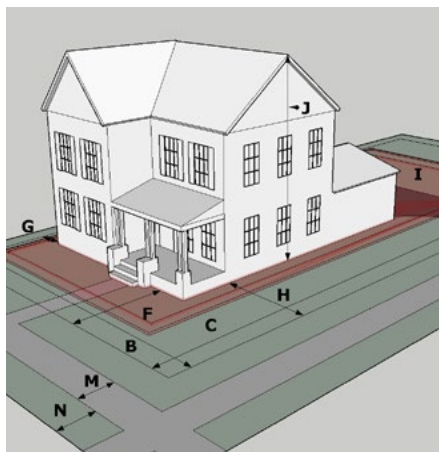


UNIFIED DEVELOPMENT ORDINANCE

A Model Code for the City of Austin, Arkansas



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How to Use this Ordinance

To answer questions such as “What can I do on my property?” or “Where can I put my business?”, follow the steps below:

STEP 1: Determine in which zone the property is located.



ARTICLE 2
Establishment of Zones

STEP 2: Look up whether the desired use/business is allowed in that zone.



ARTICLE 3
Uses

STEP 3: Find out if any special conditions or approvals are required to allow that use.



STEP 4: If there is construction involved, make sure the development meets the lot and site design standards of the zone.



ARTICLE 4
Development Standards

STEP 5: If land is being subdivided or the project might fall into the “large-scale development” category, review Article 5.



ARTICLE 5
Subdivision Standards

STEP 6: Find out which applications need to be submitted before the use or construction begins.



ARTICLE 6
Procedures and Enforcement

STEP 7: If you encountered a term that does not make sense or you did not find the use you are looking for, review Article 7.



ARTICLE 7
Definitions

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Acknowledgments

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The City of Austin thanks you for your time and commitment to the Planning Commission Board.

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ARTICLE 1. – AUTHORITY AND PURPOSE

Section 1.1. – Title

This ordinance shall be known and may be cited as “the Unified Development Ordinance of the City of Austin, Arkansas,” (“the City”), and is referred to as “this UDO” or “the regulations.” **Any references to a bill of assurance or its enforcement are null and void. The City of Austin will not enforce or acknowledge Bills of Assurances.**

Section 1.2. – Authority

These regulations are adopted under the authority granted to municipalities by Arkansas Code Annotated 14-56-401 et seq., as from time to time amended.

Section 1.3. – Purpose

This UDO is adopted for the purpose of promoting and advancing the health, safety, and general welfare of the people of the City. It is designed to protect and stabilize some areas of the City while guiding new development in others.

More specifically, this UDO divides the incorporated area of the City into zones. Within these zones, the regulations prescribe the use and development of land, the density of development, the use, character, bulk, and location of buildings, and the layout and construction of streets and drainage. The regulations in this UDO aim to ensure:

- A. The general welfare of the City.
- B. Efficiency and economy in the process of development.
- C. The appropriate and best use of land.
- D. Conservation and stabilization of property values.
- E. Convenience and safety of traffic and circulation of people and goods.
- F. Safety from fire, flood, and other dangers.
- G. Adequate light and air in the use and occupancy of buildings.
- H. Healthful and convenient distribution of population.
- I. Good civic design and arrangement.
- J. Adequate public utilities and facilities.
- K. Quality and livability of public spaces and future land development.
- L. Protection of natural resources.
- M. Adequate capacity of community facilities.
- N. Adequacy of streets, utilities, drainage, and means of vehicular and non-vehicular ingress (entering the development) and egress (leaving the development).
- O. Accommodation of bicycles and pedestrians as well as automobiles.
- P. Mobility for citizens lacking access to automobiles.



Section 1.4. – Application

1.4.1. Jurisdiction

The Use and Land Development provisions of this UDO shall apply to all land and structures within city limits. The Subdivision regulations of this UDO shall apply to all land and structures within the City's Planning Area, as authorized by Arkansas Code Annotated 14-56-413 and adopted by the Planning Commission of the City of Austin, Arkansas (“the City”), as they now or may hereafter exist.

1.4.2. General Application

In interpreting and applying the provisions of this UDO, they shall be considered as the minimum requirements for the promotion of the public health, safety, and general welfare.

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It is not the intention of this regulation to defeat the purposes of any deed restriction or protective covenant when such instrument contains stricter requirements. The City shall bear no responsibility in the enforcement of private deed restrictions or protective/restrictive covenants.

1.4.3. Conformance

- A. All buildings, structures, or land, in whole or in part, must be used or occupied in conformance with this UDO.
- B. All buildings or structures, in whole or in part, must be erected, constructed, moved, enlarged, or structurally altered in conformance with this UDO.
- C. Nothing in this UDO shall require any change in the plans, construction, or designated use of a building or structure for which a building permit has been issued or a building permit application has been accepted before the effective date of this UDO, provided that the construction under the terms of such permit is started before the expiration of the building permit and diligently pursued until its completion.
- D. Nothing in this UDO shall require any change in plans, construction, or designated use of a building under construction prior to the adoption date of this UDO.
- E. Nothing in this UDO shall require any change or discontinuance of a use that was permitted and actively pursued on the effective date of this UDO.



1.4.4. Annexed Lands

- A. For lands annexed into the City after the adoption date of this UDO, nothing in these regulations shall require any change in plans, construction, or designated use of a building under construction. This shall also apply to any building, not yet under construction, for which a valid approval exists that was issued by the County.
- B. Boundaries: Any land annexed into the City shall be required to include all of the adjacent and abutting street right-of-way or easement.
- C. Classification: Lands annexed into the City shall be with a zoning classification of Agricultural (AG), unless otherwise designated in the annexation ordinance. If not designated AG, such lands must be zoned in a manner consistent with the City's Comprehensive Plan.

1.4.5. Conflicting Provisions

- A. This is intended to be the zoning and subdivision regulation for the City. All other zoning and subdivision ordinances are hereby repealed. Nothing in this UDO shall be construed as repealing or modifying the conditions of operation or conditions of site development accompanying zoning approvals, variances or use permits issued under previous zoning ordinances. However, modification or repeal of those past conditions of approval may be accomplished through use of the procedures set forth in this UDO.
- B. It is not the intent of this UDO to interfere with, repeal, or annul any easements, covenants, or other agreements between parties. However, in cases in which this UDO imposes a greater restriction upon the use of land or the development of buildings or structures or requires greater space than is required by other resolutions, rules or regulations, or by easements, covenants or agreements, the provisions of this UDO shall govern.

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Section 1.5. – Administration

1.5.1. City Staff

The provisions of this UDO shall be administered by the City Staff, which shall be a person or persons designated by the Mayor. The City Staff may be provided with the assistance of such other persons as directed by the Mayor. Decisions by the City Staff may be appealed to the Board of Zoning Adjustment. The City Staff shall keep records of all permits issued or denied, all certificates of occupancy issued or denied, and all violation complaints received along with action taken on violation complaints.

The City Staff shall enforce the provisions of this UDO, and in addition shall have authority to:

- A. Examine for completeness and compliance with this UDO any application pertaining to the use of land, buildings, signs, or structures.
- B. Approve any such application if it conforms to the provision of this UDO.
- C. Issue or deny permits and certificates based upon compliance with this UDO and other applicable codes. Written notice stating the reasons for denial will be provided with any application that is denied.
- D. Conduct inspections of buildings, structures, and use of land as is necessary to determine compliance with the regulations of this UDO.
- E. Revoke approvals where provisions of this UDO are being violated.

1.5.2. Building Codes

All fabrication, erection, construction, enlargement, alteration, repairs of buildings or structures shall meet the Arkansas Fire Prevention Code and other applicable State and City building codes.

1.5.3. Procedures and Enforcement

[Article 6](#) (Procedures and Enforcement) provides further details on obtaining permits, licenses, etc., and outlines the Planning Administrator's authority to enforce the regulations of this UDO.

Section 1.6. – Severability

The provisions of this UDO are severable. If any section, paragraph, sentence, or clause is declared invalid, the remainder of the regulations shall not be affected.



A commercial building under construction.

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ARTICLE 2. – ESTABLISHMENT OF ZONES

Section 2.1. – Zones

For the purpose of this UDO, the city is divided into the following zones:

RESIDENTIAL ZONES

- R-LD: Low-Density Residential (see [Section 4.4.](#))
- R-NH: Neighborhood Residential (see [Section 4.5.](#))
- R-FX: Flexible Residential (see [Section 4.6.](#))
- R-MH: Manufactured Home Residential (see [Section 4.7.](#))
- Residential Cluster Development (Alternative Development Option – see [Section 4.14.](#))



Source: houseplans.pro

COMMERCIAL/MIXED-USE ZONES

- TC: Walkable Town Center (see [Section 4.8.](#))
- NC: Neighborhood Center (see [Section 4.9.](#))
- CC: Commercial Corridor (see [Section 4.10.](#))



The zones in this UDO guide the City's development patterns and uses.

INDUSTRIAL ZONES

- IND: Industrial (see [Section 4.11.](#))

ADDITIONAL ZONES

- AG: Agricultural (see [Section 4.3.](#))
- CIV: Civic (see [Section 4.12.](#))
- OS: Open Space (see [Section 4.13.](#))
- PUD: Planned Unit Development (Alternative Development Option – see [Section 4.14.](#))

Section 2.2. – Zoning Map

- A. A map of current zone boundaries shall be kept on public display at City Hall and a copy of said map shall also be available on the City's website.
- B. The boundaries of these zones are shown on the map entitled "Zoning Map, City of Austin, Arkansas," which is a part of this UDO.
- C. Where uncertainty exists about zone boundaries on the Zoning Map, the following rules shall apply:
 - a. Boundaries that follow the centerlines of streets, highways and alleys shall be construed as following such centerlines.
 - b. Boundaries that approximately follow public land survey lines shall be construed as following such land survey lines.
 - c. Boundaries that approximately follow platted lot lines shall be construed as following such lot lines.
 - d. Boundaries that approximately follow city limits shall be construed as following city limits.
 - e. Boundaries that follow railroad lines shall be construed to be midway between the main tracks.

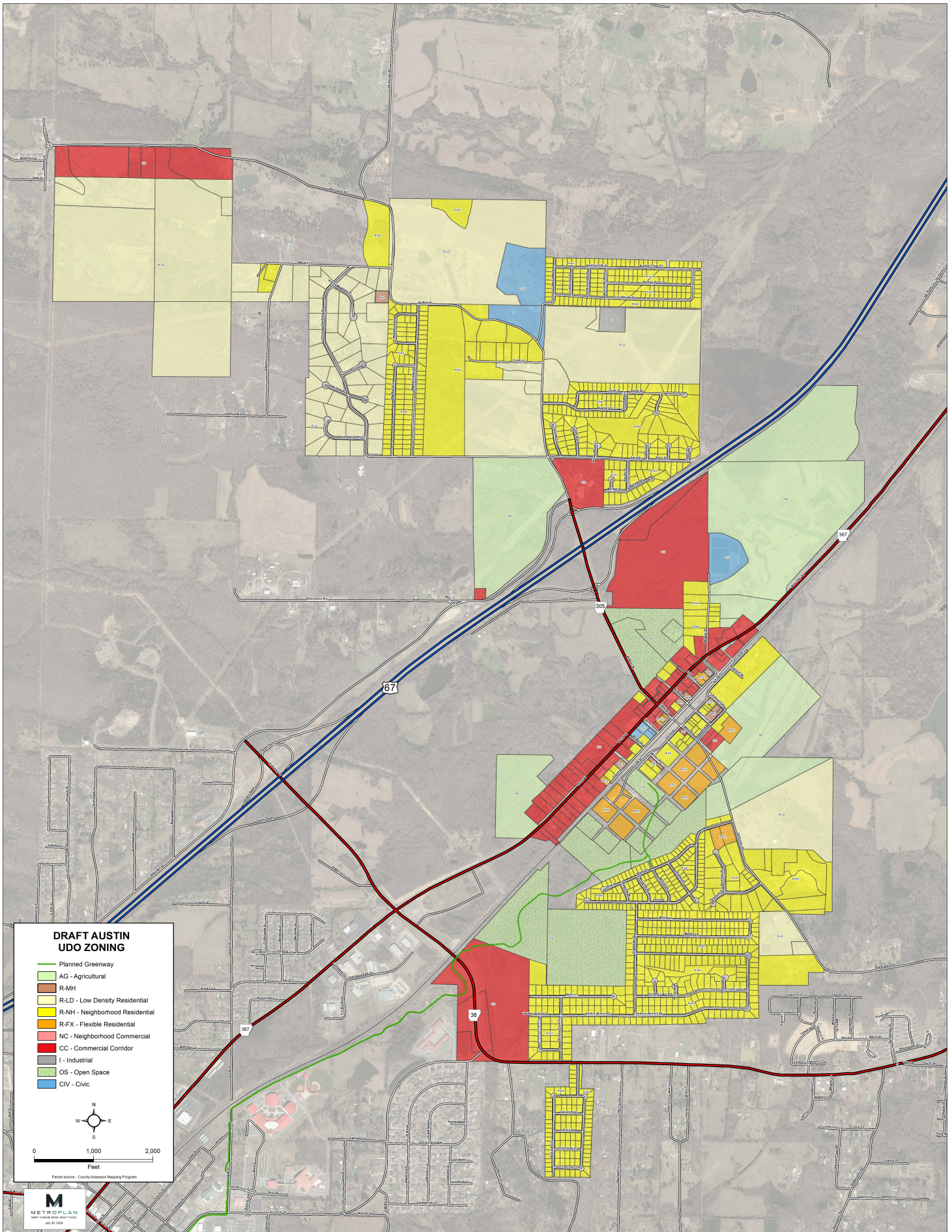
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- f. Boundaries indicated as parallel to or extensions of features mentioned in the preceding rules shall be so construed.
- g. Where district boundaries cross unplatted property the location of the boundaries shall be determined by the scale of the map or previously determined dimensions.
- h. In circumstances not covered by the preceding rules, the Planning Commission shall interpret the district boundaries on the Zoning Map when the location of such boundaries cannot be clearly ascertained from the Zoning Map, or when the exact location of a boundary is in dispute.

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ARTICLE 3. – USES

Permitted, Permitted with Conditions, Conditional, and Accessory Uses shall be subject to the requirements in this Article. The City Staff shall refer to this Article and the enclosed use table when processing applications for business licenses or building permits.

Section 3.1. – General

Examples of permitted uses for each zone are listed in the use table below. It is the intention of this UDO to encourage mixed-use development in appropriate areas. Multiple permitted uses or conditionally approved uses may exist in the same structure or on the same property.

- A. Uses listed as “Permitted” (P) in certain zones in the use table shall be permitted by right in those zones.
- B. Uses listed as “Permitted with Conditions” (PC) in certain zones in the use table must meet special conditions as outlined in [Section 3.3.](#) of this Article in those zones.
- C. Uses listed as “Conditional” (C) in certain zones in the use table require conditional use permits (CUPs) in those zones. Refer to [Article 6](#) (“Procedures and Enforcement”) for the CUP application and approval process.
- D. The use table lists the most commonly occurring uses. The use table is not intended to be either exhaustive or inclusive.
- E. Definitions of all listed uses are included in [Article 7](#) (“Definitions”).
- F. The definitions also include specific examples for several of the uses listed in the table.
- G. When a use is not specifically listed, the Planning Commission shall determine if the use is substantially similar in its character and external impacts to an already listed use. If the use can be determined to be substantially similar in its character and external impacts, it may be treated as its most similar use. If the use is not listed and cannot be determined to be substantially similar in its character and external impacts, it may be treated as a conditional use.
- H. Non-Conforming Uses.**
 - a. Nothing in this UDO shall require any change or discontinuance of a non-conforming use that was permitted and actively pursued on the effective date of this UDO.
 - b. If a non-conforming use of land is discontinued, paused, or abandoned for more than 365 consecutive days, any subsequent use shall conform to the standards in this UDO. This regulation applies even if the owners are actively looking for a new owner.
 - c. Non-conforming uses shall not be expanded in their intensity or scope.
 - d. Transitions to or additions of another non-conforming use shall not be permitted.
 - e. Non-conforming uses may change ownership and maintain, but not expand, the non-conformity.
 - f. If a structure that supports a non-conforming use is damaged or destroyed, the non-conforming use may continue if the repairs/reconstruction allow the use to resume no later than 24 months after the original damage. Otherwise, all future uses shall meet the standards in this UDO

In this Article

[3.1. General](#)

[3.2. Use Table](#)

[3.3. Special Conditions
Applying to Uses](#)

[3.4. Accessory Uses](#)

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Section 3.3. – Use Table

Key: P = Permitted; PC = Permitted with Special Conditions (see [Section 3.3](#)); C = Conditional; [-] = Not Permitted

	AG Agricultural	R-LD Low-Density Residential	R-NH Neighborhood Residential	R-FX Flexible Residential	R-MH Manufactured Home Resid.
Residential Uses					
Child Care Family Home	PC	PC	PC	PC	PC
Home Occupation	PC	PC	PC	PC	PC
Live/Work Unit	C	C	C	PC	C
Manufactured Home	P	-	-	C	P
Manufactured Home Park	-	-	-	-	PC
Multi-Family Residence (2-4 units)	-	-	-	P	-
Multi-Family Residence (5-24 units)	-	-	-	PC	-
Multi-Family Residence (25+ units)	-	-	-	-	-
Nursing Home/Assisted Living Facility	-	C	C	C	C
Short-term Rental	PC	PC	PC	PC	PC
Single-family, attached unit	C	C	C	P	C
Single-family, detached unit	P	P	P	P	P
Temporary Dwelling	P	PC	PC	PC	PC
Transitional Housing	-	-	-	C	-
Public, Civic, and Institutional Uses					
Civic Facility	-	P	C	P	C
Community/Cultural Facility	-	P	C	P	C
Community Garden	PC	PC	PC	PC	PC
Higher Education Institution	-	C	-	-	-
Hospital/Rehabilitation Facility	-	-	-	-	-
School - Primary/Secondary	-	C	C	C	C
Commercial Uses					
Animal Day Care/Kennel	-	-	-	-	-
Automobile Repair/Service	-	-	-	-	-
Bar, Tavern, and Night Club	-	-	-	-	-
Bank/Credit Union	-	-	-	-	-
Business/Professional Association; Club/Lodge; Social Organization	P	P	P	P	P
Campground (RV/Tent/Cabin)	C	-	-	-	-
Cemetery	P	C	C	C	C
Church/Place of Worship	P	P	P	P	P
Day Care Center, Child/Adult	-	-	-	-	-
Farmers' Market/Flea Market	-	-	-	-	-
Food Truck Park	-	-	-	-	-
Funeral Home	-	-	-	-	-
Gas Station	-	-	-	-	-
Hotel/Motel	-	-	-	-	-
Ice Cream Truck	PC	PC	PC	PC	PC
Medical Facility (outpatient)	-	-	-	-	-
Microbrewery, Microdistillery, and Microwinery	-	-	-	-	-

+Retail uses involving the open display of products must submit an Open Display Permit application to the City Staff.

* These uses are only allowable in the CIV zone if they are complementary and subordinate to the primary public, civic, or institutional use.

Section 3.2. Use Table *continued*

Uses not listed or fitting any use descriptions in Article 7 (Definitions) may be judged by the Planning Commission per their most similar use or required to apply for a Conditional Use Permit.

TC Walkable Town Center	NC Neighborhood Center	CC Commercial Corridor	IND Industrial	CIV Civic	OS Open Space
-	-	-	-	-	-
PC	PC	PC	-	-	-
PC	PC	PC	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
P	PC	-	-	p*	-
PC	PC	P	-	PC*	-
C	-	C	-	PC*	-
-	P	P	-	P	-
PC	PC	PC	-	-	-
P	P	C	-	p*	-
C	C	C	-	p*	-
-	-	-	PC	PC*	-
C	C	C	-	C*	-
P	P	P	P	P	P
P	P	P	-	P	-
PC	PC	PC	-	PC	PC
P	-	P	C	P	-
C	P	P	-	P	-
C	C	C	-	P	-
-	-	C	P	p*	-
-	PC	PC	P	p*	-
P	C	C	-	-	-
P	P	P	-	p*	-
P	P	P	C	p*	-
-	-	C	-	p*	C
C	C	P	C	p*	C
P	P	P	P	p*	-
PC	PC	PC	-	p*	-
PC	PC	PC	-	PC*	PC
PC	PC	PC	-	p*	-
C	C	P	-	-	-
-	PC	P	P	-	-
P	-	P	-	-	-
PC	PC	PC	PC	PC*	PC
P	P	P	-	p*	-
P	C	P	P	-	-

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Section 3.2. Use Table *continued*

Key: P = Permitted; PC = Permitted with Special Conditions (see [Section 3.3](#)); C = Conditional; [-] = Not Permitted

	AG Agricultural	R-LD Low-Density Residential	R-NH Neighborhood Residential	R-FX Flexible Residential	R-MH Manufactured Home Resid.
Commercial Uses - continued					
Microfulfillment Center/Small Warehouse - 10,000 sq ft or less footprint	-	-	-	-	-
Mixed-Use Building	-	-	-	P	-
Mobile Vendor	-	-	-	PC	-
Multi-Purpose Venue	-	-	-	-	-
Office/Professional Service	-	-	-	-	-
Parking Facility - <i>Surface or Structured</i>	-	-	-	-	-
Recreation Facility, Indoor	C	C	C	C	C
Recreation Facility, Outdoor	C	C	C	C	C
Restaurant/Eating Establishment	-	-	-	C	-
Retail and Service - 10,000 sq ft or less footprint †	-	-	-	C	-
Retail and Service - 10,000-20,000 sq ft footprint †	-	-	-	-	-
Retail and Service - over 20,000 sq ft footprint †	-	-	-	-	-
Self-Storage Facility - <i>no outdoor access or storage</i>	-	-	-	-	-
Self-Storage Facility - <i>with outdoor access and/or storage</i>	-	-	-	-	-
Social Service/Philanthropic Organization	C	C	-	C	-
Studio/Specialized School	C	C	-	-	-
Urban Farm	P	PC	PC	PC	PC
Veterinary Clinic - <i>no outdoor facilities</i>	-	-	-	-	-
Veterinary Clinic - <i>with outdoor facilities</i>	-	-	-	-	-
Wireless Communication Facility	PC	C	C	C	C
Industrial Uses					
Industrial - <i>Heavy</i>	-	-	-	-	-
Industrial - <i>Light</i>	-	-	-	-	-
Junk Yard, Salvage Yard, Automobile Wrecking, and/or Hazardous Materials Use or Storage	-	-	-	-	-
Medical Marijuana Cultivation Facility	-	-	-	-	-
Mining, Excavation, and Material Storage	-	-	-	-	-
Utility Equipment or Contractor Parking/Storage Yard	-	-	-	-	-
Warehouse/Fulfillment Center - 10,000 sq ft or more footprint	-	-	-	-	-
Accessory Uses (see Section 3.4. for standards and special requirements)					
Accessory Structure (General)	P	P	P	P	P
Accessory Dwelling Unit	P	P	P	P	P
Carport	P	P	P	P	P
Deck/Patio	P	P	P	P	P
Drive-Thru	-	-	-	-	-
Garage	P	P	P	P	P
Model Home/Subdivision Sales Office	P	P	P	P	P
Open Display/Outdoor Storage †	-	-	-	-	-
Solar Panel/Solar Water Heating System	P	P	P	P	P
Swimming Pool/Hot Tub/Spa	P	P	P	P	P
Windmill/Turbine	P	C	C	C	C
Wireless Communication Facility	C	C	-	-	-

†Retail uses involving the open display of products must submit an Open Display Permit application to the City Staff.

