

CITY OF SILOAM SPRINGS PLANNING COMMISSION

Tuesday, April 11, 2017 at 5:30 p.m.
City Administration Building
400 N. Broadway

AGENDA

I. Planning Commission

- A. Call to Order
- B. Roll Call
- C. Approval of Minutes of the regular meeting of March 14, 2017
- D. Zoning Code Revision.
 - 1. Revision to Chapter 102 – Zoning, Section 201-41. – Use Units
Presenter: Ben Rhoads, Senior Planner
To the Board on **April, 18, 2017**
- E. Adjourn the Planning Commission

MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD MARCH 14, 2017

The Planning Commission of the City of Siloam Springs, Benton County, Arkansas, met in regular session at the City Administration Building on March 14, 2017.

The meeting was called to order by Chairman Mounger.

Roll Call:

Blakely, Nation, Mounger, Driscoll, Song, Engle – Present. Smith –Absent.

City Clerk, Renea Ellis; City Planner, Ben Rhoads; City Engineer, Justin Bland; City Attorney, Jay Williams; Don Clark, Community Services Director, all present.

A copy of the February 14, 2017 minutes had previously been given to each Commissioner. A motion was made by Engle and seconded by Blakely to accept the minutes. Motion passed unanimously.

Item D1. Lot Split Development Permit, LS 17-03 / 2100 Block of Hwy. 16 S. / Pruitt Family Revocable Trust.

Ben Rhoads, City Planner, briefed the item. A Motion to approve with staff conditions was made by Nation and seconded by Song. Motion passed unanimously.

Item D2. Significant Development Permit, SD17-03 / 1000 Block of Cheri Whitlock Drive. Scarbrough Family Trust / Dollar General.

Ben Rhoads, City Planner, briefed the item. Blakely asked about the possibility of road widening. Robin Adkins, 1201 Hico stated that there had been drainage problems in the past and lighting concern, but all had been addressed and she was satisfied. Justin Bland, City Engineer, stated the water would be channeled to the detention pond. A Motion to approve with staff conditions was made by Song and seconded by Nation. Motion passed unanimously.

Mounger announced the item would go before the Board of Directors on April 5, 2017.

Item E. Discussion and approval of New Planning Commission meeting time. A Motion to move the Planning Commission meeting time to 5:30 pm was made by Blakely and seconded by Song. Motion passed unanimously.

Mounger announced that staff would like a volunteer to sit on a committee. Song volunteered.

There being no further business, a Motion was made by Nation and seconded by Blakely to adjourn. A voice vote was taken. All ayes. Meeting Adjourned.

ATTEST:

APPROVED:

Renea Ellis, City Clerk

Karl B. Mounger, Chairman

(SEAL)



STAFF REPORT

To: Planning Commission
From: Ben Rhoads, AICP, Senior Planner *BZR*
Cc: Don Clark, Community Development Director
Date: April 4, 2017
Subject: Zoning Code Change to Chapter 102

Recommendation: Motion to approve zoning code update.

Background:

APPLICATION REVIEW DATES

Planning Commission review: April 11, 2017

Board of Directors review: April 18, 2017

APPLICANT

City of Siloam Springs

PROJECT INTENT

To update the use units in the zoning code to better accommodate “nano breweries”.

STAFF DISCUSSION

The City’s Board of Directors is currently in the process of reviewing changes to Chapter 6 (Alcoholic Beverages) of the Municipal Code with respects to breweries. As a result of these proposed changes to Ch. 6, City staff would like to present changes to the Zoning Code (Ch. 102) in order to better accommodate breweries. The changes suggested relate to two kinds of breweries: *small breweries*, also known as a native brewer. These are breweries that are licensed by the State to produce no more than 45,000 barrels of beer, malt beverages or hard cider per year; *nano breweries*. These breweries are also licensed by the State as small breweries, but the City’s alcohol code will limit production of no more than 5,000 barrels per year. Breweries that produce more than 45,000 barrels per year are considered general manufacturing; no changes are being suggested for these kinds of large impact breweries.

