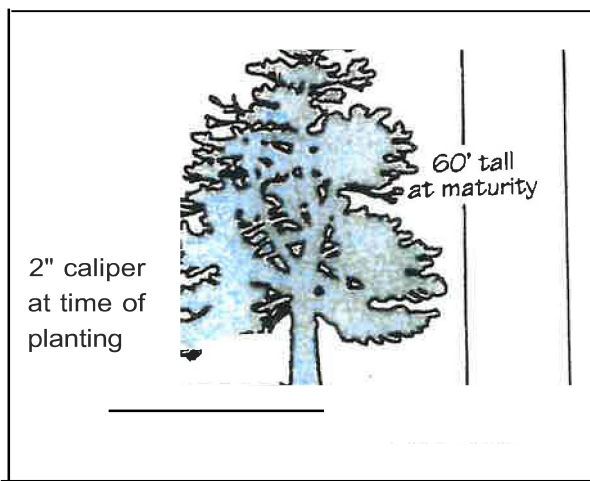
15.04.08 Site Development Standards

H. The following site development standards shall apply when either new development or expansion of twenty-five percent (25%) of the existing building square footage occurs.

I. Landscaping. Landscaping is required as follows:

- a. Landscaping general provisions.
 - (1.) Landscaping shall be provided which is sufficient to provide soil stability and suitable drainage.
 - (2.) Trees, shrubs, ground cover, and grass shall be the primary source of landscaping and shall be placed and/or retained in such a manner as to reduce runoff.
 - (3.) The current property owner shall properly maintain all landscaping and shall replace any landscaping that dies or is damaged.
 - (4.) Native vegetation should be used, when possible, in order to minimize watering.
 - (5.) Landscaping should attempt to incorporate existing on-site trees and shrubbery.
 - (6.) Providing outdoor spaces and places for people to gather is encouraged.
- b. Landscaping along front property line.
 - (1.) Landscaped area required. A depth of fifteen (15) feet along the entire property line shall be landscaped, exclusive of the right-of-way.
 - (2.) Variance. The width of the landscape area may be reduced in front parking lots when the parking lot setback reduction is authorized.
 - (3.) Trees.
 - (a) Trees shall be planted in the fifteen (15) foot landscaped area at a ratio of one (1) tree per thirty (30) feet of front property line and may be planted together in groups. No group may count more than twenty-five percent (25%) of the required number.

- (b) Species selection shall be at the discretion of the developer. However, species which are identified by the County Extension Agent as comparable to this region are encouraged.
- (c) Trees planted shall have a two (2) inch caliper (diameter) measured six (6) inches above ground level at the time of planting. At least fifty percent (50%) of the trees should have an expected mature height of sixty (60) feet or more. In case of existing overhead power lines, trees shall be planted that will not interfere with existing power lines.



- (d) Each tree shall have a minimum of one hundred (100) square feet of permeable surface located under the potential canopy of the tree. Paving blocks, bricks, and iron or plastic grates may be used over the tree root system to allow air and water into the root system.

2. **Screening for commercial buildings and development.**

- a. Screening shall mean a view-obscuring fence, view obscuring berm, view obscuring architectural treatment, or view obscuring vegetation, or a combination of the four, of sufficient height to prevent the view of the screened items from vehicular and pedestrian traffic on adjacent streets and from residential property. Vegetation shall be planted at a density sufficient to become view obscuring within two (2) years from the date of planting.