Uses not listed or fitting any use descriptions in [Article 7 \(Definitions\)](#) may be judged by the Planning Commission per their most similar use or required to apply for a Conditional Use Permit.

TC Walkable Town Center	NC Neighborhood Center	CC Commercial Corridor	IND Industrial	CIV Civic	OS Open Space
-	C	P	P	-	-
P	P	P	-	p*	-
PC	PC	PC	PC	PC*	PC
P	C	P	-	p*	PC
P	P	P	P	p*	-
-	PC	P	P	p*	-
P	P	P	C	p*	C
C	C	P	C	p*	P
P	P	P	-	p*	-
P	P	P	C	p*	-
-	P	P	C	p*	-
-	-	P	C	-	-
-	-	P	P	-	-
-	-	P	P	-	-
P	P	P	-	P	-
P	C	P	-	p*	-
PC	PC	PC	P	p*	C
P	P	P	-	p*	-
-	-	P	-	p*	-
C	PC	PC	PC	C*	C
-	-	-	C	-	-
C	C	C	P	-	-
-	-	-	PC	-	-
-	-	-	P	-	-
-	-	-	P	-	-
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C	P	P	P	P	-
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C	P	P	-	p*	-
P	P	P	P	P	-
P	P	P	-	-	-
P	P	P	P	p*	-
P	P	P	P	P	P
P	P	P	-	p*	P
C	P	P	P	p*	P
C	P	P	P	p*	C

†Retail uses involving the open display of products must submit an Open Display Permit application to the City Staff.

* These uses are only allowable in the CIV zone if they are complementary and subordinate to the primary public, civic, or institutional use.

Section 3.3. – Special Conditions Applying to Uses

This section applies to uses indicated as “Permitted with Conditions,” (PC) in certain zones within the use table.

Note: The same use may be listed as Permitted by right or as a Conditional Use in other zones and not be subject to the requirements in this section. Refer to [Section 3.2. – Use Table for clarification](#).

Applicants for uses indicated as PC in their specific zone must provide proof to the City Staff that the conditions listed in the corresponding sub-section have been met before they will be permitted to obtain a city business license.



A client in an adult day care setting. Photo: iStockphoto.com

3.3.1. Adult Day Care Center

Adult day care centers shall be permitted in zones in which they are listed as “PC” provided that the following conditions are met:

- A. All adult day care centers shall conform to applicable building and fire regulations.
- B. A letter of inspection from the Fire Marshal must be provided to the City Staff
- C. A letter from Department of Human Services approving the facility must be provided to the City Staff.
- D. Drop off areas shall be noticeably marked on-site and not create traffic congestion.

3.3.2. Automobile Repair/Service

Automobile Repair/Service uses shall be permitted in zones in which they are listed as “PC” provided that the following conditions are met:

- A. There shall be no overnight outside storage of vehicles for more than 5 days without a valid Open Display Permit (see [Subsection 6.2.6.](#))
- B. Outside storage areas shall be screened from view from all public rights-of-way.



Children playing in a child care family home. Photo: iStockphoto.com

3.3.3. Child Care Center and Child Care Family Home

Child care centers and child care family homes shall be permitted in zones in which they are listed as “PC” provided that the following conditions are met:

- A. The facility shall meet all requirements of the Arkansas Child Care Licensing Act as may be amended, updated, or replaced, and all other requirements imposed by the State of Arkansas.
- B. Caring for 6 or more children (excluding family members) constitutes a child care family home. The number of children cared for in a child care family home, including the caregiver’s own children, shall not exceed 16 children. Health and fire department approvals are required if care is provided to 11 or more children.
- C. All child care family homes shall be operated in a single-family dwelling which is the primary residence of the caregiver.
- D. All child care centers/child care family homes shall conform to applicable building and fire regulations.
- E. All child care center/child care family home playground areas shall meet Department of Human Services (DHS) requirements.
- F. All child care centers/child care family homes shall provide an opaque 6-foot solid fence around the playground area.
- G. All child care center/child care family home playground areas must not be located

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in the front yard and shall have direct access from the building to the fenced playground area.

- H. All passenger loading and unloading areas and outdoor playground areas must be strategically located to avoid conflict with vehicular traffic.
- I. A child care family home should not detract from the residential character of the neighborhood and should be compatible with existing residential uses.
- J. Child care family homes shall only operate between the hours of 6:00 AM and 8:00 PM.
- K. Drop off areas shall be provided and noticeably marked.
- L. All parking areas shall meet the requirements for their zone.

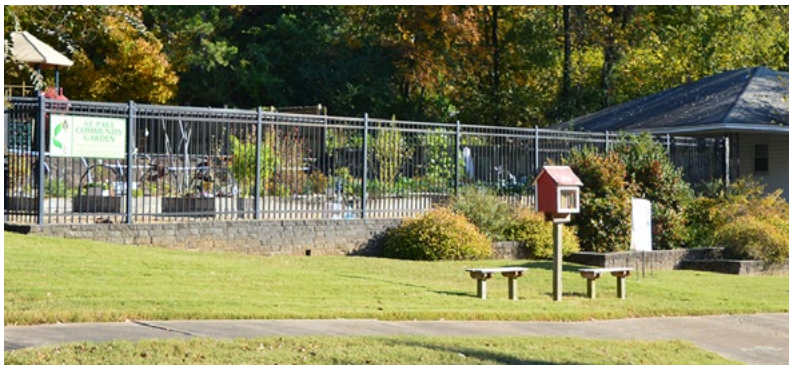
3.3.4. Community Garden

Community gardens involve the use of land by multiple users primarily for the cultivation of fruits, vegetables, plants, flowers, honey and/or herbs. Community gardens shall be permitted in all zones except Industrial, provided that the following conditions are met:



A community garden with raised beds.

- A. All community gardens must be registered with the City Staff listing the property owner and the garden coordinator's contact information.
- B. If the gardening function is abandoned for a period of 12 months or more, the property owner shall be responsible for removing all community garden improvements and restoring the property to where it may be maintained and mowed.
- C. There shall be no retail sales allowed at community gardens except plants, whole fresh produce, and honey grown or produced on the site.
- D. Community gardens may include the following features:
 - a. The cultivation of fruits, vegetables, plants, flowers, honey and/or herbs.
 - b. Water meters.
 - c. Accessory structures such as tool sheds, hoop houses, greenhouses, gazebos, pavilions, compost bins, and beehive structures.
 - i. Accessory structures must meet accessory use requirements as outlined in Section 3.4. of this UDO. Accessory use permits may be issued to community gardens without the presence of a primary structure.
 - ii. The combined area of all accessory structures shall not exceed 15 percent of the garden lot.
 - iii. Accessory structures shall not be used as an office or have the appearance of an office.
 - d. Appurtenance structures such as benches, raised beds, seasonal farm stands, cold frames, row covers, garden art, rain barrels, sinks, irrigation systems, and other agriculture-related items.
 - e. Open space for active and passive recreation including children's play areas.



A large community garden with a wrought iron fence.

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- f. No more than 2 beehives on community garden lots smaller than 1 acre in size. On lots 1 acre and larger, 1 beehive may be added per acre above the first acre (example: a 1-1.99-acre community garden is allowed up to 3 beehives).
- g. Fences up to a height of 4 feet around the perimeter of a community garden. The fence shall be removed from a lot once the community gardening function is abandoned for a period of 12 months or more.
- h. No more than 10 percent of the lot may be used for off-street parking.

3.3.5. Gas Station

Gas stations are intensive auto-oriented uses that generate a high volume of vehicle ingress and egress. They are typically characterized by large areas of paving necessary to permit vehicles to freely maneuver on site. As a result, gas stations have the potential to create significant adverse impacts.

In zones in which they are listed as “PC,” gas stations shall meet the conditions in this section to ensure the development protects and complements the existing or planned zone context, creates safe and controlled traffic circulation, and minimizes adverse impacts on adjacent land uses.

3.3.5.1. Site Design

- A. Acceptable site orientations contribute to the accessibility of the gas station from surrounding areas.
 - a. The primary building should be situated closer to the street or corner than any other structure on the site to help define the street edge.
 - b. If the gas pumps are located closer to a street or corner than the primary building, a garden wall shall be installed to meet the zone’s minimum property line coverage requirements (see [Section 4.15](#)).
- B. The primary building shall have variation in its rooflines using sloped roofs, dormer windows, pronounced eaves, or other similar devices (see [Figure 3.3.5.1.A](#) below).
- C. Sites shall have a maximum of 0.5 acre (21,780 sq. ft.) of paved area.



These gas stations’ primary buildings are built close to the street corner.



A gas pump.

Figure 3.3.5.1.A. Sloped Roof Shapes

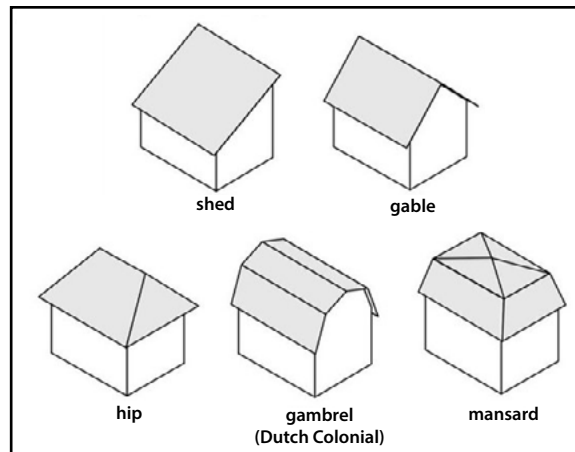
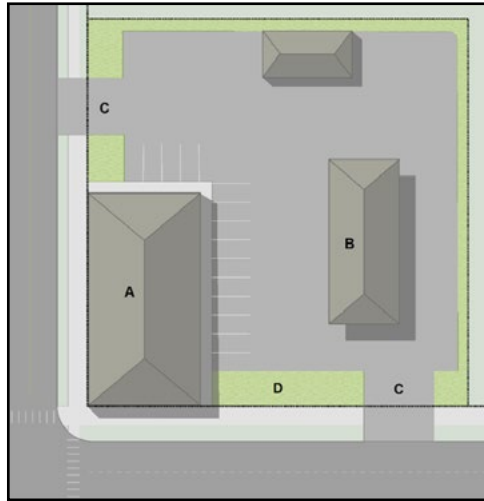
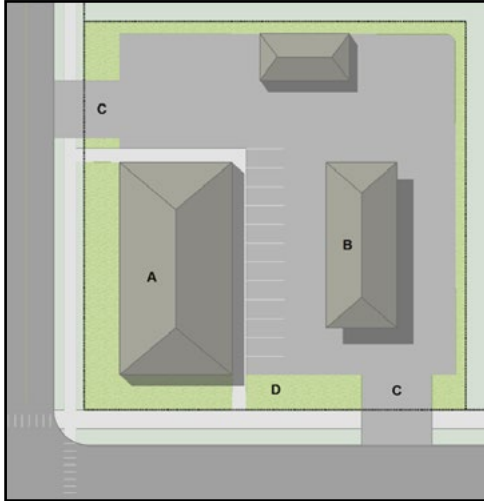
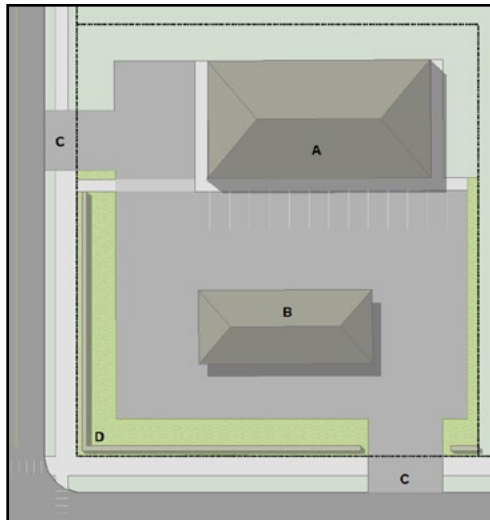


Figure 3.3.5.1.B. Gas Station Alternatives



Buffered Orientation Option	
A	Principal building is built along primary and secondary streets with a 15' landscaped buffer between building and abutting streets
B	Gas Canopy is located away from intersection corner side of site
C	Driveways are located on 1/3 of lot farthest from bordering intersection
D	15' landscape buffer required adjacent to abutting streets and between property line and back of primary building

Sidewalk Adjacent Orientation Option	
A	Principal building is built along lot lines along primary and secondary streets. Requires 40% minimum glazing along street facing sides and a minimum of one entrance from street facing sides
B	Gas Canopy is located away from intersection corner side of site
C	Driveways are located on 1/3 of lot farthest from bordering intersection
D	15' landscape buffer required adjacent to abutting streets



A	Principal building is set back from primary and secondary streets, behind the gas canopy. A pedestrian walkway leads from the sidewalk to the building's entrance (see Subsection 3.3.5.4.).
B	Gas canopy is located closer to the street than the primary building.
C	Driveways are located on the 1/3 of the lot farthest from bordering intersection.
D	Garden wall satisfies the zone's property coverage requirements, and 15' landscape buffer is installed directly behind the garden wall.

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3.3.5.2. Gas Pumps

- A. Site shall have a maximum of 4 gas pump islands or a maximum of 8 fueling positions.
 - a. EV charging stations are exempt from the maximum.
- B. Gas pump canopy support columns shall be entirely encased with materials identical to the primary building. The use of brick, stone, or other substantial masonry building materials is encouraged.
- C. Canopies shall not exceed a height of 20 feet above grade and must be subordinate to the primary building in height.
- D. Canopy lighting shall not extend below the surface of the underside of the canopy.
- E. The form, pitch, materials, and architectural details used for the canopy roof shall be designed in manner consistent with that of the primary building.

3.3.5.3. Landscaping and Screening

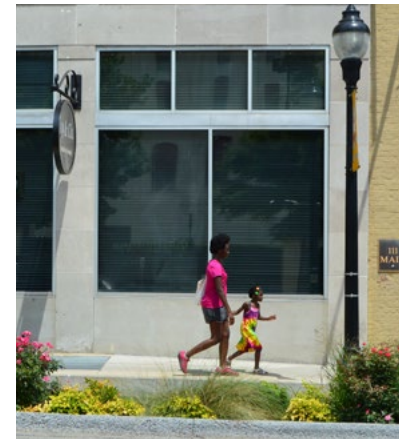
- A. Ample landscaping, in combination with building orientation, shall be used to enhance the streetscape and define the street edge (see [Section 4.18. – Landscaping and Screening](#)).
- B. Landscaping, garden walls, berms, architectural treatments, and building orientation, or a combination of these elements shall be used to maximize the screening of gas pump canopies, parking areas, car washes, and other auxiliary auto service uses.
- C. A 15-foot-wide landscaped strip is required adjacent to all public streets when the primary building is not built abutting the perimeter sidewalk. A 6-foot-wide landscaped strip is required along other property lines.
- D. The site shall be buffered from adjoining residential zones using walls, fencing, mounding, landscaping, or other approved methods.
- E. Landscaping and berms shall not obstruct the sight distance of motorists entering or leaving the site.
- F. All air conditioning units, utility boxes, pad-mounted transformers, HVAC systems, exhaust pipes or stacks, and satellite dishes shall be either integrated into the overall building design or screened.



Gas canopies behind a garden wall.

3.3.5.4. Access

- A. Sites shall have a continuous, pedestrian-friendly walkway in front of the principal structure and along all abutting roadways.
- B. Separate and dedicated pedestrian access shall connect the primary building with abutting sidewalks. A minimum of one continuous 5-foot-wide internal pedestrian walkway shall be provided from the public sidewalk on each abutting street to the nearest building entrance. Internal pedestrian walkways shall be distinguished from driving surfaces through the use of raised sidewalks, special pavers, bricks, textured concrete, or colored/stained concrete.
- C. Driveways must meet the access standards for their zone (see [Section 4.17.](#)).
- D. Entries to and exits from car wash facilities shall be oriented away from the street and/or screened to diminish their visibility from the public right-of-way.



A walkway in front of a structure.

3.3.6. Home Occupation

Home occupations shall be permitted in the zones in which they are listed as “PC” provided that the following conditions are met:

- A. Each person carrying on a home occupation must obtain a home occupation permit from the City Staff.
 - a. EXEMPTION: Neither a home occupation permit nor a business license is required of individuals simply working from home for an existing, off-site employer.
- B. Home occupations shall be solely operated by the owner(s) or occupant(s) of the dwelling. Non-resident employees are not permitted.
- C. Home occupations shall be located completely within an enclosed structure.
- D. Home occupations shall not change the outside appearance of the dwelling or provide product display visible from the street. **No signs in any residential zones.**
- E. Home occupations shall not generate traffic, parking, noise, sewage, or water use in excess of what is normal in the residential neighborhood.
- F. Home occupations shall not create a hazard to person or property, or results in electrical interference, or otherwise becomes a nuisance.
- G. Home occupations shall not result in outside storage or display of any material or product.
- H. No vehicle exceeding a one-ton capacity is allowed to park on the premises.
- I. Restaurant/prepared food service, vehicle/automotive repair, and healthcare-related uses cannot be considered a home occupation.

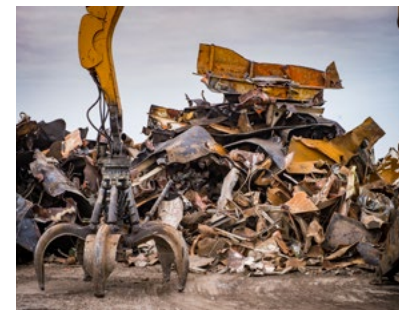


Seamstress, Tailor, or Alteration activities are examples of possible home occupations.

3.3.7. Junk Yard

Junk yards shall be permitted in the zones in which they are listed as “PC” provided that the following conditions are met:

- A. No new junk yard shall be permitted within 1,000 feet of an existing junk yard.
- B. Outdoor storage of materials/equipment shall be screened from view from all public rights-of-way.
- C. Any facility generating or storing hazardous waste shall comply with state regulations. Please refer to the Arkansas Division of Environmental Quality’s Office of Land Resources for more information.



A junk yard. Photo: iStockphoto.com

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This building could be used as a live/work unit.



A contemporary live-work unit.



A manufactured home park.



A home in a manufactured home park.
Photo: istockphoto.com

3.3.8. Live/Work Unit

Live/Work Units shall be permitted in the zones in which they are listed as “PC” provided that the following conditions are met:

- A. Residential use of the structure and property shall be clearly secondary or accessory to the commercial use of the structure.
- B. The residents of the Live/Work Unit shall be limited to one family unit which must include the owner or employee of the commercial use within the structure.
- C. The commercial use of the property must be otherwise allowed in the zone, but shall not include sexually oriented businesses or warehousing.
- D. The commercial portion of the structure must be contained at least in part on the first floor of the structure and be accessed from the front façade of the building facing the street.
- E. The front façade of the structure must be maintained to appear commercial in nature.
- F. The commercial and residential portions of the building shall be physically separated, with those portions of the structure accessible to the public occupied by commercial space.
- G. The residential portions of the structure must have separate kitchen and sanitary facilities.
- H. All portions of the structure must meet the requirements of the Arkansas State Fire Prevention Code.

3.3.9. Manufactured Home Park

Manufactured Home Parks shall be permitted in the zones in which they are listed as “PC” provided that the following conditions are met:

- A. There shall be a maximum of 6 manufactured homes per gross acre.
- B. Only 1 manufactured home may be located on a manufactured home site as designated by the required lot size and yard areas.
- C. Manufactured homes shall be set up and anchored in accordance with the Rules and Regulations of the Arkansas Manufactured Housing Commission.
- D. Any manufactured home moved into the City shall be new and under warranty or inspected by the City’s Administrative Official prior to being moved on site to ensure the dwelling will be inhabitable in a safe manner.
- E. Manufactured Home Spaces:
 - a. Shall contain a minimum of 4,500 square feet each of site area.
 - b. Shall have a minimum width of 50 feet.
 - c. Shall be provided a concrete slab for anchoring the manufactured home. The slab shall be large enough to accommodate a multi-sectional manufactured home.
 - d. Shall have yard setbacks of not less than 10 feet on all sides.
 - e. Shall allow a minimum distance of 25 feet between manufactured homes.
 - f. Shall be provided with sanitary sewer and water service as required by city code. Utility services to each manufactured home space shall be in conformance with the city’s subdivision regulations.
 - g. Shall be provided with 200 amp electrical service.
 - h. Shall be provided with a minimum of 1 improved off-street parking space. Parking spaces shall conform to Subsection 4.17.5. (Off-Street Parking Design).
- F. Screening: Adequate landscaping shall be provided, including trees and shrubs, around the perimeter of the manufactured home park. Landscaping shall be site obscuring, with a minimum of 6-foot screening.

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- G. Accessory Structures: The only accessory structures permitted shall be a storage building with a maximum size of 10 feet by 10 feet and a garage for the storage of motor vehicles, both of which must meet the yard area requirements.

3.3.10. Mobile Vending

The special conditions for mobile vendors, farmers’ markets, flea markets, and food truck courts are summarized in this sub-section.

3.3.10.1. Mobile Vendors

Individual MV operations shall be permitted in the zones in which they are listed as “PC” provided that the following conditions are met:

3.3.10.1.1. Permitting/Licensing

- A. MVs shall provide proof of their sales tax and use permit to the City Staff.
- B. MVs selling prepared foods shall submit a copy of their Food Service Establishment permit from the Arkansas Department of Health to the City Staff.
- C. Current licenses and required permits shall be displayed on the unit.
- D. Provide to the City Staff proposed hours of operation, site sketches with locations of dining areas, and a photo of the vending unit as a part of the approval process.
- E. MVs shall have written permission from the property owner to conduct business on a private lot.
- F. MVs shall have written permission from the City to conduct business within any public park, street right-of-way, or other public property.



A mobile grocery store.



Food trucks parked in the public right-of-way for an event.



Photo: City of Benton

3.3.10.1.2. Operations

- A. MVs shall not locate in fire lanes, block the ingress/egress to the area, impede driveway access to adjacent buildings, cause traffic hazards, or block sidewalks or other public accommodations.
- B. MVs may operate Sunday through Saturday between the hours of 7:00 AM and 10:00 PM.
- C. MVs shall not use stakes, rods, or any method of support that is required to be drilled, driven, or otherwise fixed, in asphalt pavement, curbs, sidewalks or buildings.
- D. MVs shall supply trash containers sufficient to collect all waste caused by their operations. MVs shall dispose of all trash, litter, and debris at the end of each day.
- E. A permanent water or wastewater connection to the vehicle is prohibited.
- F. Temporary signs, such as sandwich board signs and banners, are subject to the signage requirements of the city.
- G. Use of a PA system, bells, music, or other amplified sound is prohibited.
- H. MVs selling prepared food at a site for a duration of more than 3 hours shall have a written agreement, available upon request, which confirms that employees and customers have access to a flushable restroom within 150 feet of the vending location during the hours of operation.

3.3.10.1.3. Exemptions

The following activities shall be exempt from mobile vendor regulations but are not exempt from other applicable laws or regulations that specifically address such activities.