The specific Zoning Code changes suggested call out nano breweries as appropriate in Use Unit 15 (Medium impact commercial or office facility). Use Unit 15 land uses are a use by right in the following zones: C-1 (General Commercial); C-2 (Roadway Commercial) and I-2 (Light Industrial). This Use Unit is also a special use in the P-D zone (Planned Development). The thinking behind this

change is that the general impact of producing alcohol of this volume (5,000 or less barrels per year) will produce light, sound, or noise emissions that are compatible with what is typical in commercial zones. Comparable businesses with the same impact as a nano brewery allowed in the ‘C’ districts include fueling stations, general retail stores with frequent deliveries, and restaurants.

The definitions of the allowed uses in Use Unit 20, 22 and 24 are also proposed for an update. Use Unit 20 (Light industry) is being changed to allow small breweries. Because small breweries produce more product, it is perceived that they would have a greater impact on surrounding land uses. Therefore, they are suggested for Use Unit 20. Use Unit 20 land uses are a use by right in the following zones: I-2 (Light Industrial) and I-1 (Industrial). They are considered a special use in the C-2 zone (Roadway Commercial).

Finally, changes are suggested to Use Unit 22 (Adult business) that are intended to not include businesses producing and or selling alcoholic beverages so that they can be allowed by right in commercial zones. The intent of Use 22 is primarily to limit sexually-based businesses to industrial areas. This is also why tobacco products are included in the exception clause. A 50 percent limit on total sales was added to provide guidance as to how much a business can sell age restricted items to be classified as an “adult business”. In Use Unit 24 (Retail Controlled Beverage Sales), which is appropriate for package liquor stores, the clause “alcoholic beverages” is added to clarify that on-premises consumption refers to the consumption of alcohol and not something else.

LEGAL NOTICE

- Newspaper legal notification: March 22, 2017 (Herald-Leader) and March 26, 2017 (Arkansas Democrat Gazette).
- Staff received no phone calls or correspondence on the request.

Fiscal Impact:

None anticipated with the proposed changes.

Attachments:

Proposed Redacted Ordinance
Zoning Map of Commercial and Industrial Zones

PROPOSED ZONING CODE AMENDMENTS

Chapter 102 - Zoning

Sec. 102-41. - Use Units.

Unit 15: Medium impact commercial or office facility, retail beverages.

Offices, shops (goods or services), including shops selling retail, off-premises ~~beer and wine, and~~ on-premises consumption of alcoholic beverages as defined in chapter 6 of this Code, beer, wine or liquor, a nano brewery as defined in chapter 6 of this Code, and restaurants and businesses which do not meet Use Unit 9 requirements, but are less than 10,000 square feet in floor space, which generates no more than 200 trip ends per average business day, which do not create light or sound emissions exceeding what is common for Unit 9 Uses, and all family entertainment or family recreation facilities.

Unit 20: Light industry.

Manufacturing, industrial, warehouse uses, or a small brewery as defined in chapter 6 of this Code, which generate traffic, sound, emissions, and infrastructure needs which are equivalent to, but not greater than, planned uses for the C-2 zoning district.

Unit 22: Adult business.

