

④ City of Conway - env.

**ORDINANCE NO. O-07-46**

**AN ORDINANCE AMENDING THE OLD CONWAY DESIGN OVERLAY DISTRICT,  
DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:**

Whereas, the City of Conway wishes to preserve the historic character of the older residential areas in Conway by requiring new construction to conform to proper design standards,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF CONWAY, ARKANSAS:**

**That Ordinance O-06-139, Old Conway Design Overlay District Ordinance adopted  
October 10, 2006 is amended as follows:**

**Section 1: Ordinance Section 2: Establishment of Old Conway Design Review Board:**

The Old Conway Design Review Board shall be appointed by the Mayor. This review board shall consist of the following (7) seven members: one (1) Planning Commissioner, four (4) homeowners residing within the boundaries of the Old Conway Design Overlay District, one (1) member of the Asa P. Robinson Historic District Commission, *and one (1) citizen of Conway. One (1) architect, City Planner, or professional architectural historian, with knowledge of historic architecture may be retained, as needed, as a consultant to the Board;* The Conway Planning Department shall act as staff for this board.

**Section 2: Ordinance Section 4: Meetings of the Board C. Hearing an application:**

1. The applicant shall file an application with the Old Conway Design Review Board for review. Said application shall be filed no less than ~~seventeen (17)~~ **fifteen (15)** days prior to the Old Conway Design Review Board meeting.

**Section 3: Ordinance Section 6: Standards**

***Paragraph Four, Exceptions:***

***All specific numbers listed in Section 6 Standards such as setbacks, lot coverage, heights, footprints, etc. shall be used as minimal guidelines to produce desired development in the Old Conway area. However, due to the unique nature of Old Conway and its traditional pattern of development, the Old Conway Design Review Board may grant exceptions to these numbers on a case by case basis without considering or setting precedent in order to allow development that is appropriate to unique circumstances. In no case shall an exception be made to not construct or pay an in-lieu fee for sidewalks.***

**Building Setbacks:**

Setback - The area of a lot measured from the lot line to a building façade or elevation. This area must be maintained clear of permanent structures with the exception of: fences, garden walls, arcades, porches, stoops, balconies, bay windows, terraces, and decks (that align with the first story level) which are permitted to encroach on the setback.

### ***Building Setback***

Front: The new construction shall be located between 85% and 115% of the average front setback distance established by the existing adjacent historic structures. If all buildings along a block have similar setbacks, that setback line shall be respected.

***Secondary Front: 8 feet min.***

Side: 6 feet minimum in all residential zones, 0 feet minimum in C-1 areas

Rear: 3 feet or 15 feet from centerline of alleyway in residential zones, 0 feet minimum in C-1 areas

### ***Outbuilding Setback***

***Front: Rear of Principal Building***

***Secondary Front: 8 feet min.***

***Side: 3 feet min.***

***Rear: 2 feet min.***

### **Garages / Outbuildings:**

***Detached*** garages / ***outbuildings*** shall be located at the rear of the primary structure. If lot width or depth prohibits a rear location, the garage may be ***placed attached*** at the side of the structure. This garage façade should not extend in front of the transverse centerline of the house. In the case of a side location, the garage façade shall not dominate the façade of the structure.

***The footprint of a detached garage / outbuilding shall be no more than 30% of the footprint of the primary structure.***

### **Sidewalks:**

A Sidewalk shall be constructed or repaired as part of new construction in the Old Conway Design Overlay District.

### ***Sidewalk Exceptions:***

***The construction of an outbuilding with a footprint area greater than 30% of the primary structure will require the construction or repair of sidewalks.***

~~**The addition of outbuildings less than 160 square feet will not require the construction / renovation of sidewalks.**~~ Sidewalks are historically correct and add an essential pedestrian element to the area. Sidewalks shall be constructed / repaired for all street frontages and shall be 5 feet wide unless the width differs historically. Sidewalks shall pass through driveways. In the downtown area, sidewalks shall meet downtown sidewalk requirements.

If sidewalks are not prevalent in the area or not technically feasible due to utilities, easements, rights of way, etc., an in-lieu fee of \$3 per square foot may be paid into the general sidewalk fund ***to be used within the boundaries of the Old Conway area.*** The Old Conway Design Review Board will determine if a request for a sidewalk exception is reasonable. This per square foot in-lieu fee shall be reviewed by the City Council at least every 5 years.

### **Outbuildings:**

The design of new outbuildings ***with a footprint of 160 square feet or larger*** should use materials, windows, doors, and architectural detailing that are compatible with the existing or


proposed residential structure. *The footprint of an outbuilding may be a maximum of 30% of the footprint of the primary structure.*

**Section 4:** That any ordinances or parts of ordinances in effect at the time of the passage of this ordinance that are in conflict with this ordinance are repealed to the extent of the conflict.

**Section 5:** That this ordinance is necessary for the protection of the public peace, health and safety and an emergency is hereby declared to exist, and this ordinance will be in full force and effect from and after its passage and approval.

**PASSED** this 24<sup>th</sup> day of April, 2007

**Approved:**



**Mayor Tab Townsell**

**Attest:**



**Michael O. Garrett  
City Clerk/Treasurer**