- b. Mechanical and utility equipment, trash enclosures, and outdoor storage of material and equipment shall be screened if visible from the highway/street right-of-way or from residential property as set forth below:
- (1.) **Mechanical and utility equipment.** All mechanical and utility equipment located on the wall and/or on the ground shall be screened. Incorporating screening into the structure utilizing materials compatible with the supporting building shall screen all roof-mounted utilities and mechanical equipment. Mechanical and utility equipment over thirty (30) inches in height shall meet building setbacks.
 - (2.) **Trash enclosures.** Trash enclosures (receptacles) shall be screened with access not visible from the street.
3. **Fences.** The following types, height, and location of fences shall be prohibited.
- a. **Razor and or Barbed Wire.** Razor and/or barbed wire fences are prohibited if visible from the street right-of-way or a residence unless and except barbed wire fences are used in agricultural purposes.
 - b. **Chain Link.** Chain Link fencing shall be permitted in certain portions of a lot in Commercial Districts only. Wrought iron fencing will be used for fencing along any portion of a lot fronting along a public street. Any portion of a lot that is not fronting upon a public street may have that portion fenced with chain link fencing along those portions only. No chain link fencing shall be allowed in front of the building setback lines.
 - c. **Height of Fences in Front Building.** Fences located in front of the primary structure may be solid up to thirty (30) inches in height. Any part of a fence, which exceeds thirty (30) inches in height, shall not obstruct the view of the primary structure from the right-of-way.
4. **Site coverage.** A maximum of fifty percent (50%) of the development site may be covered by the ground floor of any structure, parking lots, sidewalks, and private streets and drives or any other impermeable surface.
5. **Driveways.** Shared drives and cross access between properties will be required. (Ord. No. 2014-04, Sec. 1)

15.04.09 Nonresidential Site Design and Development Standards

I. 1. Area. All development shall meet the following minimum area requirements exclusive of public street right-of-way:

| | |
|------------------|--------------------|
| Highway 365 | 30,000 square feet |
| Highway 89 North | 30,000 square feet |
| Highway 89 South | 30,000 square feet |

2. Front Building Setback. Principal structures and accessory buildings are required to have the following setbacks from the respective highway right-of-way:

| | |
|------------------|---------|
| Highway 365 | 30 feet |
| Highway 89 North | 30 feet |
| Highway 89 South | 30 feet |

3. Rear and Side Yard Building Setbacks. Rear and side yard buildings setbacks shall be required. When adjoining R-1 residential property, no parking, driveway, or loading dock shall be permitted within the setback except for joint access driveways among adjoining properties. The setbacks are as follows:

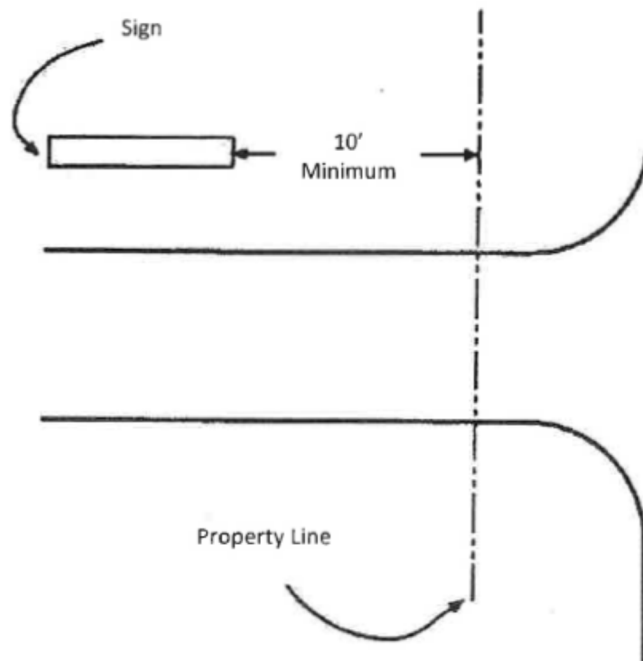
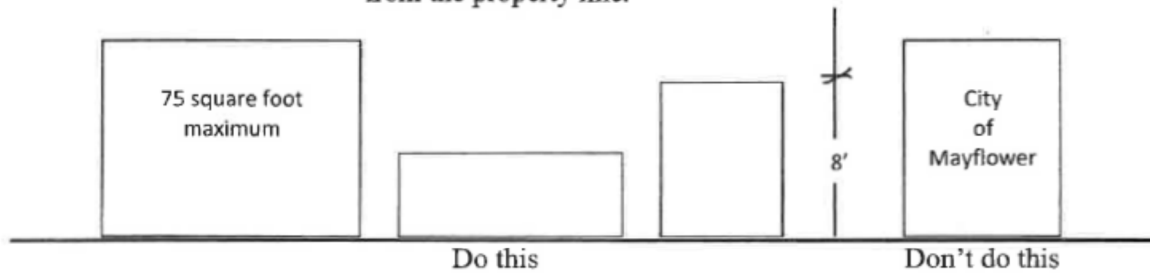
| | Rear | Side |
|------------------|-------------|-------------|
| Highway 365 | 25 feet | 15 feet |
| Highway 89 North | 25 feet | 15 feet |
| Highway 89 South | 25 feet | 15 feet |