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Special events with mobile vendors.



Photo: Pulaski County



Produce on display at a farmers' market.

- A. Delivery or distribution of food ordered by customers from a point of sale other than a mobile vendor.
- B. Delivery, distribution, or donation of food or product by or for any not-for-profit organization, governmental agency, or volunteer-based charitable organization.
- C. Catering trucks with scheduled vending to businesses from one location for 1 hour or less.

3.3.10.1.4. Special Event Mobile Vendor Site Permits

The City Council may grant special event mobile vendor site permits for events that are 7 or fewer days in length, and which encourage community-wide benefits. At the Council's discretion, no fees will be assessed for these permits. Permits can be issued for mobile vendors that may be situated in the public right of way and/or that may not meet all the mobile vendor requirements. However, MVs participating in special events must remain compliant with all federal, state, a local rules and regulations, as well as obtain written permission from the property owner if on private land.

3.3.10.2. Farmers' Markets, Flea Markets, and Food Truck Parks

Farmers' markets and flea markets are characterized as one site with a grouping of vendors selling fresh produce or products, made off site, from temporary stalls or vehicles. These will be referred to as "markets" in the following section. Farmers' markets and flea markets shall be permitted in the zones in which they are listed as "PC" provided that the conditions of this section are met.

Food truck parks are characterized as one site with a grouping of vendors selling food or products, prepared on site, primarily from motor vehicles. Food Truck Parks shall be permitted in the zones in which they are listed as "PC" provided that the conditions of this section are met.

3.3.10.2.1. General Requirements

- A. Markets, food truck parks, and their vendors must comply with federal, state, and local laws and regulations relating to the operation, use, and enjoyment of the site's premises.
- B. Markets, food truck parks, and their vendors must have operating and health permits that shall be in the possession of the site owner or vendor, as applicable, on-site during operating hours.
- C. Markets and food truck parks must establish operating rules to address the structure of the site, hours of operation, maintenance and security requirements, and appointment of a site manager who directs the operations of all vendors on site. Designated site managers are responsible for the organization of vendors, site cleanliness, and the compliance with all applicable rules and regulations during business hours.
- D. Markets, food truck parks, and their vendors may operate Sunday through Saturday between the hours of 7:00 AM and 10:00 PM.
- E. Markets and food truck parks may be standalone establishments or may be located on a property with other permanent uses (i.e. retail establishments). Any permanent uses/structures shall meet all requirements for their zone.
- F. All sites must provide for composting, recycling, and waste removal in accordance with all applicable city codes.
- G. All vendors shall be removed from the site upon closing. If a commissary is provided on-site and the vendor is approved for its use, the vendor can remain on-site.

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- H. Markets and food truck parks that are eligible to sell alcohol may do so provided they meet state, county, and local requirements.
- I. On-premises signs are permitted subject to sign regulations in the applicable zone. Each vendor may have temporary signage, removed at the end of operating hours.
- J. Mobile vendors shall not be parked on unimproved surfaces. At a minimum they may be parked on a compacted gravel base.



Flowers for sale at a farmers' market.

3.3.10.2.2. Special Requirements for Food Truck Parks

- A. Food truck parks may be considered a primary use on a property.
- B. Food truck parks may include a permanent structure that complies with the development and site design requirements in this UDO. A permanent structure may house indoor sales, service and dining, administrative offices, restrooms, and other food service-related uses.
- C. Food truck parks shall consist of 2 to 10 mobile vendors (MVs).
- D. A food truck park shall not be less than 100 feet from another food truck park, as measured from the property line.
- E. Food truck park operators shall have a written agreement, available upon request, which confirms that employees and customers have access to a flushable restroom within 150 feet of the vending location during the hours of operation.
- F. Food truck park operators must comply with landscaping and other site design requirements outlined in this UDO, but may incorporate temporary outdoor seating, shading, and other temporary installments to accommodate patrons. These must be removed daily after operating hours.
- G. Food truck parks adjacent to residential zones or lots used as residences (not including a mixed-use structure), shall provide a buffer yard (see [Section 4.18.](#) – Landscaping and Screening).



A food truck park. Photo: Facebook.com/TheRailYard

3.3.10.3. Ice Cream Trucks

The sale of pre-packaged ice cream, frozen confections and other similar pre-packaged frozen desserts (“ice cream”), including soft drinks, shall be permitted from mobile vehicles licensed for use on public streets (“ice cream trucks”) in all zones provided that the conditions of this section are met.

- A. Ice cream truck owners shall provide proof annually of:
 - a. Automobile insurance according to state law with the application for the vehicle they will be vending from.
 - b. Arkansas sales tax and use permit.
- B. Anyone driving or vending out of an ice cream truck shall provide proof annually of:
 - a. Copy of motor vehicle record, dated within 30 days of the date of their application for permit, showing all accidents and violations, and indicating that their Arkansas driver’s license is current.
 - b. Criminal background check performed by the Arkansas State Police.
 - c. Child Abuse Central Registry clearance provided by the Division of Children and Family Services Central Registry Unit. Listing on the Child Abuse Central Registry, or any offense, actual or attempted, involving homicide, kidnapping, assault or assaultive offenses, sexual assault or rape, any offense requiring registration as a sexual offender in any state, theft (including robbery or burglary), prostitution or obscenity shall be grounds for disqualification of an applicant.
- C. Current licenses and required permits shall be displayed on the unit.



A ice cream truck. Photo: Loblolly

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An ice cream truck with safety signs. Photo: georgiaicecreamtruck.com/

3.3.10.3.1. Safety Requirements

- A. Signs stating “Watch For Children” or “Children Crossing” must be prominently located on the front, back and both sides of the vehicle in at least 4-inch letters of contrasting colors.
- B. The company name, address, and phone number must be on both sides of the vehicle in at least 3-inch letters in contrasting colors.
- C. A serving window, capable of being closed when not in use, must be provided and must be located on the curbside of the vehicle only.
- D. Left and right outside rear view mirrors as well as two additional outside wide-angle mirrors on the front and back of the vehicle must be provided to enable the driver to see around the entire vehicle.
- E. Operable yellow or amber flashing hazard lights clearly visible not less than 100 yards from the mobile unit under average daylight conditions shall be provided. Such lights shall be mounted no more than 12 inches below the roofline of the ice cream truck. No fewer than 2 lights shall be visible from each approach.
- F. A rear bumper cover shall be installed to prevent children from standing or jumping on the rear of the vehicle.

3.3.10.3.2. Operational Requirements

- A. Ice cream trucks shall only be allowed to vend on public streets on which the speed limit is 25 miles per hour or less.
- B. Ice cream trucks shall be permitted to vend in an area for no more than 15 minutes, then they must move on to another area.
- C. Ice cream vending is prohibited within City parks unless the vendor has applied for and received a franchise permit for such activity (see Subsection 6.1.X. – Franchise Permits).
- D. Ice cream trucks shall not vend within one block of any block containing an elementary or junior high school during school hours or within one hour before or after school hours on a day that school is scheduled to be in session. This item shall not apply to special events when the ice cream trucks have been invited onto school grounds by school officials.
- E. Ice cream trucks shall not vend within 100 feet of any street intersection.
- F. Ice cream vending may only occur from 10:00 AM to 30 minutes before sunset.
- G. Child customers shall not be allowed inside the vehicle.
- H. Drivers shall check around the vehicle before leaving any area to ensure that children are not remaining. When handing the purchased product to the children, drivers shall make certain traffic is clear, in case a child leaves the ice cream truck immediately and fails to observe oncoming traffic.
- I. The use of sound equipment shall be limited to music or human speech. All music shall be instrumental only.
- J. Sound may be used only from 10:00 AM until 30 minutes before sunset.
- K. Sound shall not be audible more than 100 yards from the ice cream truck. Sound shall not be in violation of any city or state ordinances or statutes.
- L. Sound shall not be broadcast within 100 yards of any school during school hours, or within 100 yards of any hospital, church, courthouse, funeral home, or cemetery.
- M. Sound shall be turned off while the vehicle is stopped for vending.

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3.3.11. Multi-Family Residence

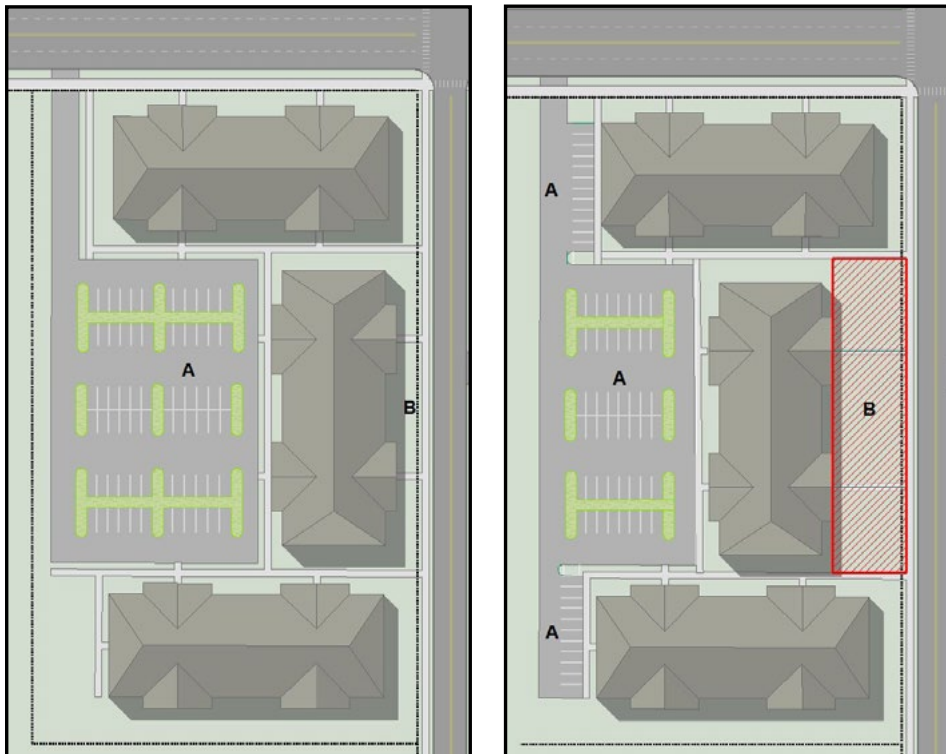
Multi-family residences shall be permitted in the zones in which they are listed as “PC” provided that the following conditions are met:

- A. Sites shall meet all the development standards of their zone (see [Article 4](#)).
- B. Sidewalks shall access the street as well as the parking area(s).
- C. Private parking areas shall be located behind the building (see [Figure 3.3.11.A](#)).
- D. Front parking may be permitted if sufficient right-of-way is dedicated to accommodating parking spaces and a continuous sidewalk and buffer between the parking spaces and the front of the building (see [Figure 3.3.11.B](#)). The parking spaces, sidewalk, buffer, and any required landscaping shall be installed at the developer’s expense.
- E. Multi-family residences with 5 or more units shall avoid continuous monolithic walls in design. Buildings shall avoid long uninterrupted façade planes and/or blank walls. The façade planes of the exterior walls shall be varied in depth and/or direction.

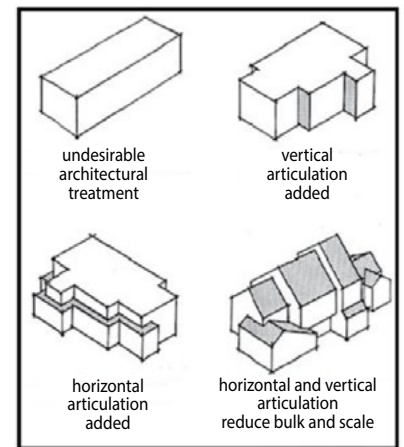


Example of a multi-family unit with dedicated right-of-way for accommodating parking spaces and a continuous sidewalk and buffer between the parking spaces and the front of the building.

Figure 3.3.11.A. Multi-family Parking Options



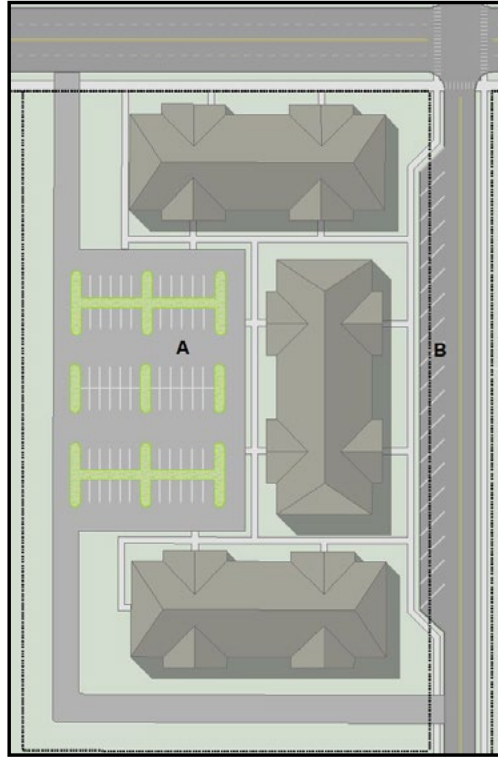
The example on the left of an apartment building layout shows parking accessed by an alley in the rear of the buildings. Building outlines show varying building façades to avoid the monolithic wall effect. Sidewalks access the street as well as the parking area. The example on the right incorporates a plaza/green space into the site design (B).



Examples of façade variations (“articulation”) in depth and/or direction.

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Figure 3.3.11.B. Multi-family Unit with Dedicated Right-of-Way for Parking



This parking layout incorporates both rear parking (A) and front parking (B) with a continuous sidewalk and buffer between front parking spaces and the building.



An outdoor multi-purpose venue.

3.3.12. Multi-Purpose Venue

Multi-purpose venues shall be permitted in zones in which they are listed as “PC” provided that the following conditions are met:

- A. The venue shall be outdoors, with only the stage area covered (such as a bandstand or covered stage with open air seating).
- B. The venue shall be integrated into the open space’s overall scope and style and be subordinate to other uses in size and function.
- C. The addition of the venue shall not necessitate additional parking or paving.
- D. Ingress or egress to the venue shall not cause traffic congestion or hazards.

3.3.13. Parking Facility, Surface or Structure

This subsection addresses parking facilities located on lots without a principal structure, where parking is the primary use of the property. Parking facilities permitted with conditions (“PC”) in their respective zone shall conform to the following conditions:

- A. Parking facilities shall not front a primary street.
- B. Parking facilities may be gravel or paved.
- C. Parking facilities must meet all the lot coverage, streetscape, and parking lot landscaping requirements for their zone.

3.3.14. Short-Term Rental (Ordinance 07-2023)

Short-term rentals (STRs) shall be permitted in zones in which they are listed as “PC” provided that the following conditions are met:

1. Each bedroom shall have a maximum two-guest capacity (children under 13 years of age are exempted).
2. STR operators shall not receive any compensation or remuneration to permit occupancy of an STR for a period of less than 24 hours.
3. The same guest(s) shall not occupy an STR for longer than 90 consecutive days.
4. There shall be no commercial meetings held in an STR or on an STR property, including luncheons, banquets, parties, weddings, meetings, charitable fund raising, commercial or advertising activities, or other gatherings for direct or indirect compensation.
5. STR operators are responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or city code.
6. STR operators shall provide proof of homeowner’s fire, hazard, and liability insurance. Liability coverage shall have limits of not less than \$1,000,000 per occurrence.
7. STR operators shall provide a floor plan of the STR showing all rooms available for rent with location of windows, doors, and smoke detectors.
8. Smoke detectors (certified) are required in all sleeping areas, in every room in the path from the sleeping area to the exit, and in each story with sleeping unit, including basements.
9. All sleeping areas must have two ways of egress, one of which can be an operable window.
10. Carbon monoxide detectors shall be installed if there are fuel fired appliances in the unit or the unit has an attached garage.
11. A five-pound ABC type extinguisher shall be mounted where readily accessible.
12. A Responsible Party must be available 24 hours per day, 7 days per week, for the purpose of responding within 60 minutes to complaints regarding the condition of the STR or the conduct of the occupant(s) of the STR and/or their guests.
13. A Responsible Party, upon notification that any occupant or guest has created any unreasonable noise or disturbance, engaged in disorderly conduct, or committed a violation of any applicable law, rule or regulation pertaining to the use and occupancy of an STR, shall promptly respond in an appropriate manner within 60 minutes and require an immediate halt to the conduct, and take such steps as may be necessary to prevent a recurrence of such conduct. Failure of the Responsible Party to respond to calls or complaints regarding the condition, operation, or conduct of an occupant or guest in an STR in an appropriate manner within 60 minutes shall constitute a violation of their permit.
14. A Responsible Party shall provide their contact number and information to all residents adjacent to and across from the dwelling being used as a STR.
15. A Responsible Party shall post on or near the outside of the front door and inside the STR a notice which includes the address of the dwelling, emergency contact numbers (including the Responsible Party contact number), maximum occupancy, a diagram showing emergency exit route(s) approved by the Fire Department, and a copy of the city’s noise ordinance.
16. STRs may be inspected by city officials at any time to ensure the property is in compliance with building and Arkansas Fire Prevention Codes.



A smoke detector and fire extinguisher.
Photo: iStockphoto.com

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3.3.15. Temporary Dwelling (Ordinance 08-2023)

Temporary dwellings may be permitted in the zones in which they are listed as “PC” provided that the following conditions are met: **Parking on the Street Prohibited**

- A. Only camper trailers and recreational vehicles may serve as temporary dwellings. Tents shall not be used as temporary dwellings.
- B. No more than 1 camper trailer or recreational vehicle per lot shall be used as a temporary dwelling.
 - a. Permits may be issued for up to 365 consecutive days for the following circumstances:
 - i. During the construction or remodel of the primary residence on the same lot. The permit may be renewed as long as an active building permit is maintained for the on-site construction or remodel project. The permit will become invalid 30 days after the building permit expires.
 - ii. To provide medical care or assistance for an individual residing on the same lot. If the requested permit term is over 90 consecutive days, the applicant shall provide a written statement by a licensed physician attesting to the need for constant medical assistance for a specified length of time.
 - iii. To provide temporary housing after a natural disaster.
 - b. Permits may be issued for up to 30 days in any 365-day period for any reason other than those listed in 3.3.15.B.a.
 - c. Temporary dwelling permits are not required for accommodating individuals for 7 days or less in any 180-day period.
- C. The temporary dwelling shall not be used as a commercial rental unit or occupied in exchange for any form of compensation.
- D. The temporary dwelling shall not be located in a front yard or corner side yard.
- E. Temporary dwellings shall not be served by permanent utility hookups.
- F. For allowable placement of a temporary dwelling, refer to Parking [Subsection 4.17.4.1.](#) – General Requirements, Item G (p. 82), for regulations for the Parking or Storage of Boats, Recreational Vehicles, Utility/Travel Trailers, or Similar Vehicles.



Example of activities on an urban farm.

3.3.16. Urban Farm

Urban farms permitted with conditions (“PC”) in their respective zone shall conform to the following conditions:

- A. The site area for an urban farm with on-site animals shall be no less than ½ acre and no more than 5 acres.
- B. The site area for an urban farm without on-site animals shall be no more than 5 acres.
- C. Urban farms shall provide a 20-foot buffer between any abutting property lines/ public rights-of-way and areas dedicated to the cultivation of crops or animals.
- D. The number of dwelling units allowed on a site shall not exceed the number of dwelling units allowed in the zone in which the lot is located.
- E. Raising livestock is prohibited. Livestock is defined as farm animals excluding fowl, rabbits, and aquatic animals using an aquaponic system.
- F. Animals raised in accordance with the City’s animal control ordinance are not allowed without a dwelling on the site.
- G. Accessory structures are permitted without a dwelling.
- H. For properties located in TC, NC and CC zones, raising, slaughtering, processing, and composting of fowl, rabbits, and aquatic animals using an aquaponic system is permitted. One animal (either fowl or rabbit) may be processed per 1/10th

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of an acre per week. Composting, slaughtering, or processing of animals shall take place at least 50 feet from the nearest residential structure other than the structure associated with the use. Slaughtering and processing animals shall take place out of public view.

- I. For properties located in R-NH, R-FX, and R-MH zones, raising of fowl, rabbits, and aquatic foods using an aquaponic system is permitted. Slaughtering and processing of aquatics foods is permitted. Slaughtering, processing of fowl and rabbits, and composting of any animal parts is prohibited.
- J. Agricultural and value-added agricultural products raised by the farmer or produced within the State of Arkansas may be sold on-site or distributed off-site to buyers. Agricultural products and value-added agricultural products produced off-site by someone other than the farmer shall not exceed 20% of the retail space by area.
- K. Employees are permitted. The maximum number of full-time, non-seasonal employees is 2 per each full acre, plus 2 for the remaining portion of an acre, if any. This does not include the property owner.
- L. The character of the lot and dwelling must be maintained to fit in with the surrounding developments.
- M. One sign is permitted per urban farm site.
- N. Agricultural education activities do not require a separate permit.



Example of activities on an urban farm.

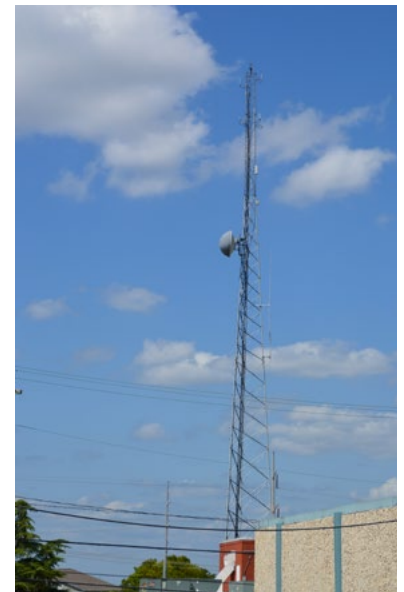
3.3.17. Wireless Communication Facility

This section is intended to regulate the number, siting, construction, and modification of towers and wireless communication facilities (WCFs) not defined as “small cells” or those communication facilities located within a dedicated or prescriptive street right-of-way or easement.

WCFs are permitted as a primary or accessory use in the NC, CC, and IND zones provided that the conditions in this section are met. The regulations of this section shall be applied within the procedural and regulatory constraints of applicable federal and state telecommunications statutes. Communication facilities shall be subject to all other applicable local regulations.

3.3.17.1. Freestanding Wireless Communication Towers

- A. Freestanding wireless communication towers shall be located no less than 2,000 feet from any other communication towers.
- B. The tower shall be constructed to the minimum height necessary to accomplish its required telecommunications purpose.
- C. The tower shall be set back at least 200 feet from any property line, unless a greater setback is expressly required as part of conditional use permit approval.
- D. Towers with collapsing designs may be exempt from the minimum setback.
- E. The tower shall be located in the center of the lot.
- F. The tower shall be entirely enclosed by a security fence of at least 6 feet in height.
- G. The tower shall be equipped with an anti-climbing device. This requirement does not apply to alternative tower structures, provided equivalent alternative security measures are installed.
- H. The tower shall be painted a neutral color to reduce visual obtrusiveness. These color and design requirements do not apply to alternative tower structures.
- I. Towers may not be artificially lighted, unless required by the Federal Aviation Administration, Federal Communications Commission or other applicable authority. If lighting is required, it must be done in a way that minimizes the disturbance to surrounding views.