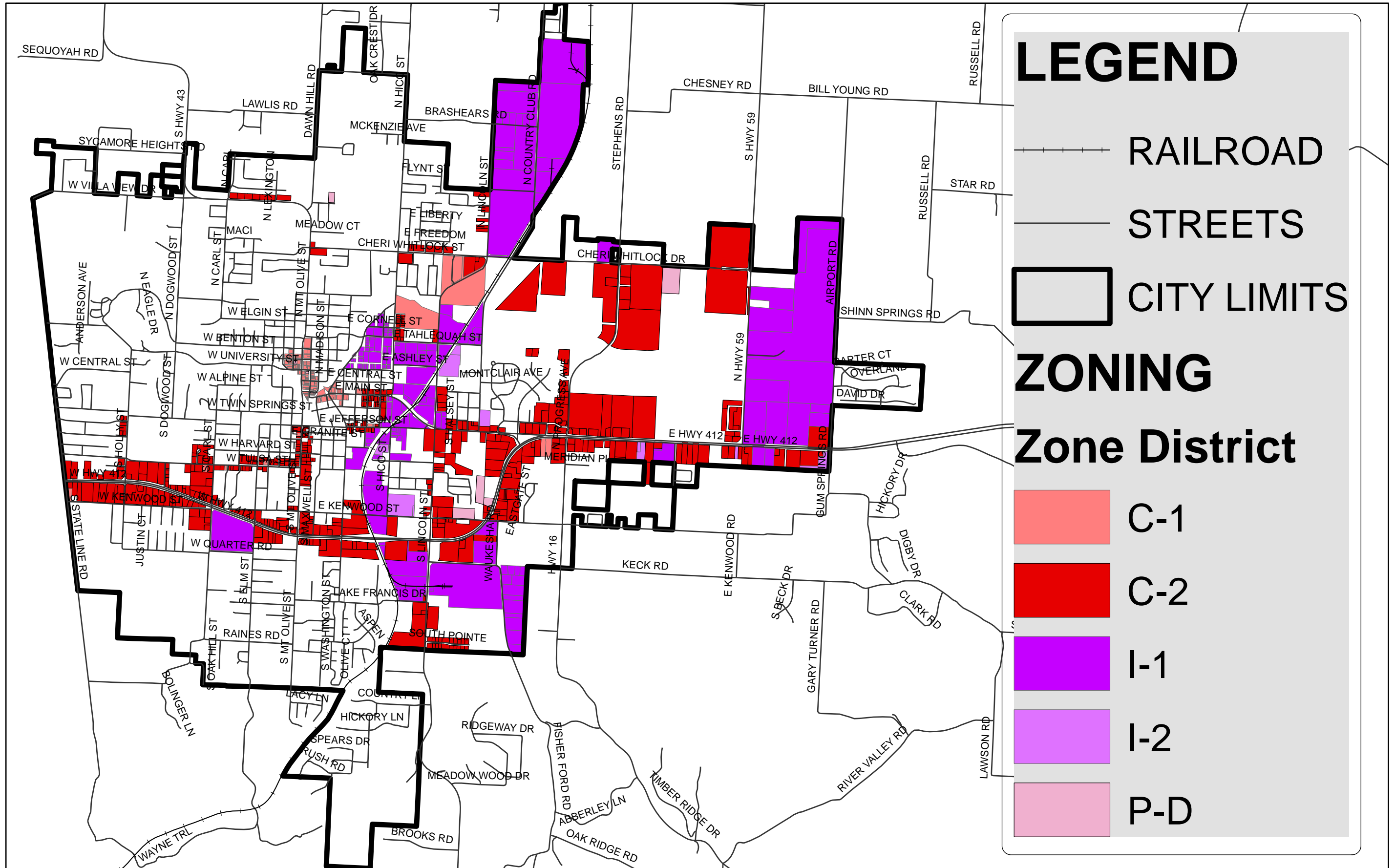
Business, ~~primarily~~ providing more than fifty-percent (50%) of the business's total sales of goods or services to members of the public whose age is restricted by federal, state, or City law; and including any tattoo business or sexually-oriented business, but excluding the sale of alcoholic beverages, as defined in chapter 6 of this Code, for off-premise or on-premise consumption and excluding the sale of tobacco.

Unit 24: Retail Controlled Beverage Sales.

Sale of beverages classified as liquors or spirits subject to regulation under any alcoholic beverage control law of the State of Arkansas or this Code, by any person who holds a liquor or spirits permit under control law of the State of Arkansas to sell at retail controlled beverages to consumers only. Provided, this section shall not apply to sales for on-premises consumption of alcoholic beverages, or the sale for off-premises consumption of wine or beer as classified by the alcoholic beverage control law of the State of Arkansas.

Zoning Districts	Unit 15	Unit 20	Unit 22	Unit 24
C-1 General Commercial	Permitted	Prohibited	Prohibited	Special
C-2 Roadway Commercial	Permitted	Special	Prohibited	Special
I-2 Light Industrial	Permitted	Permitted	Prohibited	Prohibited
I-1 Industrial	Prohibited	Permitted	Permitted	Prohibited
P-D Planned Development	Special	Prohibited	Prohibited	Prohibited

C-1, C-2, P-D AND INDUSTRIAL ZONES



0 0.5 1 2 Miles