- 4. Green Space.** A minimum of fifteen (15) feet of landscaped green space exclusive of right-of-way shall be provided along the highway right-of-way and any public street to which the development has frontage. Parking lots shall be screened when abutting a required green space area. Trees shall be planted at the interval of one (1) tree per thirty (30) linear feet of green space area when practicable.
- 5. Parking Lots.** All parking lots for nonresidential development shall have one (1) tree per ten (10) parking spaces. Trees shall be placed uniformly within the parking lot or in islands within the lot providing a minimum of twenty-five (25) square feet of unpaved area per tree. Parking lots shall be set back a minimum of five (5) feet from any side property line.
- 6. Trees.** At least one-third (1/3) of the trees required by this section shall be hardwoods and no more than one-third (1/3) of the trees shall be of the same species, and the trees shall be a minimum of twelve (12) feet in height when planted. If any tree dies or is removed from the property, it must be replaced so that the property owner remains in compliance with the requirements of this section.

7. Signage.

a. Nonresidential Free Standing Signs (Highway 89 North and South).

- (1.) Each separate nonresidential lot will be allowed a single ground-mounted (monumental) sign located on the building site. In the case of lots with double frontage, two (2) ground-mounted (monument) signs shall be allowed.
- (2.) The sign shall be a maximum of eight (8) feet high, seventy-five (75) square feet in area, and set back a minimum of ten (10) feet from the property line.



b. Nonresidential Free-Standing Signs (Highway 365).

- (1.) Each separate nonresidential lot will be allowed a single ground-mounted sign located on the building site.
- (2.) The sign shall be a maximum of sixteen feet (16') high, sixty-four (64) square feet in area, and set back a minimum of ten feet (10') from the property line.

bl. Nonresidential Free Standing Signs (Interstate 40, Interstate Drive).

Except and unless the area along Hwy 365 (governed by item b above) lots within the Overlay District along Interstate 40 and Interstate Drive are governed by the following signage requirements:

- (1.) One (1) free standing sign per lot with a minimum of ten feet (10') setback from either the front or rear property line.
- (2.) The sign shall be a maximum of seventy-five (75) feet high, and no more than seventy-five (75) square feet in area per side of sign for each business.
- (3.) All signs must be approved by the Mayflower Planning Commission.

c. Wall Signs. One wall sign may be installed per street frontage. Sign area shall not exceed twenty percent (20%) of that wall area or two hundred (200) square feet whichever is less.

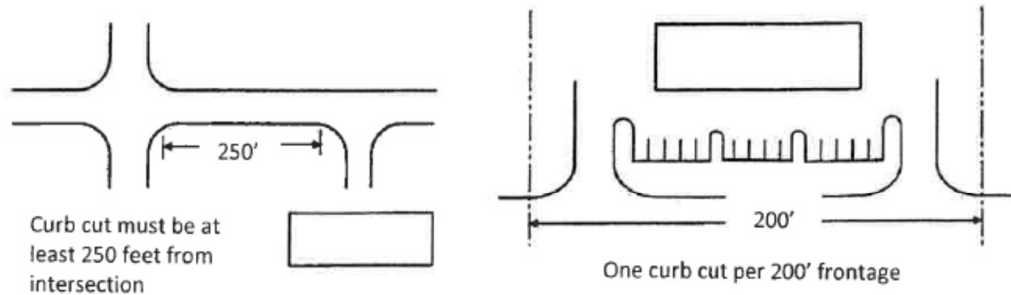
d. Illumination. Only indirect lighting may be used for illumination of all signs.

e. Multiple Tenants. The owner of the building shall be responsible for the provision of one monument sign with sign area for multiple tenants.