A freestanding wireless communication tower.

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Example of a wireless communication tower. Photo: iStockphoto.com

- J. All accessory structures and buildings shall be placed within a fenced area and at least 15 feet from any fence.
- K. The design of accessory structures shall, to the maximum extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment.
- L. A planted buffer with a minimum depth of 10 feet with plant materials to reach a height of 20 feet at maturity shall be required around the exterior perimeter of the fence.
- M. Each applicant requesting approval of a wireless communication tower must provide to the City Staff as a part of the application an inventory of its existing towers that are either within the city or within one-quarter mile of the city boundaries, including information regarding the location, height, and design of each tower.
- N. No new telecommunication tower may be permitted unless the applicant demonstrates that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence must be submitted at the time of application demonstrating that no existing tower or structure can accommodate the applicant's proposed antenna and may consist of one or more of the following:
 - a. No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements;
 - b. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements;
 - c. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment;
 - d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna;
 - e. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable; or
 - f. There are other limiting factors that render existing towers and structures unsuitable.
- O. Final decisions on applications for new telecommunication support structures shall be in writing and be supported by a written record documenting the reasons for the denial and the evidence in support of the decision. Such decisions shall be made within 150 calendar days of the date of complete application unless another date is agreed to by the applicant and the Administrator in writing. The City Staff shall have 30 days from the date of application to determine if an application is complete and shall notify the applicant in writing of any additional materials required. If so notified, the time within which such information is being provided by the applicant shall not count against the 150-day decision period.
- P. Wireless communication facilities shall allow co-location of competing providers on communication towers.

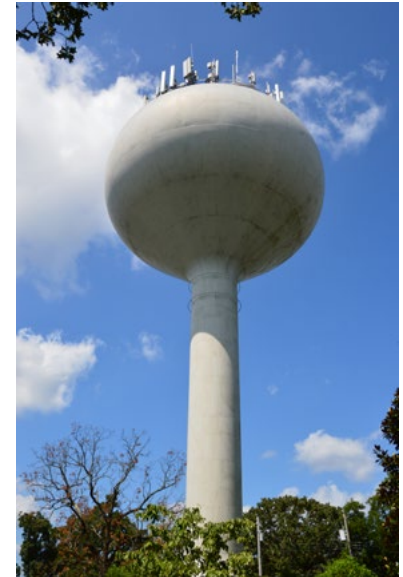
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- Q. Any wireless service provider or entity installing a new communication tower shall make appropriate provisions to allow for the future addition of at least 1 other provider on a private rental basis.
- R. The wireless service provider or entity installing a new communication tower shall agree to refrain from generating unreasonable obstacles to such co-location arrangements.
- S. Any telecommunications antenna or tower that is not operated for a continuous period of 6 months will be considered abandoned, and the owner of such antenna or tower must remove the antenna or tower within 90 days of receipt of notice from the city.



Photo: iStockphoto.com



Examples of antennas attached to existing structures.

3.3.17.2. Antennas Co-Located on Existing Wireless Communication Towers

- A. Antennas that are attached or affixed to lawful existing telecommunications support structures in a manner that negates the need to construct a new freestanding wireless support structure and that comply with federal requirements are permitted according to the use table of this UDO.
- B. The addition of antennas to an existing wireless communication tower shall require the tower to be brought into conformance with all applicable federal, state, and local requirements.
- C. Decisions on co-located antennas shall be made according to the applicable procedure within 90 calendar days of the date a completed application was filed and shall be in writing. The City Staff shall have 30 days from the date of application to determine if an application is complete and shall notify the applicant in writing of any additional materials required. If so notified, the time within which such information is being provided by the applicant shall not count against the 90-day decision period herein.

3.3.17.3. Antennas on Existing Structures

- A. Antennas may be located on existing structures, including but not limited to buildings, light poles, water towers, silos, or other freestanding structures.
- B. The existing structure shall be at least 50 feet in height and the antenna shall be no more than 10 feet higher than the highest point of the existing structure.
- C. To the extent possible, building-mounted antennas shall be visually camouflaged or screened from view from all abutting properties.

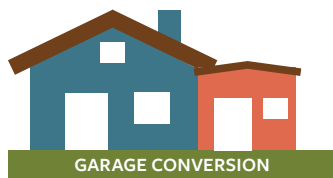
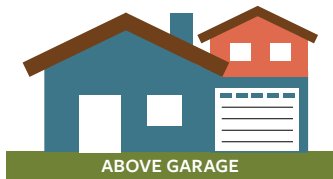
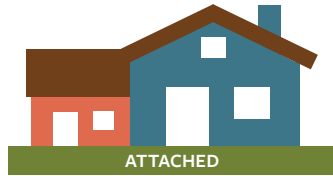
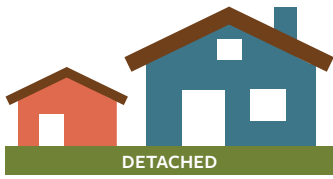
3.3.17.4. Exemptions

These regulations shall NOT apply to the following:

- A. Towers and/or antennas less than 70 feet in height and owned and operated by a federally licensed amateur radio operator.
- B. Receive-only antennas.
- C. Satellite dish antennas.
- D. Towers and antennas operated by local, state, or federal government for a necessary governmental function.

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Figure 3.4.3.A. Types of Accessory Dwelling Units (ADUs)



▲ Accessory dwelling units (or ADUs) come in many shapes and styles. Source: AARP, the ABCs of ADUs.

Section 3.4. – Accessory Uses

3.4.1. Purpose and Application

3.4.1.1. Purpose

The purpose of this section is to provide a method of control over certain types of land uses and structures which do not require a full site plan review process but do require some review to ensure the use and/or structure complies with all applicable zoning standards in this UDO and will not have a negative effect on surrounding properties due to congestion, noise, safety hazards, or other impacts.

3.4.1.2. Principal Structure on Lots

In residential districts, only one principal structure and its customary accessory structures may be erected on any lot except where multi-family development is permitted or otherwise allowed in this UDO.

Structures with sinks, cook stoves, other kitchen facilities, and bathroom facilities designed for the independent occupancy of a structure shall be considered evidence that the structure is an accessory dwelling unit (ADU) and shall meet the ADU standards outlined in this section.

3.4.1.3. Accessory Use Designation

Please see the Use Table of this UDO (Section 3.2.) for a list of accessory uses.

A non-listed accessory use may be allowed as interpreted by the City Staff if it meets the following conditions:

- A. Clearly incidental to and customarily found in connection with an allowed principal use.
- B. Subordinate to and serving an allowed principal use.
- C. Subordinate in area, extent, and purpose to the principal use served.
- D. Contributes to the comfort, convenience, or needs of occupants, business or industry in the principal use served.
- E. Located on the same lot as the principal use served.

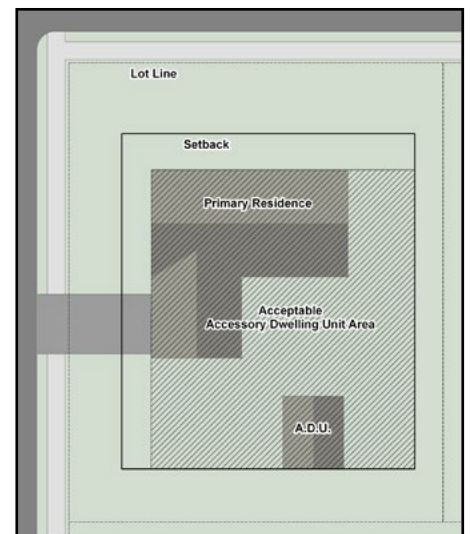
3.4.1.4. Approval Procedure

Accessory structures require building permits. See [Subsection 6.2.3.](#) for the building permit application process.

3.4.2. General Requirements

- A. Accessory structures shall meet all applicable building codes and development standards for their zone.
- B. Accessory structures must share utility services and meters with the principal structure.
 - a. EXEMPTION: Accessory dwelling units are exempted from this requirement.

Figure 3.4.3.B. Allowed ADU Siting Area



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- C. Habitation is not permitted in an accessory structure unless it is permitted as an accessory dwelling unit.
- D. Certain accessory uses must meet additional requirements, as listed in Subsections 3.4.3.–3.4.13. below.
- E. Lots shall have no more than 2 accessory structures per lots <1–3 acres in size. Lots 3 acres and larger may have 1 accessory structure per full acre.
 - a. EXEMPTION: This number limit does not apply to accessory structures 20 square feet or smaller in size.
- F. Lots may have accessory structures covering up to 5% of their total lot size, providing the addition of the accessory structure does not cause the lot to exceed the maximum building or impervious surface coverage for its zone.
- G. No single accessory structure shall exceed 1,000 square feet of total finished floor area.
- H. Accessory structures shall not exceed the height limitation for the zone in which they are located.
- I. Accessory structures shall not be located within the following areas:
 - a. A required front setback or corner side setback.
 - b. Within six (6) feet of the rear or side lot lines.
 - c. Within six (6) feet from the edge of a required buffer.
 - d. Within any easements.
 - e. In instances where the principal structure is allowed by zoning to be less than 5 feet from the rear or side property line, the minimum required setback of the accessory structure may equal the setback of the principal structure provided the accessory structure complies with all applicable building code requirements.



Photo: Susan Markman.



Examples of ADUs.

3.4.3. Accessory Dwelling Unit

- A. No more than one accessory dwelling unit (ADU) is allowed per lot in any zone.
- B. An ADU shall only be permitted on a platted lot with one existing single-family dwelling.
- C. Accessory dwelling units may be attached or detached from the primary residence.
 - a. If attached, the ADU shall share an entrance with the primary residence.
- D. [Optional requirement:] The property owner must occupy either the principal residence or the ADU as their permanent residence for at least 8 months out of each year.
- E. ADUs shall:
 - a. Meet all residential building code requirements.
 - b. Fit within all the setbacks of their zone and be located no closer to a street than the primary residence.
 - c. Respect the look and scale of the primary residence and the surrounding neighborhood.
 - d. Not exceed the primary residence in size or height.
 - e. Be site built.
 - f. Share driveway access from the street with the primary residence if a driveway is needed (EXCEPTION: this regulation does not apply in R-LD or AG zones).
 - g. Be built only after an occupancy permit has been issued for the primary residence.
 - h. Be sited within setbacks, and no closer to the front or side street property line than the primary structure (see [Figure 3.4.3.A.](#)).

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- F. ADUs may:
 - a. Be sited above the primary structure or above an attached or detached garage.



A single-family home with carport.

3.4.4. Carport

- A. Carports shall be located at the side of or behind the primary structure.
 - a. EXCEPTION: This requirement shall not apply to carports located on lots 1 acre or larger, provided that the accessory structure is located a minimum of 100 feet from the front property line.
- B. Carports shall protrude no farther than 5' in front of the primary structure's front building façade.
 - a. EXCEPTION: This requirement shall not apply to garages located on lots 1 acre or larger, provided that the accessory structure is located a minimum of 100 feet from the front property line.
- C. Carports shall not exceed 15 feet in height.
- D. Carports shall be entirely open on two or more sides except for structural supports (posts).
- E. There shall be no enclosed use above a carport.
- F. Structural supports shall be anchored at the lower end and braced at the upper end.



A stone patio.

3.4.5. Deck/Patio

3.4.5.1. General

- A. All decks/patios shall require a building permit and be built to meet the Arkansas Fire Prevention Code.
- B. All decks/patios shall be constructed of durable exterior grade materials, such as concrete, treated pine, cypress, cedar, redwood, or other exterior-appropriate materials.
- C. Deck height shall be measured at the tallest part of the deck and structure. Deck height is determined by measuring from the surface of the deck to the ground immediately below that point. Railings are not included when measuring deck height.
- D. If the deck/patio extends to the common property line, a solid privacy fence measuring six feet in height above the surface of the deck or patio shall be installed along the common property line extending for the entire depth of the patio or deck.



A deck attached to the principal structure.

3.4.5.2. Attached to Principal Structure

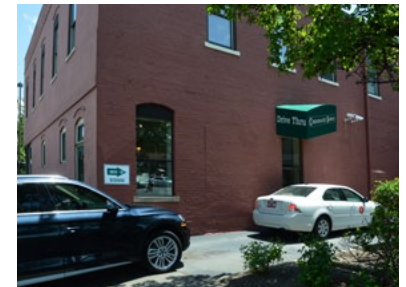
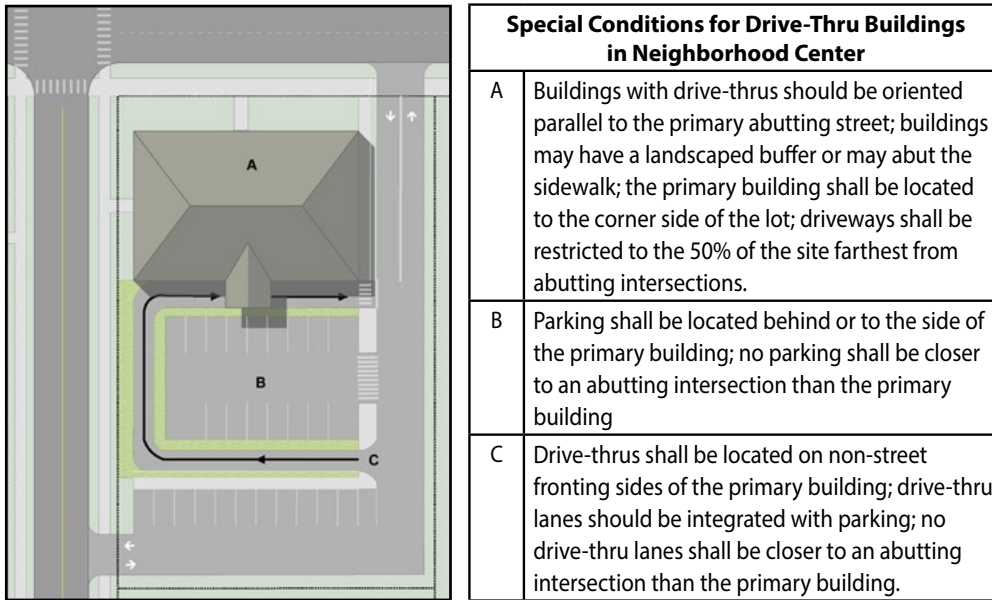
Decks and patios attached to the principal structure are NOT subject to accessory use limitations, but shall adhere to the following requirements:

- A. Decks/patios over 3 feet in height and attached to the principal structure shall be considered part of the principal structure and shall meet the zone's building setback and lot coverage regulations.
- B. Any deck/patio located in the front yard and attached to the principal structure shall be considered part of the principal building and shall meet the zone's building setback and lot coverage regulations.
- C. Rear and side yard decks/patios under 3 feet in height and attached to the principal structure shall NOT be constrained by the zone's building setbacks or lot coverage requirements.

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Figure 3.4.6.2.A. Allowable Drive-Thru Design in Neighborhood Center Zone



Drive-thru at the back of a bakery in a walkable town center setting.



Drive-thrus on the side of a business in a neighborhood center setting.

3.4.5.3. Detached from Principal Structure

- Decks/patios not attached to the principal structure shall be treated as an accessory structure.
- Any detached deck/patio shall be located a minimum of 10 feet from any other building or structure.

3.4.6. Drive-Thru

Drive-thrus are intensive auto-oriented uses which generate a high volume of vehicle ingress and egress. As a result, these locations have the potential to create significant adverse impacts when located in the Walkable Town Center (TC) and Neighborhood Center (NC) zones.

The following standards shall be met in the TC and NC zones to:

- Promote compatible drive-thru development that protects and enhances the character and quality of the zone.
- Enhance public streets and contribute to a high-quality public space.
- Create safe and controlled traffic circulation that balances the needs of vehicles and pedestrians.
- Minimize impacts on adjacent land uses.

3.4.6.1. TC Zone

- Drive-thrus in this zone require a Conditional Use Permit (see [Section 6.2.5](#)).
- The Conditional Use Permit evaluation process shall consider the drive-thru's impact on pedestrian and vehicular access to the property and surrounding properties.
- All drive-thru activity shall be confined to the rear yard of the building, including all vehicle stacking, ordering, and pick-up areas.

3.4.6.2. NC Zone

- Drive-thru windows and lanes shall be located on non-street fronting sides of the building.

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- B. For corner sites, the building shall be sited within the first 5 feet of the minimum front and side setback lines.
- C. No parking shall be located between the building and the front and/or side street setback.
- D. Buildings should be oriented so that the longest side of the building is parallel to the primary street.
- E. Separate and dedicated pedestrian access shall connect the primary building with abutting sidewalks. A minimum of one continuous 5-foot-wide internal pedestrian walkway shall be provided from the public sidewalk on each abutting street to the nearest building entrance. This requirement shall be waived if an entrance is provided directly from a perimeter sidewalk.
- F. Internal pedestrian walkways shall be distinguished from driving surfaces through the use of raised sidewalks, special pavers, bricks, or textured concrete.
- G. Drive-thru lanes shall be integrated with internal circulation and parking configurations and shall not have a separate driveway connection to abutting streets.
- H. Driveways must meet the access standards for the zone (see [Section 4.17.](#)).

3.4.7. Garage (Detached)

This sub-section shall only apply to garages completely unattached from the principal structure.

- A. Detached garages shall be no closer to the front of a lot than the principal structure.
 - a. EXCEPTION: This requirement shall not apply to garages located on lots 1 acre or larger, provided that the accessory structure is located a minimum of 100 feet from the front property line.
- B. Garages shall meet the zone's building setback requirements.
- C. The architectural style, color, and facing material of a garage structure shall be compatible with the principal structure.



A detached garage behind a home.

3.4.8. Open Display/Outdoor Storage

Uses wishing to include open display and/or outdoor storage of products, furniture, or equipment shall submit an open display permit application to the City Staff (see [Subsection 6.2.6.](#) for the application process).

The outdoor storage of large or wrecked equipment is prohibited in the TC and NC zones.

3.4.9. Model Home/Subdivision Sales Office

Model homes and sales offices are allowed in subdivisions until such time as the last lot in the respective subdivision is sold or developed.

3.4.10. Solar Panel/Solar Water Heating System

3.4.10.1. Detached or Ground Mounted

All solar photovoltaic power systems shall be installed in accordance with the Arkansas Fire Prevention Code and all applicable building and electrical codes.

- A. In Residential and Commercial/Mixed-Use zones, detached or ground-mounted solar panels or solar water heating systems shall only be permitted in rear or side yards.
- B. The maximum height of any ground mounted solar panels or solar water heating systems shall be 8 feet.

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- C. Solar panels or solar water heating systems are not exempt from lot coverage and setback restrictions. The total lot coverage calculation shall include the principal structure and all accessory structures, including the detached solar component.
- D. All ground mounted solar panels or solar water heating systems shall be located at least 5 feet from any property line and 10 feet from the principal structure and/or accessory structures.
- E. Solar panels or solar water heating systems should be placed such that potential glare onto nearby properties or roadways is minimized to the extent possible while still maintaining adequate performance from the solar panels or solar water heating system.



Ground-mounted solar panels.

3.4.10.2. Roof Mounted

- A. The following shall apply to all roof mounted panels that are visible from the street:
 - a. Panels should be consolidated to form an array of panels as opposed to individual panels being located on roofs.
 - b. All roof mounted solar panels or solar water heating systems shall be set back from any edge, peak, ridgeline, eave, or valley of the roof according to manufacturer recommendations to maintain pathways of accessibility.
 - c. All conduit, wiring and piping shall be fully concealed.
 - d. In Residential zones, roof-mounted panels visible from the street shall be flush-mounted on the roof, allowing only for a minimal gap as required for operational safety.

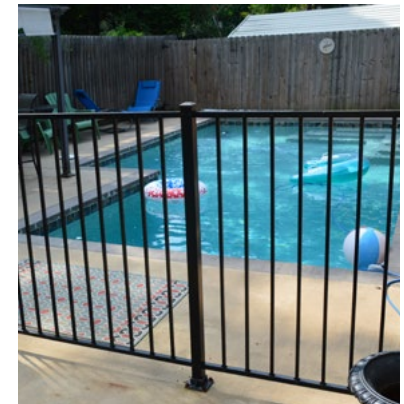


Roof-mounted solar panels.
Photo: Layet Johnson

3.4.11. Swimming Pool/Hot Tub/Spa

To protect unattended children from the risk of drowning, the following requirements shall be met:

- A. All below-ground outdoor swimming pools, hot tubs, or spas having a depth of 18 inches or greater at the deepest point shall be surrounded by a fence or wall with a height of no less than 4 feet. The fence or wall may be made of any suitable and durable material. The fence or wall shall be designed so that a 4.5-inch diameter sphere cannot pass through any opening. The principal or an accessory structure may be used as part of the enclosure.
- B. All above-ground swimming pools shall maintain gates at access points into the pool.
- C. All gates required by this section shall have self-closing and self-latching devices that keep the gate or door always closed when not in actual use. However, the door of any dwelling that furnishes part of the enclosure need not be so equipped.
- D. EXEMPTION. A portable spa or hot tub with a safety cover that complies with ASTM F1346 - 91(2018) entitled "Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs" is exempt from the requirements of this section.



A fence surrounding an in-ground pool.



A hot tub. Photo: iStockphoto.com.

3.4.12. Wind Mill/Turbine

- A. No wind mill/turbine shall be connected to the utility grid until written authorization from the local utility company is provided to the City Staff, which will then be attached to the building permit. The local utility company may require a representative to be present at the time of connection.
- B. All power transmission lines and power lines to and from a detached wind mill/

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A wind mill. Photo: iStockphoto.com.

- turbine shall be located underground.
- C. All electrical and plumbing components of a wind mill/turbine shall conform to the relevant and applicable city, county, state, and federal codes.
 - D. Wind mills/turbines shall be reviewed through the Site Plan Review process (see [Section 6.3.](#)).
 - E. The height of any wind mill/turbine shall not exceed the height requirement for the zone within which the location of the tower is proposed. The height of the wind mill or wind turbine is the average ground elevation to the tip of the extended blade.
 - F. The wind mills/turbines shall be set back 1.5 times the height of the tower from any principal building or property line.
 - G. Wind mills/turbines in Commercial/Mixed-Use or Industrial zones shall be located 500 feet from any Residential-zoned property.
 - H. Windmills/turbines shall be located only in rear and side yards
 - I. The maximum number of ground mounted wind mills/turbines is 1 per lot.
 - J. A 6-foot fence with a locking gate shall be required around all wind mills/turbines to prevent potential climbing hazards.
 - K. All wind mills/turbines shall have a braking system when winds reach speeds in excess of 40 miles per hour.
 - L. The minimum height of the lowest position of the blade shall be 15 feet above the ground.
 - M. The landowner shall complete decommissioning of the wind mill/turbine within 12 months after the end of the useful life of the device. It shall be presumed that the wind mill/turbine is at the end of its useful life when no electricity is generated for a period of 12 months.
 - N. Wind mills/turbines shall have emergency contact identification posted on the fence near the gate.
 - O. Blades may only be painted uniformly in one shade of white or neutral color with all blades and mechanisms being painted the same.

3.4.13. Wireless Communication Facility

The following Wireless Communication Facilities are allowed as accessory uses in all zones:

- A. Towers and/or antennas less than 70 feet in height and owned and operated by a federally licensed amateur radio operator.
- B. Receive-only antennas.
- C. Satellite dish antennas.
- D. Towers and antennas operated by local, state, or federal government for a necessary governmental function.
- E. For all other Wireless Communication Facilities, please refer to the requirements in [Subsection 3.3.16.](#)

ARTICLE 4. – DEVELOPMENT STANDARDS

Section 4.1. – Purpose

A community is defined in no small part by the character and quality of its built and natural environments. These development standards aim to:

- A. Protect and enhance the city’s appearance, quality of life, and economic vitality.
- B. Preserve property values on the site being developed and surrounding properties.
- C. Responsibly balance the right to private development with the desire to maintain the quality of, the access to, all public areas within the city.

Section 4.2. – Application

4.2.1. Preservation of Minimum Lot Areas

Unless by a variance, no lot or yard area, or other open space, or off-street parking or loading space required may be reduced in dimension or area below the minimum requirements of this UDO. No new lot or division of property shall be approved that will result in a lot size or yard area reduced below the minimum requirements of this UDO.

4.2.2. Non-Conforming Lots and Structures

- A. Any single lot or platted parcel of land which was built upon such that the structure’s setback, yards, open space, building height, or location of parking or loading spaces, do not now comply with the requirements for the zone in which it is located, may be utilized for a permitted use without a variance.
- B. Maintenance, remodels, and internal alterations of non-conforming structures shall be allowed.
- C. Additions to non-conforming structures shall be prohibited unless the addition brings the building into compliance with this UDO.
- D. A damaged or destroyed non-conforming structure may be reconstructed, provided that the reconstruction or repair does not increase the non-conformance or add additional non-conforming elements. A complete building permit application for a non-conforming reconstruction must be submitted within 1 year of the original damage.
- E. Any structures with a commercial or multi-family use, including former single-family residential structures, shall comply with the Americans with Disabilities Act, Arkansas Fire Prevention Code, and [access, parking, and loading regulations](#).
- F. If a non-conforming structure is being used for a commercial or multi-family use, any alterations to the site or structure shall be made in compliance with the development standards for its current zone.

4.2.3. Development Standards Diagrams and Tables

Specific development standards for each zone are presented in Sections 4.3. through 4.13. of this Article. Regulated items are shown in plan view and/or in perspective view, with subsequent tables giving the values for each regulated item.

The graphics do not represent the only possible building/site configurations. They are included as a guide to help users better understand regulated elements. Architectural styles depicted in diagrams are presented for example only.

The following table summarizes the development standards for all zones. See the individual zone’s or specific standard’s sections for more details.

In this Article

- [4.1. Purpose](#)
- [4.2. Application](#)
- [4.3. AG Standards](#)
- [4.4. R-LD Standards](#)
- [4.5. R-NH Standards](#)
- [4.6. R-FX Standards](#)
- [4.7. R-MH Standards](#)
- [4.8. TC Standards](#)
- [4.9. NC Standards](#)
- [4.10. CC Standards](#)
- [4.11. IND Standards](#)
- [4.12. CIV Standards](#)
- [4.13. OS Standards](#)
- [4.14. Alt. Develop. Options](#)
- [4.15. Property Line Coverage](#)
- [4.16. Story/Height Regulations](#)
- [4.17. Access, Parking, Loading](#)
- [4.18. Landscaping, Screening](#)
- [4.19. Signs](#)

The graphics in the following diagrams do not represent the only possible building/site configurations. They are included as a guide to help readers better understand regulated elements. Architectural styles depicted in diagrams are non-regulatory in nature and are presented for example only.

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Table 4.2.3. Development Standards

REGULATED ITEM		AG Agricultural	R-LD Low-Density Residential	R-NH Neighborhood Residential	R-FX Flexible Residential	R-MH Manufactured Home Residential
A	Lot Size	1 ac (43,560 sf) min	14,500 sf min Cluster Subdivision: 4,400 sf min	6,000 sf min Cluster Subdivision: 4,400 sf min	Detached single-fam: 5,000 sf min Attached single-fam, duplex, triplex, quadplex: 2,500 sf min per du Multi-family: 15,000 sf min Cluster Subdivision: 4,400 sf min	6,000 sf min Cluster Subdivision: 4,400 sf min Manufactured Home Park: 5 acres min
B	Lot Width	150' min	90' min	50' min / 42' min if 1.5+ stories & parking off rear alley	Detached single-fam: 36' min Attached single-fam: 25' min; Duplex & triplex: 50' min Quadplex: 75' min Multi-family: 100' min	50' min / 42' min if 1.5+ stories & parking off rear alley
C	Lot Depth	200' min	150' min	100' min	Single-fam & duplex: 100' min Triplex & larger: 150' min	100' min
D	Building Coverage	30% max	40% max	60% max	70% max	60% max
E	Impervious Surface Coverage	50% max	60% max	70% max	80% max	70% max
F	Building Setback - Front	25' min	25' min	25' min / 25' min if rear parking	25' min / 25' min if rear parking	25' min / 25' min if rear parking
G	Building Setback - Side Interior	25' min	7.5' min	Attached: 0' min* Detached: 5' min*	Attached: 0' min* Detached: 5' min*	Attached: 0' min* Detached: 7.5' min
H	Building Setback - Side Street	25' min	25' min	25' min	Same as applicable front setback.	25' min
I	Building Setback - Rear	25' min	25' min	25' min	20' min + 5' / add'l story	25' min
J	Property Line Coverage (Section 4.15.)	Not regulated.	Not regulated.	Not regulated.	Not regulated.	Not regulated.
K	Stories/Height (Section 4.16.)	DU: 3 stories max Other structures: 50' max	Dwelling: 3 stories max Other structures: 50' max	Dwelling: 2 stories max Other structures: 35' max	Dwelling: 3 stories max Other structures: 35' max	Dwelling: 2 stories max Other structures: 35' max
L	Building Frontage Type	Not regulated.	Not regulated.	Not regulated.	Yard, Porch & Fence, Terrace, Lightwell, Forecourt, or Stoop	Not regulated.
M	Building Entrance Location	Not regulated.	Not regulated.	Not regulated.	At least 1 of the required entrances shall be on front side of building. All entrances accessible from street and sidewalk. Recommended: Visually emphasize entryways.	Not regulated.

*Note: If less than 15' between structures, non-combustible exterior walls required (See Arkansas Fire Prevention Code).

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Table 4.2.3. Development Standards *continued*

TC Walkable Town Center	NC Neighborhood Center	CC Commercial Corridor	IND Industrial	CIV Civic	OS Open Space
2,000 sf min	2,000 sf min	5,000 sf min	1 ac (43,560 sf) min		
25' min 200' max	25' min 200' max	50' min 800' max	100' min		
100' min 400' max	100' min 400' max	100' min 800' max	Not regulated.		
90% max	80% max	80% max	75% max		
90% max	80% max	80% max	80% max	City-funded projects only require City Council approval.	City-funded projects only require City Council approval.
0' min 5' max	0' min 50' max	15' min 80' max Alternative: If principal building to be set back more than 80', liner buildings or outparcel lots required.	25' min	Other development requires Site Plan Review. See Section 6.3.	Other development requires Site Plan Review. See Section 6.3.
0' min*	0' min if rear access*; 10' min if not or if abutting R zone	15' min	20' min / 100' min from R, TC & NC zones	Development should generally follow development standards of abutting zone to complement character of surrounding area.	Development should generally follow development standards of abutting zone to complement character of surrounding area.
0' min 5' max	0' min 50' max	15' min	25' min		
15' min / 0' min if abutting alley From R zones: 15' min for a 1-story + 5'/add'l story	15' min; From R zones: 15' min for a 1-story + 5'/add'l story	15' min; From R zones: 25' for a 1-story + 5'/add'l story	25' min + 5'/add'l story		
Front: 80% min; Side (if on corner lot): larger of 10%/20' min	Front: 50% min; Side (if on corner lot): larger of 10%/20' min	Not regulated.	Not regulated.		
5 stories max	3 stories max	5 stories max	5 stories max		
Shopfront, Gallery, Colonnade, Terrace, Lightwell, Forecourt, or Stoop	Not regulated.	Not regulated.	Not regulated.		
At least 1 of the required entrances shall be on front side of building. All entrances accessible from street and sidewalk. Recommended: Visually emphasize entryways.	At least 1 of the required entrances shall be on front side of building. All entrances accessible from street and sidewalk. Recommended: Visually emphasize entryways.	Not regulated.	Not regulated.		

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Table 4.2.3. Development Standards *continued*

REGULATED ITEM		AG Agricultural	R-LD Low-Density Residential	R-NH Neighborhood Residential	R-FX Flexible Residential	R-MH Manufactured Home Residential
N	Building Façade*	Not regulated.	Not regulated.	Not regulated.	Architectural finish on all sides. Min 1 design element per 30' of building fronting a street. See Section 4.6. for details.	Not regulated.
O	Glazing	Not regulated.	Not regulated.	Not regulated.	At least 10% of any façade facing a street or common area. Other decorative treatments allowed on side streets as alternative to glazing.	Not regulated.
P	Sidewalk Buffer/ Planting Strip	N/A <i>Land must be rezoned before being subdivided for development.</i>	3' min. on both sides of the street and on cul-de-sacs.	3' min	5' min	3' min
Q	Sidewalk Clear Width	N/A <i>Land must be rezoned before being subdivided for development.</i>	5' min. on both sides of the street and on cul-de-sacs.	5' min	5' min	5' min
R	Encroachments over Sidewalks	Not allowed/Not applicable.	Not allowed/Not applicable.	Not allowed/Not applicable.	Not allowed/Not applicable.	Not allowed/Not applicable.
S	Driveways (Subsection 4.17.1.)	Not regulated	Front/Rear/Side driveways allowed. Min front driveway length: 25'. Driveways may cause no more than 22' sidewalk gap.	Front/Rear/Side driveways allowed. Min front driveway length: 25'. Driveways may cause no more than 22' sidewalk gap. <i>Lots under 50' wide: driveways only allowed off rear alleys</i>	Front/Rear/Side driveways allowed. <i>Lots under 50' wide: driveways only allowed off rear alleys.</i> Min front driveway length: 25'. Driveways may cause no more than 15' sidewalk gap.	Front/Rear/Side driveways allowed. Min front driveway length: 25'. Driveways may cause no more than 22' sidewalk gap. <i>Lots under 50' wide: driveways only allowed off rear alleys</i>
T	Parking and Loading (Subsections 4.17.4. and 4.17.5.)	Not regulated.	See Accessory Use Section 3.4. for Carport and Garage requirements.	See Accessory Use Section 3.4. for Carport and Garage requirements.	Single family and duplex: Parking spaces are recommended to be located at the rear or side of the lot. More than 2 DUs: Parking shall be located at the rear or side of the lot. On-street parking recommended.	See Accessory Use Section 3.4. for Carport and Garage requirements.
Not pictured	Drive-Thrus (Subsection 3.4.6.)	Not allowed/Not applicable.	Not allowed/Not applicable.	Not allowed/Not applicable.	Not allowed/Not applicable.	Not allowed/Not applicable.
	Driveway Sharing and Cross Access (Subsections 4.17.2. and 4.17.3.)	Not regulated.	Not regulated.	Not regulated.	May be required. See section for details.	Not regulated.
	Landscaping & Screening (Section 4.18.)	Not regulated.	Recommended: Canopy trees every 30' in front yards OR street trees every 30' in sidewalk buffer. See section for details.	Recommended: Canopy trees every 30' in front yards OR street trees every 30' in sidewalk buffer. See section for details.	Canopy trees every 50' in front yards OR street trees every 50' in sidewalk buffer. Recommended: Every 30'. See section for details.	Recommended: Canopy trees every 30' in front yards OR street trees every 30' in sidewalk buffer. See section for details.

* Note: Single-family dwellings, per state law, are exempt from architectural design regulations but must still meet the zone's standards for lot dimensions, setbacks, lot coverage, stories/height, accessory structures, sidewalks/street improvements, parking, and fences.

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Table 4.2.3. Development Standards *continued*

TC Walkable Town Center	NC Neighborhood Center	CC Commercial Corridor	IND Industrial	CIV Civic	OS Open Space
Architectural finish on at least 70% of all sides. Recommended: Building articulation and varying design elements and materials.	Architectural finish on at least 70% of all sides. Recommended: Building articulation and varying design elements and materials.	Architectural finish on at least 50% of street-fronting sides. Recommended: Building articulation and varying design elements and materials.	Not regulated.	See below.	See below.
60% min - 1st floor 40% min - upper floors	40% min	20% min on street fronting sides	Not regulated.		
5' min on both sides of the street and on cul-de-sacs.	5' min on both sides of the street and on cul-de-sacs.	5' min on both sides of the street and on cul-de-sacs.	5' min on both sides of the street and on cul-de-sacs.	5' min on both sides of the street and on cul-de-sacs.	5' min on both sides of the street and on cul-de-sacs.
8' min on both sides of the street and on cul-de-sacs.	5' min on both sides of the street and on cul-de-sacs.	5' min on both sides of the street and on cul-de-sacs.	5' min on both sides of the street and on cul-de-sacs.	5' min on both sides of the street and on cul-de-sacs.	5' min on both sides of the street and on cul-de-sacs.
6' max horizontal with 8' min vertical clearance	6' max horizontal with 8' min vertical clearance	Not allowed/Not applicable.	Not allowed/Not applicable.	City-funded projects only require City Council approval. Other development requires Site Plan Review. See Section 6.3. Development should generally follow development standards of abutting zone to complement character of surrounding area.	City-funded projects only require City Council approval. Other development requires Site Plan Review. See Section 6.3. Development should generally follow development standards of abutting zone to complement character of surrounding area.
No driveways on primary street; 1 per block on side streets. None within 100' of intersection, or locate within 1/3 of property farthest from intersection with highest-order streets. Driveways may cause no more than 25' sidewalk gap.	No more than 1 driveway every 200' on arterials & 150' on collectors; none within 150' of intersection, or locate within 1/3 of property farthest from intersection with highest-order streets. Driveways may cause no more than 35' sidewalk gap.	No more than 1 driveway every 250' max on arterials; 150' max on collectors; none within 150' of intersection, or locate within 1/3 of property farthest from intersection with highest-order streets. Driveways may cause no more than 40' sidewalk gap.	No driveways within 150' of intersection, or locate within 1/3 of property farthest from intersection with highest-order streets; max 1 driveway per 100' street frontage per lot. Driveways may cause no more than 40' sidewalk gap.		
On-street parking required. Additional parking shall be located behind principal building.	1 row max in front of principal building. Rest on side or behind building. On-street parking encouraged.	2 rows max in front of principal building. Rest on side or behind building. Alternative: Parking lot between liner buildings/outparcel lots.	Not regulated.		
Drive-thrus allowed with a CUP. See section for details.	Drive-thrus allowed with special requirements. See section for details.	Drive-thrus allowed.	Not allowed/Not applicable.		
May be required. See section for details.	May be required. See section for details.	May be required. See section for details.	May be required. See section for details.		
Street trees every 30' along public frontages (excl. alleys). See section for details.	Street trees every 30' along local and collector streets (excl. alleys). Yard canopy trees every 30' along arterials. Properties abutting residential zones require extra screening. See section for details.	Street trees OR yard canopy trees every 30' along public frontages (excl. alleys). Properties abutting residential zones require extra screening. See section for details.	Street trees OR yard canopy trees every 30' along public frontages (excl. alleys). Properties abutting residential zones require extra screening. See section for details.		

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AG Purpose and Intent

The Agricultural Zone

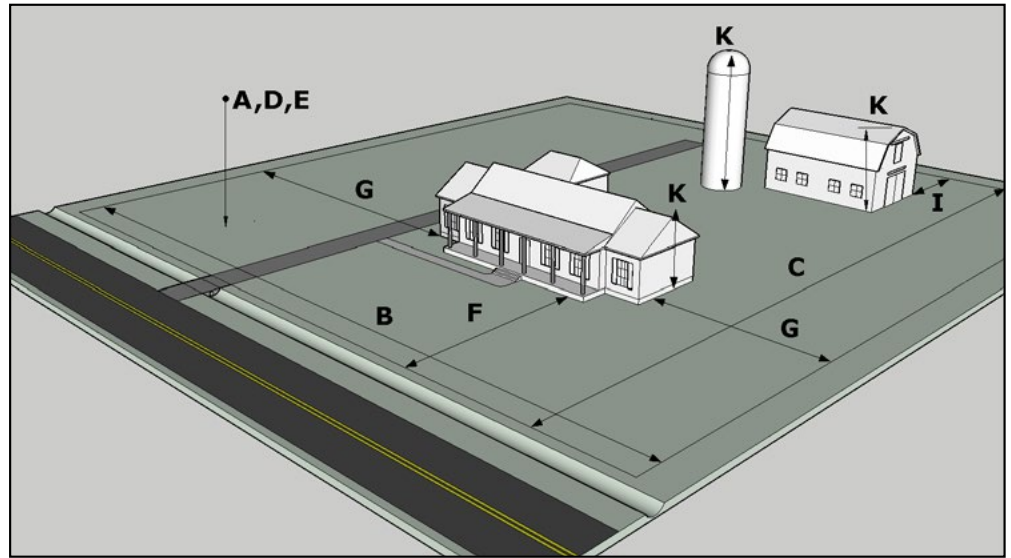
accommodates sparser development patterns and agricultural uses. It is the most appropriate zone for land not served by a communal sewer system, and is the base zone for annexed land not yet proposed for any specific rezoning or development. *Land in the Agricultural Zone shall not be split or subdivided without completing a simultaneous or prior rezoning process.*



Farming and residential uses in an agricultural setting.

Section 4.3. – AG (Agricultural)

Table 4.3.1. AG Development Standards



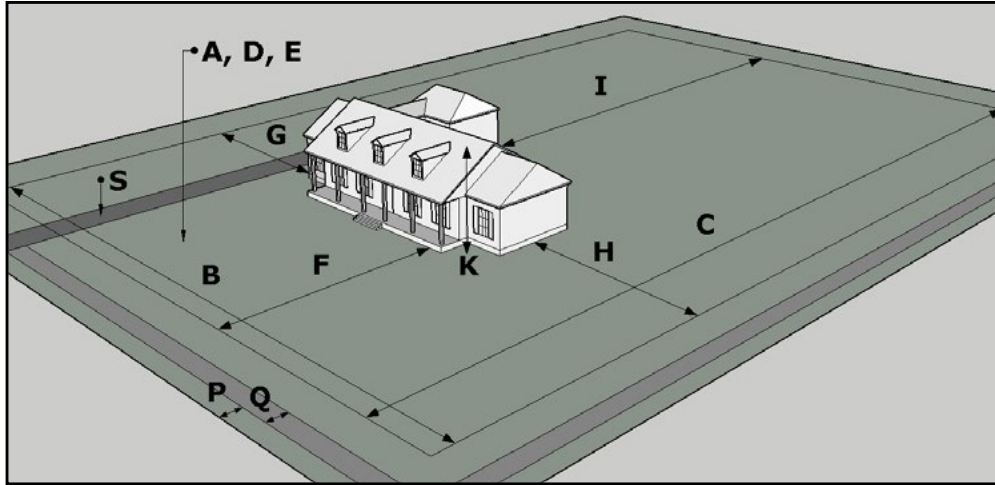
	Regulated Item	Development Standard
A	Lot Size	1 ac (43,560 sf) min
B	Lot Width	150' min
C	Lot Depth	200' min
D	Building Coverage	30% max
E	Impervious Surface Coverage	50% max
F	Building Setback - Front	25' min
G	Building Setback - Side Interior	15' min
H	Building Setback - Side Street	25' min
I	Building Setback - Rear	25' min
J	Property Line Coverage (Section 4.15.)	Not regulated.
K	Stories/Height (Section 4.16.)	Dwelling: 3 stories max Other structures: 50' max
L	Building Frontage Type	Not regulated.
M	Building Entrance Location	Not regulated.
N	Building Façade	Not regulated.
O	Glazing	Not regulated.
P	Sidewalk Buffer/Planting Strip	N/A -- Land must be rezoned before being subdivided for development.
Q	Sidewalk Clear Width	N/A -- Land must be rezoned before being subdivided for development.
R	Encroachments over Sidewalks	Not allowed/Not applicable.
S	Driveways (Subsection 4.17.1.)	Not regulated.
T	Parking and Loading (Subsections 4.17.4. and 4.17.5.)	Not regulated.
Not pictured	Drive-Thrus (Subsection 3.4.6.)	Not allowed/Not applicable.
	Driveway Sharing and Cross Access (Subsections 4.17.2. and 4.17.3.)	Not regulated.
	Landscaping & Screening (Section 4.18.)	Not regulated.

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Section 4.4. – R-LD (Low-Density Residential)

Table 4.4.1. R-LD Development Standards



	Regulated Item	Development Standard
A	Lot Size	14,500 sf min Cluster Subdivision: 4,400 sf min
B	Lot Width	90' min
C	Lot Depth	150' min
D	Building Coverage	40% max
E	Impervious Surface Coverage	60% max
F	Building Setback - Front	25' min
G	Building Setback - Side Interior	7.5' min
H	Building Setback - Side Street	15' min
I	Building Setback - Rear	25' min
J	Property Line Coverage (Section 4.15.)	Not regulated.
K	Stories/Height (Section 4.16.)	Dwelling: 3 stories max Other structures: 50' max
L	Building Frontage Type	Not regulated.
M	Building Entrance Location	Not regulated.
N	Building Façade	Not regulated.
O	Glazing	Not regulated.
P	Sidewalk Buffer/Planting Strip	3' min on both sides of the street and on cul-de-sacs.
Q	Sidewalk Clear Width	5' min on both sides of the street and on cul-de-sacs.
R	Encroachments over Sidewalks	Not allowed/Not applicable.
S	Driveways (Subsection 4.17.1.)	Front/Rear/Side driveways allowed. Min front driveway length: 25'. Driveways may cause no more than 22' sidewalk gap.
T	Parking and Loading (Subsections 4.17.4. and 4.17.5.)	See Accessory Use Section 3.4. for Carport and Garage requirements.
Not pictured	Drive-Thrus (Subsection 3.4.6.)	Not allowed/Not applicable.
	Driveway Sharing and Cross Access (Subsections 4.17.2. and 4.17.3.)	Not regulated.
	Landscaping & Screening (Section 4.18.)	Recommended: Canopy trees every 30' in front yards OR street trees every 30' in sidewalk buffer. See section for details.

R-LD Purpose and Intent

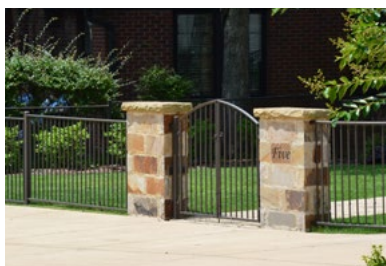
The **Low-Density Residential Zone** provides for single-family residential uses characterized by large lot developments and open space.



Examples of homes in a low-density residential setting.

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Front yard fences.



A side yard fence.

4.4.2. Driveways and Parking

See [Section 4.17.](#) (Access, Parking, and Loading) for requirements.