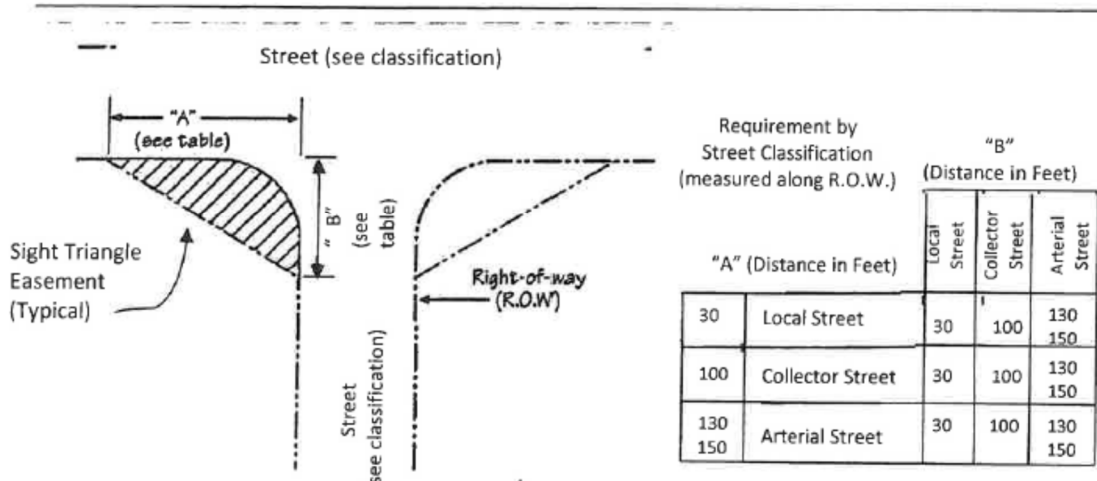
f. Sign Content. Content of monument and wall signs shall be limited to the name of the business. Advertising shall not be permitted on the structure, wall sign, or monument.

7. Curb Cuts. Curb cuts on State highways are subject to approval of the Arkansas Highway and Transportation Department (*and in accordance with their Access Management agreement*). Curb cuts can be no less than two hundred (200) feet apart and no closer than one hundred (100) feet from the closest side lot line except by joint access agreement with the adjoining property owner. No curb cut

shall be allowed within two hundred fifty (250) feet of any intersection. These regulations apply to all parcels in regard to side streets as well. Developers shall provide internal access to out parcel tracts.



9. **Sight Triangle.** As a public safety feature, the sight plan development will include a triangular-shaped portion of land will be established at street intersections in which nothing will be erected, placed, planted, or allowed to grow in such a manner to limit or obstruct the sight distance of motorist entering or leaving the intersection.



10. **Lighting.** Parking lot lighting shall be designed and located in such a manner as to preserve the scenic appearance of the corridor. Lighting shall be shielded and directed downward to the parking lot and light spread shall not reflect into the adjacent neighborhoods. When a parcel abuts residential property, no light source shall be visible, in a direct line of sight, from the residential are behind the front building line. Lighting shall not exceed thirty-five (35) feet in height and shall utilize sodium lighting fixtures.

- 8. Nonresidential Development and Multiple Building Sites.** In the case of nonresidential development involving multiple building sites, whether on one or more platted lots, the above-described regulation shall apply to the development as an entire tract rather than to each platted lot.
- 9. Site Plan Development.** All nonresidential development within the design overlay district shall be reviewed through the Site Plan review procedure and shall meet all of those requirements regulating site plan developments regardless of the size of the tract.
- 10. Exemptions.**

 - a. All developments approved under this ordinance, by the Planning Commission, as pre-existing developments shall be exempt from the provisions of this ordinance.
 - b. Nothing contained herein shall limit or prohibit property owners from utilizing the variance provisions contained in the ordinances of the City of Mayflower, Arkansas.
- 11. Variances.** The Planning Commission shall hear all applications for variances from this ordinance. Appeals of the Planning Commission decision may be made to the City Council.
- 12. Fees.** Application for a variance from the overlay district standards shall be one hundred (\$100) dollars. (Ord. No. 2014-04, Sec. 1)