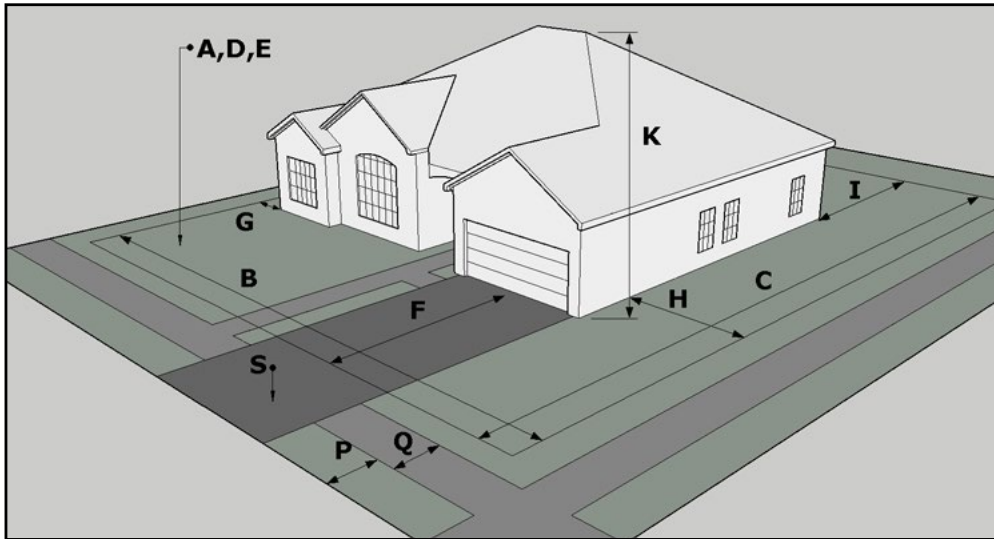
4.4.3. Fences

In addition to the zone-specific requirements below, see [Subsection 4.18.5.](#) (Fences) for fence requirements applicable to all zones. [See Section 7.1.](#) — General Definitions for definitions of each yard type.

- A. Front Yard Fences.
 - a. Shall be picket or ornamental iron styles and not exceed 3½ feet in height.
 - b. Shall not be solid or opaque in appearance.
 - c. Shall not be chain-link.
- B. All other fences shall not exceed 8 feet in height.
- C. Fences around the perimeter of an apartment complex, residential subdivision, or gated community shall require a Site Plan Review.

Section 4.5. – R-NH (Neighborhood Residential)

Table 4.5.1. R-NH Development Standards



R-NH Purpose and Intent

The Neighborhood Residential Zone is characterized primarily by single-family detached homes, from which other residences and neighboring commercial businesses are easily accessed by either automobile, walking, or bicycling.



Examples of homes in a neighborhood residential setting.

	Regulated Item	Development Standard
A	Lot Size	6,000 sf min Cluster Subdivision: 4,400 sf min
B	Lot Width	50' min / 42' min if 1.5+ stories & parking off rear alley
C	Lot Depth	100' min
D	Building Coverage	60% max
E	Impervious Surface Coverage	70% max
F	Building Setback - Front	20' min / 15' min if rear parking
G	Building Setback - Side Interior	Attached: 0' min Detached: 6' min*
H	Building Setback - Side Street	25' min
I	Building Setback - Rear	25' min
J	Property Line Coverage (Section 4.15.)	Not regulated.
K	Stories/Height (Section 4.16.)	Dwelling: 2 stories max Other structures: 35' max
L	Building Frontage Type	Not regulated.
M	Building Entrance Location	Not regulated.
N	Building Façade	Not regulated.
O	Glazing	Not regulated.
P	Sidewalk Buffer/Planting Strip	3' min on both sides of the street and on cul-de-sacs.
Q	Sidewalk Clear Width	5' min on both sides of the street and on cul-de-sacs.
R	Encroachments over Sidewalks	Not allowed/Not applicable.
S	Driveways (Subsection 4.17.1.)	Front/Rear/Side driveways allowed. Min front driveway length: 25'. Driveways may cause no more than 22' sidewalk gap. Lots under 50' wide: Driveways only allowed off rear alleys.
T	Parking and Loading (Subsections 4.17.4. and 4.17.5.)	See Accessory Use Section 3.4. for Carport and Garage requirements.
Not pictured	Drive-Thrus (Subsection 3.4.6.)	Not allowed/Not applicable.
	Driveway Sharing and Cross Access (Subsections 4.17.2. and 4.17.3.)	Not regulated.
	Landscaping & Screening (Section 4.18.)	Recommended: Canopy trees every 30' in front yards OR street trees every 30' in sidewalk buffer. See section for details.

*Note: If less than 15' between structures, non-combustible exterior walls required (See Arkansas Fire Prevention Code).

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Figure 4.5.1.A. Alternative layout for home with rear-loaded garage



Side yard fences.

4.5.2. Driveways and Parking

See [Section 4.17.](#) (Access, Parking, and Loading) for requirements.

4.5.3. Fences

In addition to the zone-specific requirements below, see [Subsection 4.18.5.](#) (Fences) for fence requirements applicable to all zones. [See Section 7.1.](#) — General Definitions for definitions of each yard type.

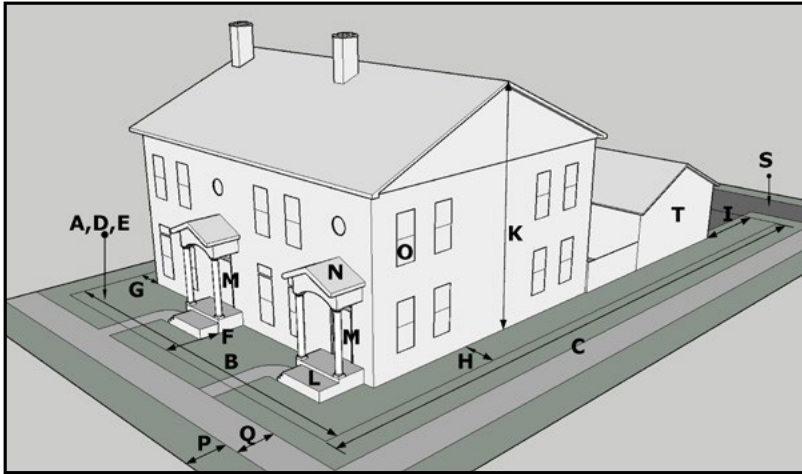
- A. Front Yard Fences.
 - a. Shall be picket or ornamental iron styles and not exceed 3½ feet in height.
 - b. Shall not be solid or opaque in appearance.
 - c. Shall not be chain-link.
- B. All other fences shall not exceed 8 feet in height.
- C. Fences around the perimeter of an apartment complex, residential subdivision, or gated community shall require a Site Plan Review.

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Section 4.6. – R-FX (Flexible Residential)

Table 4.6.1. R-FX Development Standards



Regulated Item	Development Standard	
A Lot Size	Detached single-fam: 5,000 sf min Attached single-fam, duplex, triplex, quadplex: 2,500 sf min per DU Multi-family: 15,000 sf min Cluster Subdivision: 4,400 sf min	
B Lot Width	Detached single-fam: 36' min; Attached single-fam: 25' min; Duplex & triplex: 50' min; Quadplex: 75' min; Multi-family: 100' min	
C Lot Depth	Single-fam & duplex: 100' min Triplex & larger: 150' min	
D Building Coverage	70% max	
E Impervious Surface Coverage	80% max	
F Building Setback - Front	15' min / 5' min if rear parking	
G Building Setback - Side Interior	Attached: 0' min* Detached: 5' min*	
H Building Setback - Side Street	25' min	
I Building Setback - Rear	20' min + 5'/add'l story	
J Property Line Coverage (Section 4.15.)	Not regulated.	
K Stories/Height (Section 4.16.)	Dwelling: 3 stories max Other structures: 35' max	
L Building Frontage Type	Yard, Porch & Fence, Terrace, Lightwell, Forecourt, or Stoop	
M Building Entrance Location	At least 1 of the required entrances shall be on front side of building. All entrances accessible from street and sidewalk. Recommended: Visually emphasize entryways.	
N Building Façade	Architectural finish at least 70% of all sides (See 4.6.4). Min 1 design element per 30' of building fronting a street (See 4.6.5).	
O Glazing	At least 10% of any façade facing a street or common area. Other decorative treatments allowed on side streets as alternative to glazing.	
P Sidewalk Buffer/Planting Strip	5' min on both sides of the street and on cul-de-sacs.	
Q Sidewalk Clear Width	5' min on both sides of the street and on cul-de-sacs.	
R Encroachments over Sidewalks	Not allowed/Not applicable.	
S Driveways (Subsection 4.17.1.)	Front/Rear/Side driveways allowed. Lots under 50' wide: driveways only allowed off rear alleys. Min front driveway length: 25'. Driveways may cause no more than 15' sidewalk gap.	
T Parking and Loading (Subsections 4.17.4. and 4.17.5.)	Single family and duplex: Parking spaces are recommended to be located at the rear or side of the lot. More than 2 DUs: Parking shall be located at the rear or side of the lot. On-street parking recommended.	
Not pictured	Drive-Thrus (Subsection 3.4.6.)	Not allowed/Not applicable.
	Driveway Sharing and Cross Access (Subsections 4.17.2. and 4.17.3.)	May be required. See section for details.
	Landscaping & Screening (Section 4.18.)	Canopy trees every 50' in front yards OR street trees every 50' in sidewalk buffer. Recommended: Every 30'. See section for details.

*Note: If less than 15' between structures, non-combustible exterior walls required (See Arkansas Fire Prevention Code).

R-FX Purpose and Intent

The Flexible Residential Zone creates a diversity of housing choice through allowing a mix of single-family homes and small-scale developments. It is intended to encourage affordability and housing choice while still preserving a traditional neighborhood environment. This zone allows developers more flexibility in developing their lots. Developable lots will vary in size and structures and may cover a greater percentage of the lot, which provides easier access to surrounding uses by walking or bicycling. The Flexible Residential Zone may be used as a transitional zone between single-family residential and commercial or civic areas of the City.

A variety of residential site layout options are permitted in the **Flexible Residential Zone (R-FX)**. In addition to small multi-family buildings such as pictured in the R-FX Development Standards Diagram, (Diagram 4.6.1.), the R-FX zone permits attached single-family homes (Figure 4.6.1.A.) and detached single-family homes (Figure 4.6.1.B.).

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A small multi-family structure.



A duplex.

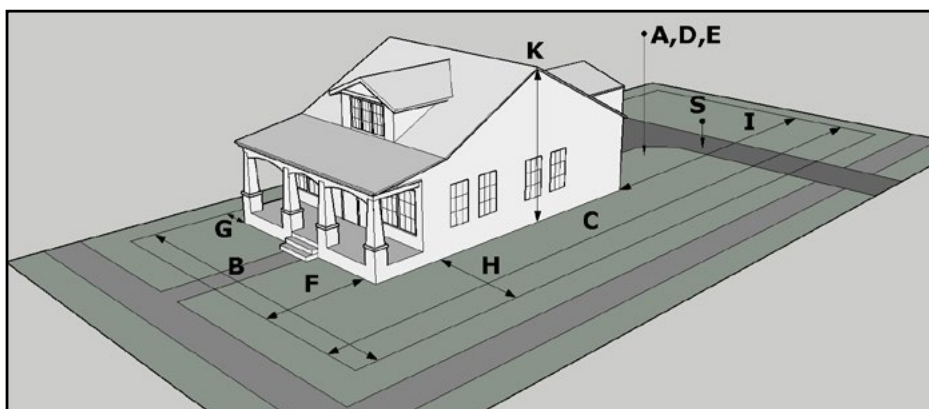


Attached residential.

Figure 4.6.1.A. Example of Attached Residential Development



Figure 4.6.1.B. Example of Detached Single-Family Residential Development



4.6.2. Building Entrances

- A. Primary structures shall have at least one entrance on the front of the building. The front of the building is the side along the street from which the front setback is measured.
- B. Building entrances shall be accessible from a street and sidewalk.
- C. Developments are encouraged to emphasize their entrances through accent elements such as lighting, sheltered/recessed entryways, framing, and plantings.

4.6.3. Building Frontage Types

This zone offers flexibility in scale of residential uses, from single-family to multi-family units. These building frontage standards ensure that each building adds to the diverse and attractive neighborhood atmosphere the zone is intended to create.

Building frontages in the R-FX zone may consist of one of the following frontages. See [Figure 4.6.3.A.](#) for definitions and illustrations.

- A. Yard
- B. Porch & Fence
- C. Terrace or Lightwell
- D. Forecourt
- E. Stoop

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Figure 4.6.3.A. Building Frontage Types in R-FX Zone

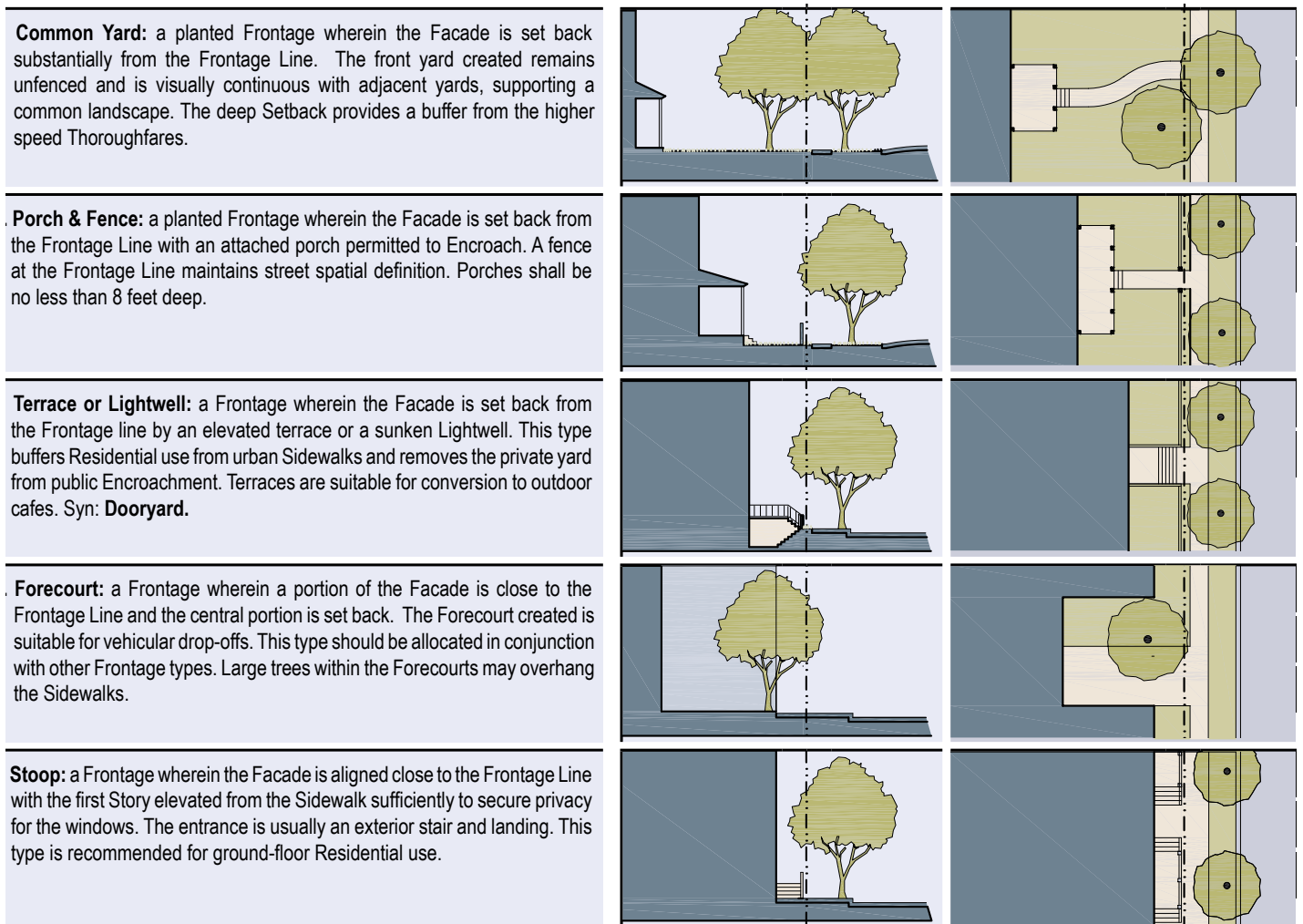


Illustration credit: Smartcode Municipality

4.6.4. Building Façade

- A. Architectural finish is required on at least 70% of all sides of the building.
- B. Up to 30% of each building side may be non-architectural finish, such as precision concrete blocks or metal siding/walls. Any metal siding/walls shall have concealed fasteners.
- C. To achieve a level of building articulation that adds to the public realm’s visual appeal, buildings that front a public street (except an alley) for more than 30 feet shall include at least one of the following design elements per full 30 feet of building frontage:
 - a. Porch at least 8’ deep
 - b. Balcony accessible from an interior room at least 2’ deep
 - c. Bay window
 - d. Section of façade recessed by at least 2 ft deep and 6 ft long
 - e. Gable or dormer
 - f. Portico or Recessed entry min 4’ deep
 - g. Pillars or columns
 - h. Decorative patterns on exterior façade
- D. Roofs shall be sloped.



Example of building articulation.

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Figure 4.6.4.A. Quadplex



Apartment building with building articulation, including balconies.



This 64'-wide quadplex would be required to include 2 design elements. It has included 4: porches, pillars, gables, and a decorative pattern on its gables. Illustration credit: houseplans.pro.

4.6.5. Glazing

“Glazing” refers to the installation of windows to add transparency to a building. Glazing adds to the visual appeal of a structure and creates a welcoming environment and perception of safety for street and sidewalk users. To achieve transparency in the public realm, at least 10% of any exterior building façade facing a street or common area in the R-FX zone shall be glazed. Other decorative treatments shall be allowed on side streets as an alternative to glazing.

Figure 4.6.5.A. Examples of Decorative Treatments as Alternative to Glazing on Side Streets



A mural.



A trellised tree. Photo: Better Homes and Gardens.



Decorative panels. Photo: homenthusiastic.com

4.6.6. Driveways and Parking

See [Section 4.17.](#) (Access, Parking, and Loading) for requirements.



Residences with street parking.



Residences with rear garages.



Residences with front parking.



Residences with rear parking.

4.6.7. Fences

In addition to the zone-specific requirements below, see [Subsection 4.18.5.](#) (Fences) for fence requirements applicable to all zones. [See Section 7.1.](#) — General Definitions for definitions of each yard type.

- A. Front Yard Fences.
 - a. Shall be picket or ornamental iron styles and not exceed 3½ feet in height.
 - b. Shall not be solid or opaque in appearance.
 - c. Shall not be chain-link.
- B. All other fences shall not exceed 8 feet in height.
- C. Fences around the perimeter of an apartment complex, residential subdivision, or gated community shall require a Site Plan Review.



Multi-use structures facing a shared use path.

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R-MH Purpose and Intent

The Manufactured Home Residential Zone

accommodates neighborhoods of single-family detached homes, both manufactured and site-built. This zone is also permits manufactured home subdivisions and manufactured home parks. The zone's density is intended to allow easy access to other residences and neighboring commercial businesses by either automobile, walking, or bicycling.

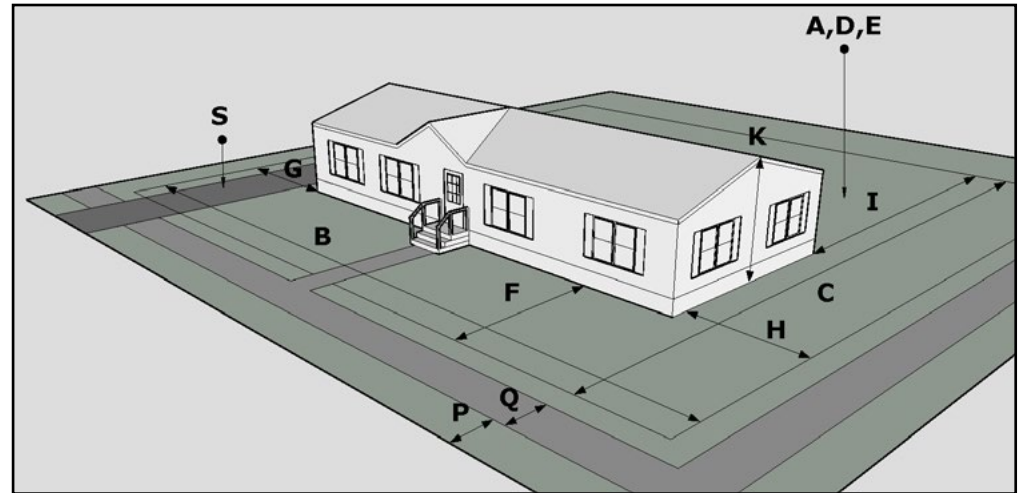


Example of a stick-built home.
Photo: greendiamondbuilders.com/stick-built-homes/

All uses and home types allowed in the Neighborhood Residential Zone are also allowed in the Manufactured Home Residential Zone.

Section 4.7. – R-MH (Manufactured Home Residential)

Table 4.7.1. R-MH Development Standards



	Regulated Item	Development Standard
A	Lot Size	6,000 sf min Cluster Subdivision: 4,400 sf min Manufactured Home Park: 5 acres min
B	Lot Width	50' min / 42' min if 1.5+ stories & parking off rear alley
C	Lot Depth	100' min
D	Building Coverage	60% max
E	Impervious Surface Coverage	70% max
F	Building Setback - Front	25' min / 15' min if rear parking
G	Building Setback - Side Interior	Attached: 0' min* Detached: 7.5' min
H	Building Setback - Side Street	25' min
I	Building Setback - Rear	25' min
J	Property Line Coverage (Section 4.15.)	Not regulated.
K	Stories/Height (Section 4.16.)	Dwelling: 2 stories max Other structures: 35' max
L	Building Frontage Type	Not regulated.
M	Building Entrance Location	Not regulated.
N	Building Façade	Not regulated.
O	Glazing	Not regulated.
P	Sidewalk Buffer/Planting Strip	3' min on both sides of the street and on cul-de-sacs.
Q	Sidewalk Clear Width	5' min on both sides of the street and on cul-de-sacs.
R	Encroachments over Sidewalks	Not allowed/Not applicable.
S	Driveways (Subsection 4.17.1.)	Front/Rear/Side driveways allowed. Min front driveway length: 25'. Driveways may cause no more than 22' sidewalk gap. <i>Lots under 50' wide: driveways only allowed off rear alleys.</i>
T	Parking and Loading (Subsections 4.17.4. and 4.17.5.)	See Accessory Use Section 3.4. for Carport and Garage requirements.
Not pictured	Drive-Thrus (Subsection 3.4.6.)	Not allowed/Not applicable.
	Driveway Sharing and Cross Access (Subsections 4.17.2. and 4.17.3.)	Not regulated.
	Landscaping & Screening (Section 4.18.)	Recommended: Canopy trees every 30' in front yards OR street trees every 30' in sidewalk buffer. See section for full details.

*Note: If less than 15' between structures, non-combustible exterior walls required (See Arkansas Fire Prevention Code).

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4.7.2. Driveways and Parking

See [Section 4.17.](#) (Access, Parking, and Loading) for requirements.

4.7.3. Fences

In addition to the zone-specific requirements below, see [Subsection 4.18.5.](#) (Fences) for fence requirements applicable to all zones. [See Section 7.1.](#) — General Definitions for definitions of each yard type.

- A. Front Yard Fences.
 - a. Shall be picket or ornamental iron styles and not exceed 3½ feet in height.
 - b. Shall not be solid or opaque in appearance.
 - c. Shall not be chain-link.
- B. All other fences shall not exceed 8 feet in height.
- C. Fences around the perimeter of an apartment complex, residential subdivision, or gated community shall require a Site Plan Review.



A manufactured home. Photo: <https://www.thespruce.com/manufactured-home-buying-tips-2288224>



A manufactured home. Photo: <https://northlanderindustries.com>

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4.7.4. Design Standards

NOTE: Act 446 of 2019 invalidates the application of this regulation to single-family dwellings. As such, this Section may only apply to manufactured homes.

All dwellings in the R-MH district except those within a manufactured home park are subject to the following standards:



Photo: <https://tinyurl.com/4y7jc4tk>



Above and right: Examples of manufactured homes. Photo: <https://northlanderindustries.com/products/mobile-home-collection/>

- A. Dwellings shall be oriented such that the front door of the structure faces the street.
- B. The dwelling shall be the principal structure on the lot.
- C. Units shall be set up and anchored in accordance with regulations set forth by the Arkansas Manufactured Home Commission, if applicable.
- D. Any transportation elements including axles and hitches shall be removed from the dwelling.
- E. Units shall have skirting around the entire base of the perimeter of the structure made of opaque, solid architectural materials.
- F. Dwellings moved into this zone shall be new and under warranty or subject to inspection by the city's Building Inspector prior to being moved on site to ensure the dwelling will be inhabitable in a safe manner based upon the following standards:
 - a. All roofing material shall be secure without gaps or damaged areas.
 - b. All windows shall be operable and intact without broken panes.
 - c. All exterior siding shall be in place and undamaged with no tears or burned sections.
 - d. All kitchen and bathroom facilities shall be fully operational and all mechanical equipment in good working order.
 - e. Any attached gutters shall be secure and functional.
 - f. Doors shall be plumb and fully operational.
 - g. Flooring shall be structurally undamaged and secure.



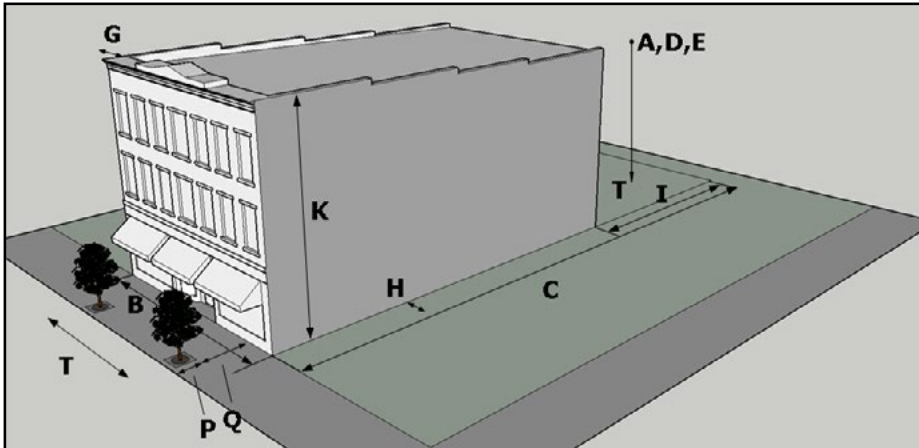
Photo: claytonhomes.com

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Section 4.8. – TC (Walkable Town Center)

Table 4.8.1. TC Development Standards



	Regulated Item	Development Standard
A	Lot Size	2,000 sf min
B	Lot Width	20' min 200' max
C	Lot Depth	100' min 400' max
D	Building Coverage	90% max
E	Impervious Surface Coverage	90% max
F	Building Setback - Front	0' min 5' max
G	Building Setback - Side Interior	0' min*
H	Building Setback - Side Street	0' min 5' max
I	Building Setback - Rear	15' min/0' min (if abutting alley) From R zones: 15' min for a 1-story + 5'/add'l story
J	Property Line Coverage (Section 4.15.)	Front: 80% min; Side (if on corner lot): larger of 10%/20' min
K	Stories/Height (Section 4.16.)	5 stories max
L	Building Frontage Type	Shopfront, Gallery, Arcade, Terrace, Lightwell, Forecourt, or Stoop
M	Building Entrance Location	At least 1 of the required entrances shall be on front side of building. All entrances accessible from street and sidewalk. Recommended: Visually emphasize entryways.
N	Building Façade	Architectural finish on at least 70% of all sides. Recommended: Building articulation and varying design elements and materials.
O	Glazing	60% min - 1st floor; 40% min - upper floors of any façade facing a street or common area.
P	Sidewalk Buffer/Planting Strip	5' min on both sides of the street and on cul-de-sacs.
Q	Sidewalk Clear Width	8' min on both sides of the street and on cul-de-sacs.
R	Encroachments over Sidewalks	6' max horizontal w/ 8' min vertical clearance
S	Driveways (Subsection 4.17.1.)	No driveways on primary street; 1 per block on side streets. None within 100' of intersection, or locate within 1/3 of property farthest from intersection with highest-order streets. Driveways may cause no more than 25' sidewalk gap.
T	Parking and Loading (Subsections 4.17.4. and 4.17.5.)	On-street parking required. Any off-street parking shall be located behind principal building.
Not pictured	Drive-Thrus (Subsection 3.4.6.)	Drive-thrus allowed with a CUP. See section for details.
	Driveway Sharing and Cross Access (Subsections 4.17.2. and 4.17.3.)	May be required. See section for details.
	Landscaping & Screening (Section 4.18.)	Street trees every 30' along public frontages (excl. alleys). See section for details.

TC Purpose and Intent

The Walkable Town Center Zone is intended to create a more urban development pattern in core areas of the City, mirroring a traditional small city downtown atmosphere. The zone can be applied both to existing downtowns and to other strategic areas within the City where an urban development pattern is encouraged. This zone is usually anchored by municipal buildings, a school, church, or other prominent public or community amenity and accommodates small businesses (restaurants and small shops), service-oriented businesses, and limited residential uses. To enhance walkability this zone includes reduced setbacks, limited surface parking, and easy bicycle/pedestrian access.



Examples of Walkable Town Center development.

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*Note: If less than 15' between structures, non-combustible exterior walls required (See Arkansas Fire Prevention Code).

4.8.2. Property Line Coverage

See [Section 4.15](#). (Property Line Coverage) for requirements specific to this zone.

4.8.3. Building Entrances

- A. Primary structures shall have at least one entrance on the front side of the building. The front side of the building is the side along the street from which the front setback is measured.
- B. Building entrances shall be accessible from a street and sidewalk.
- C. Developments are encouraged to emphasize their entrances through accent elements such as lighting, sheltered/recessed entryways, framing, and plantings.



4.8.4. Building Frontage Types

This zone aims to create one or more blocks of continuous building façades, aiming for a vibrant downtown atmosphere that is built more densely than its surrounding zones. These standards ensure that the building frontages in this zone contribute to that atmosphere.

Building frontages in the TC zone may consist of one of the following frontages. See [Figure 4.8.4.A](#), at right for definitions and illustrations.

- A. Shopfront
- B. Gallery
- C. Colonnade
- D. Terrace or Lightwell
- E. Forecourt
- F. Stoop (ground-floor residential use only)



These mixed-use buildings are built up to the sidewalk and form a continuous street wall, which calms traffic and creates a pedestrian-friendly environment.

4.8.5. Building Façade

- A. Architectural finish required on at least 70% of all sides of the building.
- B. Up to 30% of each building side may be non-architectural finish, such as precision concrete blocks or metal siding/walls. Any metal siding/walls shall have concealed fasteners.
- C. Building articulation and varying design elements and materials are recommended to avoid monotonous, blank walls.
- D. Franchise architecture is strongly discouraged. “Branding” a structure makes it difficult, if not impossible, to redevelop into another use.



Examples of building articulation (A) on a multi-family residential building. A variety of horizontal and vertical articulation types should be used to visually break up the building’s mass and enhance the buildings visual interest.

4.8.6. Glazing

“Glazing” refers to the installation of windows to add transparency to a building. Glazing adds to the visual appeal of a structure and creates a welcoming environment and perception of safety for street and sidewalk users. To achieve transparency in the public realm, the following requirements shall apply in the TC zone:

- A. At least 60% of any ground-floor exterior building façade facing a street or common area shall be glazed.
- B. At least 40% of any upper-floor exterior building façade facing a street or common area shall be glazed.

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Figure 4.8.4.A. Building Frontage Types in TC Zone

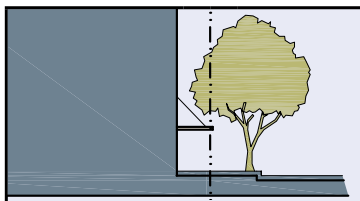
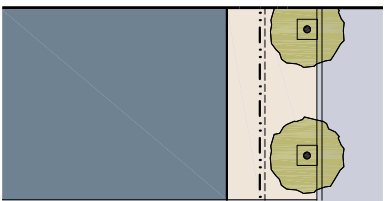
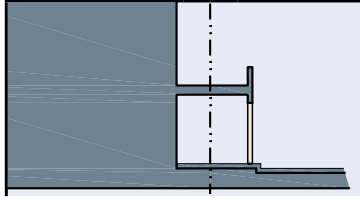

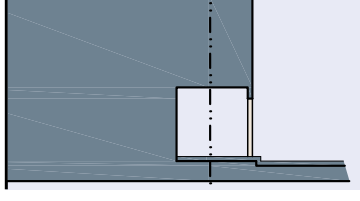
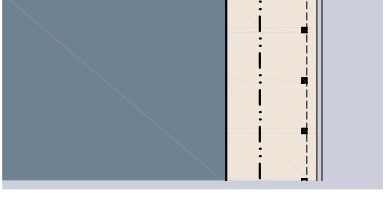


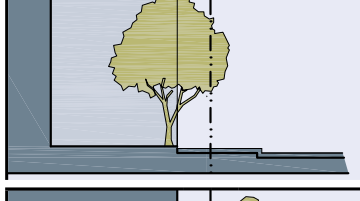
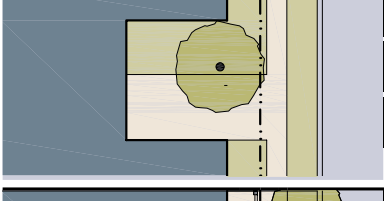


<p>Shopfront: a Frontage wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. It has a substantial glazing on the Sidewalk level and an awning that may overlap the Sidewalk to within 2 feet of the Curb. Syn: Retail Frontage.</p>		
<p>Gallery: a Frontage wherein the Facade is aligned close to the Frontage line with an attached cover that is supported on at least one side by columns with no enclosed building space above. This type is conventional for Retail use. The Gallery shall be no less than 10 feet wide and should overlap the Sidewalk to within 2 feet of the Curb.</p>		
<p>Colonnade: a supported habitable space that overlaps the Sidewalk, while the Facade at Sidewalk level remains at or behind the Frontage Line. This type is conventional for Retail use. The Colonnade shall be no less than 12 feet wide and should overlap the Sidewalk to within 2 feet of the Curb.</p>		
<p>Terrace or Lightwell: a Frontage wherein the Facade is set back from the Frontage line by an elevated terrace or a sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public Encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: Dooryard.</p>		
<p>Forecourt: a Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.</p>		
<p>Stoop: a Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.</p>		

Illustration credit: Smartcode Municipality

4.8.7. Fences

In addition to the zone-specific requirements below, see [Subsection 4.18.5. \(Fences\)](#) for fence requirements applicable to all zones. [See Section 7.1.](#) — General Definitions for definitions of each yard type.

- A. Fences located in this zone shall require a Site Plan Review.
- B. Front yard fences are not allowed.
- C. Side and rear yard fences shall not exceed 8 feet in height.

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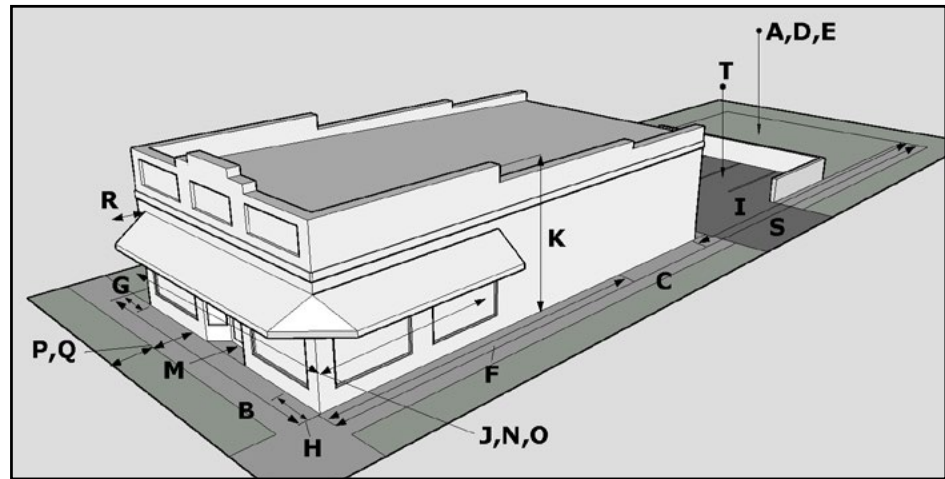
NC Purpose and Intent

The Neighborhood Center Zone is intended to allow compact areas of mixed-use development within the City. This zone can accommodate both higher-density, walkable design and more conventional developments, and prioritizes smaller-scaled commercial uses over regional commercial centers. This zone is designed to integrate with surrounding residential neighborhoods and includes development standards to ensure compatibility with the residential districts which surround it. It also permits a mixture of residential uses to aid integration with established developments and to encourage mixed-use project development. This zone may stand alone as a mixed-use commercial zone or serve as an extension of a Walkable Town Center Zone.

The Neighborhood Center Zone should generally be located at arterial or collector street intersections within walking distance of area neighborhoods. Building size will be limited to ensure compatibility with surrounding residences.

Section 4.9. – NC (Neighborhood Center)

Table 4.9.1. NC Development Standards



Regulated Item	Development Standard
A Lot Size	2,000 sf min
B Lot Width	20' min 200' max
C Lot Depth	100' min 400' max
D Building Coverage	80% max
E Impervious Surface Coverage	80% max
F Building Setback - Front	0' min 50' max
G Building Setback - Side Interior	0' min if rear access*; 10' min if not or if abutting R zone
H Building Setback - Side Street	0' min 50' max
I Building Setback - Rear	15' min; From R zones: 15' min for a 1-story + 5'/add'l story
J Property Line Coverage (Section 4.15.)	Front: 50% min; Side (if on corner lot): larger of 10%/20' min
K Stories/Height (Section 4.16.)	3 stories max
L Building Frontage Type	Not regulated.
M Building Entrance Location	At least 1 of the required entrances shall be on front side of building. All entrances accessible from street and sidewalk. Recommended: Visually emphasize entryways.
N Building Façade	Architectural finish on at least 70% of all sides. Recommended: Building articulation and varying design elements and materials.
O Glazing	At least 40% of any façade facing a street or common area.
P Sidewalk Buffer/Planting Strip	5' min on both sides of the street and on cul-de-sacs.
Q Sidewalk Clear Width	5' min on both sides of the street and on cul-de-sacs.
R Encroachments over Sidewalks	6' max horizontal w/ 8' min vertical clearance
S Driveways (Subsection 4.17.1.)	No more than 1 driveway every 200' on arterials & 150' on collectors; none within 150' of intersection, or locate within 1/3 of property farthest from intersection with highest-order streets. Driveways may cause no more than 35' sidewalk gap.
T Parking and Loading (Subsections 4.17.4. and 4.17.5.)	1 row max in front of principal building. Rest on side or behind building. On-street parking encouraged.
Not pictured Drive-Thrus (Subsection 3.4.6.)	Drive-thrus allowed with special requirements. See section for details.
Not pictured Driveway Sharing and Cross Access (Subsections 4.17.2. and 4.17.3.)	May be required. See section for details.
Not pictured Landscaping & Screening (Section 4.18.)	Street trees every 30' along local and collector streets (excl. alleys). Yard canopy trees every 30' along arterials. Properties abutting residential zones require extra screening. See section for details.

*Note: If less than 15' between structures, non-combustible exterior walls required (See Arkansas Fire Prevention Code).

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4.9.2. Property Line Coverage

See [Section 4.15](#). (Property Line Coverage) for requirements specific to this zone.

4.9.3. Building Entrances

- A. Primary structures shall have at least one entrance on the front side of the building. The front side of the building is the side from which the front setback is measured.
- B. Building entrances shall be accessible from a street and sidewalk.
- C. Developments are encouraged to emphasize their entrances through accent elements such as lighting, sheltered/recessed entryways, framing, and plantings.

4.9.4. Building Façade

- A. Architectural finish required on at least 70% of all sides of the building.
- B. Up to 30% of each building side may be non-architectural finish, such as precision concrete blocks or metal siding/walls. Any metal siding/walls shall have concealed fasteners.
- C. Building articulation and varying design elements and materials are recommended to avoid monotonous, blank walls.
- D. Franchise architecture is strongly discouraged. "Branding" a structure makes it difficult, if not impossible, to redevelop into another use.

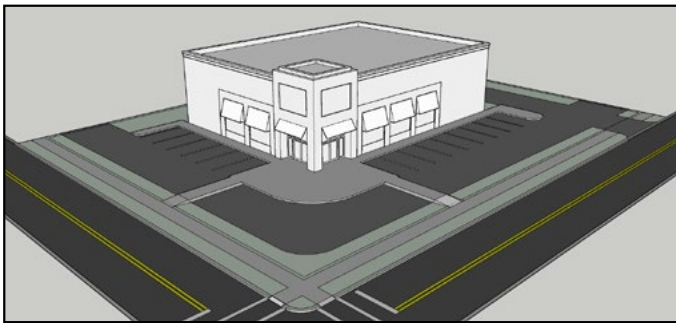
4.9.5. Glazing

"Glazing" refers to the installation of windows to add transparency to a building. Glazing adds to the visual appeal of a structure and creates a welcoming environment and perception of safety for street and sidewalk users. To achieve transparency in the public realm, at least 40% of exterior building façades facing a street or common area shall be glazed on each story in the NC zone.

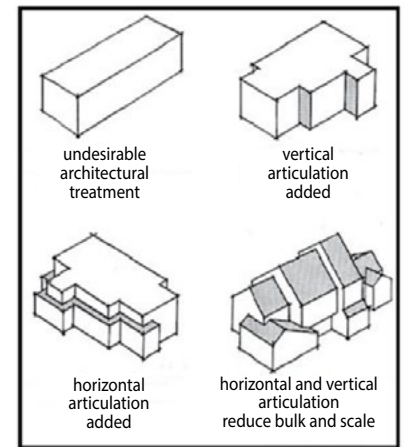
4.9.6. Parking

- A. On-street parking is recommended. **Parking on the Street is prohibited 04-2013**
- B. If provided, off-street parking should be located to the rear or side of the building.
- C. Front parking is allowed, but is limited by the maximum building setback.

Figure 4.9.6.A. Front Parking Within Maximum Front and Side Street Setback



The NC Zone's development standards are flexible enough to accommodate both walkable downtown and more suburban building types.



Examples of façade variations ("articulation") in depth and/or direction.

4.9.7. Fences

In addition to the zone-specific requirements below, see [Subsection 4.18.5](#). (Fences) for fence requirements applicable to all zones. [See Section 7.1](#). — General Definitions for definitions of each yard type.

- A. Fences located in this zone shall require a Site Plan Review.
- B. Front yard fences are not allowed.
- C. Side and rear yard fences shall not exceed 8 feet in height.

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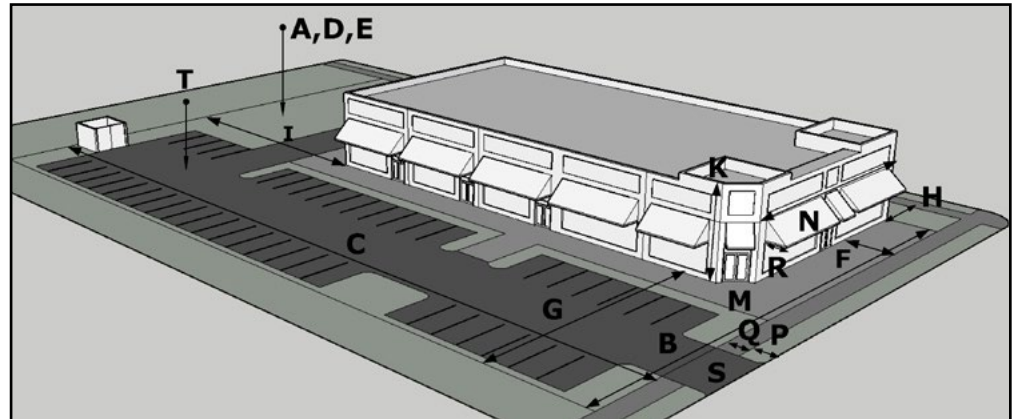
CC Purpose and Intent

The Commercial Corridor

Zone is designed to encourage the development of recognizable, attractive groupings of facilities along arterial corridors, consistent with suburban development patterns. It differs from the Neighborhood Center Zone in that it provides for a continual commercial corridor and expands permitted businesses. It accommodates businesses that involve more intensive uses and/or a larger site than available in the Walkable Town Center or Neighborhood Center Zones. Merchandise may be of a type that must have special display and storage outside of the building and/or requires special transportation. The zone may also allow larger-scale multi-family residential developments that do not fit in the core areas of the city. This zone is the most auto-oriented zone, but still accommodates pedestrian movement. Locations appropriate for such districts are along heavily traveled major arterials, state highways, and frontage roads.

Section 4.10. – CC (Commercial Corridor)

Table 4.10.1. CC Development Standards



	Regulated Item	Development Standard
A	Lot Size	5,000 sf min
B	Lot Width	50' min 800' max
C	Lot Depth	100' min 800' max
D	Building Coverage	80% max
E	Impervious Surface Coverage	80% max
F	Building Setback - Front	15' min; 80' max Alternative: If principal building to be set back more than 80', liner buildings or outparcel lots required.
G	Building Setback - Side Interior	15' min
H	Building Setback - Side Street	15' min
I	Building Setback - Rear	15' min; From R zones: 25' for a 1-story + 5'/add'l story
J	Property Line Coverage (Section 4.15.)	Not regulated.
K	Stories/Height (Section 4.16.)	5 stories max
L	Building Frontage Type	Not regulated.
M	Building Entrance Location	Not regulated.
N	Building Façade	Architectural finish on at least 50% of street-facing sides. Recommended: Building articulation and varying design elements and materials.
O	Glazing	At least 20% of any façade facing a street or common area.
P	Sidewalk Buffer/Planting Strip	5' min on both sides of the street and on cul-de-sacs.
Q	Sidewalk Clear Width	5' min on both sides of the street and on cul-de-sacs.
R	Encroachments over Sidewalks	Not allowed/Not applicable.
S	Driveways (Subsection 4.17.1.)	No more than 1 driveway every 300' max on arterials; 150' max on collectors; none within 150' of intersection, or locate within 1/3 of property farthest from intersection with highest-order streets. Driveways may cause no more than 40' sidewalk gap.
T	Parking and Loading (Subsections 4.17.4. and 4.17.5.)	2 rows max in front of principal building. Rest on side or behind building. Alternative: Parking lot between liner buildings/outparcel lots.
	Drive-Thrus (Subsection 3.4.6.)	Drive-thrus allowed.
Not pictured	Driveway Sharing and Cross Access (Subsections 4.17.2. and 4.17.3.)	May be required. See section for details.
	Landscaping & Screening (Section 4.18.)	Street trees OR yard canopy trees every 30' along public frontages (excl. alleys). Properties abutting residential zones require extra screening. See section for details.

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4.10.2. Setbacks

Unless an alternative building/parking lot orientation is selected (see [Subsection 4.10.4.](#)), at least 30% of the building frontage shall be located within the front setback range (15-80 feet). The other 70% may be set back farther than the maximum setback, such as in the case of an L-shaped or horseshoe-shaped building.

4.10.3. Parking

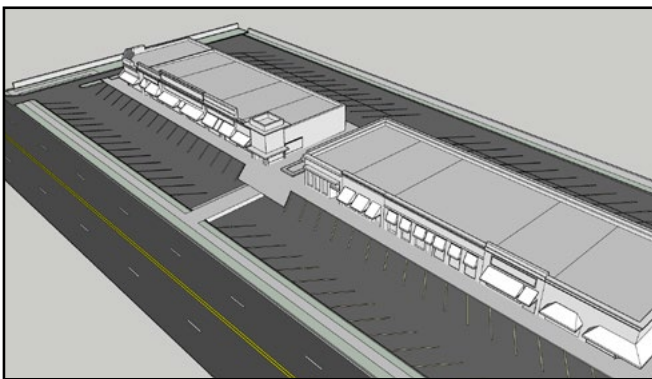
Developers in the Commercial Corridor Zone have several options for building and parking lot orientation.

See [Section 4.17.](#) (Access, Parking and Loading) for full parking design requirements.

The 3 options are:

1. Set the primary building back up to 80 feet and accommodate parking in any one or combination of the following ways:
 - a. Front ([Figure 4.10.3.A.](#))
 - b. Side(s) of building ([Figure 4.10.3.B.](#))
 - c. Behind building
2. Set the primary building back over 80 feet and install liner buildings to screen the parking lot from the street.
 - a. Permitted parking configurations for primary buildings with front setbacks over 80 feet are shown below ([Figure 4.10.3.C.](#)).
 - b. Liner buildings may front and be aligned with the primary street, or front both sides of an entrance drive which is perpendicular to the street.
 - i. In the perpendicular configuration, a maximum of one row of parking per liner building is allowed.
 - ii. The combined primary façades of liner buildings must equal 60% of the façade length of the primary building for the primary building to provide parking in front of the building.
 - iii. There shall be no parking between a liner building and the front property line.
3. Set the primary building back over 80 feet and subdivide the property to create outparcel lots along the front property line.
 - a. The creation of outparcel lots shall follow the Incidental Subdivision process outlined in [Section 6.6.](#) (Subdivision Review).
 - b. The outparcel lots shall meet all development standards for the Commercial Corridor Zone.

Figure 4.10.3.A. Diagram of Permitted Front Parking in Zone



The 80' maximum front setback allows room for 2 rows of front parking. Additional parking spaces can be provided behind or on the side(s) of the building.



This L-shaped building has approx. 65% of its façade set back farther than the maximum setback. Photo: Google Street View.



This shopping center provides two rows of parking in front of the building.



Commercial Corridor example.

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Commercial Corridor development with parking to the side.



Commercial Corridor buildings with maximum front parking.

Figure 4.10.3.B. Diagram of Permitted Side Parking in Zone



Buildings in the Commercial Corridor can meet the 15-80' setback range by locating their parking lot on the side of the building.

Figure 4.10.3.C. Site Layouts for Primary Buildings Set Back More than 80'



Alternative parking configurations for Commercial Corridor sites with primary buildings set back over 80'. These configurations are allowed in addition to the standard option of including parking between the primary building and street within the 80' maximum setback. Site configurations with parking behind the primary building are also allowed and encouraged.



Example of a well-articulated Walmart. Source: Google Streetview.

4.10.4. Building Façade

- A. Architectural finish required on at least 50% of all street-fronting sides of building.
- B. Up to 50% of each building side may be non-architectural finish, such as precision concrete blocks or metal siding/walls. Any metal siding/walls shall have concealed fasteners.
- C. Building articulation and varying design elements and materials are recommended to avoid monotonous, blank walls.
- D. Franchise architecture is strongly discouraged. "Branding" a structure makes it difficult, if not impossible, to redevelop into another use.

4.10.5. Fences

See Subsection [4.18.5. \(Fences\)](#) for general fence requirements. [See Section 7.1.](#) — General Definitions for definitions of each yard type.

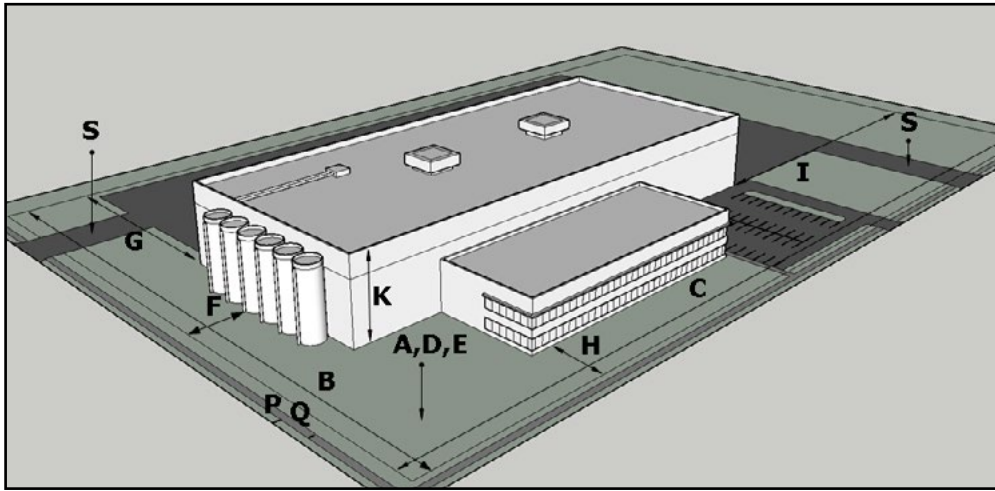
- A. Fences located in this zone shall require a Site Plan Review.
- B. Front yard fences are not allowed.
- C. Side and rear yard fences shall not exceed 8 feet in height.

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Section 4.11. – IND (Industrial)

Table 4.11.1. IND Development Standards



	Regulated Item	Development Standard
A	Lot Size	1 ac (43,560 sf) min
B	Lot Width	100' min
C	Lot Depth	Not regulated.
D	Building Coverage	75% max
E	Impervious Surface Coverage	80% max
F	Building Setback - Front	25' min
G	Building Setback - Side Interior	20' min / 100' min from R, TC & NC zones
H	Building Setback - Side Street	25' min
I	Building Setback - Rear	25' min + 5'/add'l story
J	Property Line Coverage (Section 4.15.)	Not regulated.
K	Stories/Height (Section 4.16.)	5 stories max
L	Building Frontage Type	Not regulated.
M	Building Entrance Location	Not regulated.
N	Building Façade	Not regulated.
O	Glazing	Not regulated.
P	Sidewalk Buffer/Planting Strip	5' min on both sides of the street and on cul-de-sacs.
Q	Sidewalk Clear Width	5' min on both sides of the street and on cul-de-sacs.
R	Encroachments over Sidewalks	Not allowed/Not applicable.
S	Driveways (Subsection 4.17.1.)	No driveways within 150' of intersection, or locate within 1/3 of property farthest from intersection with highest-order streets; max 1 driveway per 100' street frontage per lot. Driveways may cause no more than 40' sidewalk gap.
T	Parking and Loading (Subsections 4.17.4. and 4.17.5.)	Not regulated.
Not pictured	Drive-Thrus (Subsection 3.4.6.)	Not allowed/Not applicable.
	Driveway Sharing and Cross Access (Subsections 4.17.2. and 4.17.3.)	May be required. See section for details.
	Landscaping & Screening (Section 4.18.)	Street trees OR yard canopy trees every 30' along public frontages (excl. alleys). Properties abutting residential zones require extra screening. See section for details.

IND Purpose and Intent

The Industrial Zone is reserved for intensive industries and those making products from raw materials. Industries located in this zone may produce external impacts which are not compatible with residential, commercial, or light industrial uses. Industrial sites are best suited to large flat sites with access to rail and interstate or major highways. To protect these sites for future industrial development, which aids in the economic development of the City, nonindustrial uses are limited. Evidence must be shown that all applicable State and Federal environmental protection laws are being complied with to secure a building permit or business license/certificate of zoning compliance for an industrial use.



The industrial zone provides space for heavy equipment and operations.

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4.11.2. Fences

See [Subsection 4.18.5](#) (Fences) for general fence requirements. [See Section 7.1](#). — General Definitions for definitions of each yard type.

- A. Fences located in this zone shall require a Site Plan Review.
- B. Front yard fences are allowed and shall be chain-link or ornamental styles, not solid or opaque.
- C. Front yard fences shall not exceed 6 feet in height.
- D. Rear and side yard fences shall not exceed 8 feet in height.

CIV Purpose and Intent

The **Civic Zone** is reserved for use by schools, colleges, universities, hospital systems, and public or non-profit community or governmental entities that require larger plots of property. The zone provides the flexibility to allow a variety of activities associated with educational, healthcare, cultural, and civic properties. This type of development could be in an undeveloped area or facilitate expansion of a present facility. The layout of the properties and buildings should attempt to optimize citizens'/clients' experience and safety, while also maximizing compatibility with surrounding neighborhoods and local traffic patterns.



This civic space provides ample room for pedestrians and bicyclists to roam.

Section 4.12. – CIV (Civic)

4.12.1. CIV Development Standards

Due to the unique nature and needs of institutions developing in the Civic Zone, developments in this zone shall apply for approval through the site plan review process (see [Section 6.3](#)). As a general guideline, developments should follow the standards of an abutting zone on the same street to complement the character of the surrounding area.

4.12.2. Fences

See [Subsection 4.18.5](#) (Fences) for general fence requirements.

- A. Fences located in this zone shall require a Site Plan Review.
- B. Front yard fences are not allowed.
- C. Rear and side yard fences shall not exceed 8 feet in height.

4.12.3. Driveways and Parking

See [Section 4.17](#) (Access, Parking, and Loading) for general requirements.

- A. Developments in the Civic zone that anticipate significant and regular vehicle ingress and egress, such as school drop-off and pick-up times, emergency vehicle access, etc., shall provide adequate vehicle stacking space for all waiting vehicles to stand on-site in designated areas.
- B. Developments shall provide a clear emergency access lane to the front and back of the building even when buildings are stacked, such as during drop-off and pick-up times.
- C. No vehicle standing shall be permitted in public street travel lanes unless a temporary street closure is part of the site plan and is approved by the Planning Commission.



The Hendrix College campus creates a welcome environment through landscaping and traffic calming.

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Section 4.13. – OS (Open Space)

4.13.1. Development Standards

City-funded projects in the Open Space Zone require City Council approval only. All other developments require approval through the site plan review process (see [Section 6.3.](#)). As a general guideline, developments should follow the standards of an abutting zone on the same street to complement the character of the surrounding area.



This shared use path in Alexander provides access to the creek and park amenities.

OS Purpose and Intent

The Open Space Zone sets aside land that is either inappropriate for development due to physical constraints, acts as a buffer between incompatible uses, or is to be protected as parkland, greenways, or natural areas. This zone may be applied to publicly owned properties which shall be set aside for recreational and/or preservation purposes. The zone may also be applied to private property upon request of the owner.



This plaza offers open space for events such as concerts and outdoor vending.

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PUD Dos and Don'ts

DO

- Allow flexibility in design of infill and large-scale projects.
- Encourage mixed-use development and innovative site designs.
- Use when proposed development will not fit within the parameters of any other zone.
- Create a benefit for the community.

DON'T

- Use to avoid other zones' regulations.



This infill development used two downtown lots to create two homes connected by a breezeway. The use of a PUD allowed an innovative building style that enhanced the neighborhood, but would not have been possible in the neighborhood's base single-family residential zone.

Section 4.14. – Alternative Development Options

4.14.1. Planned Unit Development (PUD)

4.14.1.1. Purpose and Intent

A Planned Unit Development (PUD) is a means of land regulation that promotes flexibility in land development by permitting a combination of varied and compatible land uses within one contained development. It is a separate and distinct zoning designation and as such, its creation is by city ordinance and must follow the same procedures as are designated by the City for a rezoning of property. See [Section 6.5](#) of this UDO for the PUD approval process.

The purpose of a PUD is to allow flexibility in design of infill and large-scale projects and to encourage mixed-use development and innovative site designs in any combination, including multiple combinations of commercial, office or residential uses. A PUD is appropriate only when the proposed development will not fit within the parameters of any other zoning designation and the proposed development is believed to be beneficial to the community. A PUD may not be used solely as a method of avoiding existing zones' regulations. Projects proposed must have a community benefit greater than the project would have if it were constructed under an existing zone's development standards.

The rezoning of property to the PUD may be deemed appropriate if the Planning Commission determines that the development proposed for the district can accomplish one or more of the following goals:

- A. The PUD will allow the development of infill parcels in a developed portion of the city that could not be made productive under normal zoning or subdivision regulations.
- B. The PUD would further the City's goal of providing housing for all economic segments of the City and its Planning Area Boundary.
- C. The PUD involves a lot 1 acre or larger in which flexibility would allow high quality or innovative urban design.
- D. The PUD would aid in the elimination of substandard housing and blight within the City and its Planning Area Boundary.
- E. The PUD design results in a minimum of 25 percent of the total development being reserved as permanent open space.
- F. The PUD will create a desirable and stable environment.
- G. The PUD provides a more efficient and economic arrangement of varied land use, buildings, circulation systems and facilities.

4.14.1.2. Design Regulations

The following regulations do not supersede any state or federal codes or regulations, including the Arkansas Fire Prevention Code, nor is the Planning Commission empowered to grant any variances or waivers from such state or federal codes or regulations.

- A. **Size.**
 - a. The entire PUD site shall be 1 acre in size or larger.
 - b. There is no minimum lot size for individual developments within the PUD site.
 - c. Housing can be clustered or otherwise concentrated or arranged in locations on the site to take advantage of its natural resources.
 - d. The proposed lots and the type of development (i.e. housing, mixed use, commercial) for each shall be clearly depicted.

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B. Open Space Reservation.

- a. Land within the PUD not used by buildings, accessory structures, or yards shall be maintained as open space for the purpose of providing parks, recreational facilities, ways of pedestrian movement and circulation and conserving visually pleasing elements of the environment.
- b. Prior to the sale of any lot, site, home or other structure, a performance guarantee of sufficient surety determined by the City shall be posted with the City for completion of said open space improvements. The site plan shall clearly depict the amount of land to be maintained as permanent open space.

C. Property Owners Association.

- a. The developer shall submit a set of covenants running with the land that provide for automatic membership in a Property Owners Association (POA), to be an incorporated nonprofit organization operating under recorded land agreements designed and intended to exist in perpetuity.
- b. Through this POA, each property owner in the PUD is automatically subject to a charge for an appropriate proportionate share of the expenses for maintaining the common property, open space and/or other activities of the POA.
- c. Once established, the POA and its covenants shall continue and remain in force during the entire existence of the PUD.

D. Responsibility for Open Space.

- a. Nothing in this Section shall be construed as assigning or assuming any responsibility or liability on the part of the City for maintenance of any private open areas, parks, or recreational facilities. A hold harmless clause shall be incorporated in the covenants running with the land to this effect.
- b. If an owner of a PUD desires to dedicate certain land areas to the City for public parks and recreational facilities, and the City approves the nature and location of such lands and accepts the dedicated areas, the City shall be responsible for the operation and maintenance of these lands and properties thereafter.

E. Common Open Spaces.

- a. The size, shape, dimension and location of the common open spaces shall be considered by the Planning Commission with consideration being given to the size and extent of the proposed development and the physical characteristics, including the topography of the land being developed.
- b. Consideration should also be given in providing parks, recreational facilities, both active and passive, and pedestrian walkways.
- c. Common open space shall be guaranteed by a restrictive covenant, describing the open space and its maintenance and improvement, running with the land for the benefit of the residents and employees of the PUD. The developer shall file, at the time the approved final site plan is filed, legal documents that will produce the aforesaid guarantees and will restrict the use of common open spaces for the designated purpose.

F. Preservation Plan.

- a. To minimize the disturbance of the natural environment, a general preservation plan shall be required at the time of construction plat submission showing the specific type, size and nature of the preservation



This multi-family development was constructed as a PUD on a large parcel, and includes amenities such as a swimming pool and a dog park.

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Example of a Planned Unit Development (PUD).

area. The applicant shall describe in the preservation plan how the following objectives are to be met:

- i. Existing trees shall be considered when planning the common open space, location of buildings, underground services, walkways, paved areas, playgrounds, parking areas and finished grade levels.
 - ii. Excessive site clearing of topsoil, trees, and natural features before starting construction is discouraged.
- b. The Planning Commission shall review the preservation plan in conjunction with the site plan review. Topography, trees, ground cover, natural bodies of water and other significant natural features, shall be given due consideration.

G. Transportation.

- a. The vehicular circulation system shall be designed to permit smooth traffic flow with minimum hazards to pedestrian traffic.
- b. The pedestrian circulation system and its related walkways shall be protected as reasonably as possible from the vehicular movement.
- c. Should the owners request that any private streets be dedicated as public streets in the future, the owners will bear the full expense of reconstruction or any other action necessary to make the streets fully conform to the requirements applicable to public streets prior to dedication and acceptance. The owners also shall agree that these streets shall be dedicated to public use without compensation to the owners.

H. Land Subdivision. In the construction and installation of all subdivision improvements in the PUD, said improvements shall conform to all requirements as set forth in [Article 5](#) (Subdivision Regulations) of this UDO, unless exception to the requirements is recommended and approved by the Planning Commission.

I. Nothing in these regulations shall be construed to prohibit the creation of a Maintenance Improvement District in addition to a Property Owners Association within the PUD.

J. All further development on the property shall conform to the standards adopted for the site, regardless of any change in ownership. Approval of the PUD shall run with the land and apply to successor owners.

K. Any proposed changes to the approved standards shall be treated as amendments to the zoning regulations and must be considered in accordance with the PUD review process set forth in [Section 6.5](#) of this UDO.

4.14.2. Residential Cluster Development

4.14.2.1. Purpose and Intent

It is the purpose of this Subsection to permit residential cluster developments in order to:

- A. Encourage creative and flexible site design that is sensitive to the land's natural features and adapts to the natural topography.
- B. Protect environmentally sensitive areas of a development site and preserve on a permanent basis open space, natural features, and prime agricultural lands.
- C. Decrease or minimize nonpoint-source pollution impacts by reducing the amount of impervious surfaces in site development.
- D. Promote cost savings in infrastructure installation and maintenance by such techniques as reducing the distance over which utilities, such as water and sewer lines, need to be extended or by reducing the width or length of streets.
- E. Provide opportunities for social interaction and active recreation in open space areas.

Residential Cluster Developments

- Preserve the environment
- Showcase natural features
- Save on infrastructure
- Improve drainage
- Prevent pollution
- Support healthy lifestyles
- Create community

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4.14.2.2. Provisions

A residential cluster development shall be permitted as of right in any of the City's residential zones. See [Section 6.6](#) of this UDO for the residential cluster development review process.

- A. All principal and accessory uses authorized in the underlying residential zone shall be allowed in the cluster development.
- B. Maximum lot coverage, building height, and parking requirements for the underlying zone shall apply to the cluster development. These requirements, however, shall be applied to the entire site rather than to any individual lot.

4.14.2.3. Design Regulations

The following provisions shall apply to any residential cluster development, regardless of the general requirements of the applicable residential zone.

- A. The minimum area of the cluster development shall be 1 acre.
- B. No minimum lot width or depth shall apply.
- C. A minimum separation of 10 feet shall be provided between all principal buildings and structures.
- D. A minimum yard or common open space of at least 15 feet in depth shall be provided, as measured from all public streets and from the side and rear lot lines of the entire cluster development.
- E. Each lot shall have access to a public street. Such access may be shared with other lots.
- F. More than one principal building or structure may be placed on a lot.
- G. Buildings and structures are adequately grouped so at least 25 percent of the total area of the site is set aside as common open space according to the following requirements:
 - a. To the greatest degree practicable, common open space shall be designated as a single block and not divided into unconnected small parcels located in various parts of the development.
 - b. Pedestrians shall be able to easily access common open space.
 - c. The site plan shall establish, where applicable, an upland buffer of vegetation of at least 50 feet in depth adjacent to wetlands and surface waters, including creeks, streams, springs, lakes, and ponds.
 - d. Individual lots, buildings, structures, streets, and parking areas shall be situated to minimize the alteration of natural features, natural vegetation, and topography.
 - e. Existing scenic views or vistas shall remain unobstructed, especially from public streets.
 - f. The site plan shall accommodate and preserve any features of historic, cultural, or archaeological value.
 - g. Floodplains, wetlands, and areas with slopes more than 25 percent shall be protected from development.
 - h. Where the site contains floodplains or wetlands, at least 50 percent of such floodplains or wetlands shall be included in calculating the common open space.



These Residential Cluster Development examples show open space and reduced lot sizes.

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Section 4.15. – Property Line Coverage

Property Line Coverage standards apply only in the Walkable Town Center (TC) and Neighborhood Center (NC) zones. The standards require that building façades be located within a specified setback range for a minimum percentage of the lot width to bring buildings closer to the street and promote an active frontage.

4.15.1. Measurements

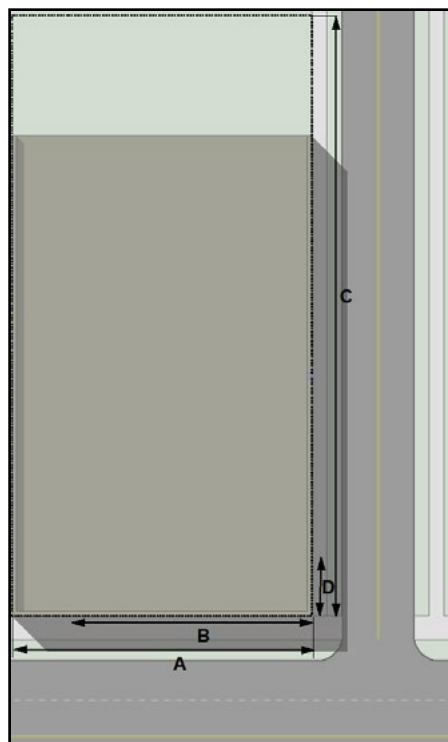
To calculate the Front Property Line Coverage percentage, divide the width of the façade located within the front setback range by the maximum width of the front buildable area (the lot width minus any required side setbacks). Then multiply the result by 100.

Property Line Coverage % = Façade width within setback range / lot width minus required setbacks (if any) x 100.

The Property Line Coverage percentage measurement is most commonly applied to the front property line but can also be applied to the side street property line in the case of corner lots.

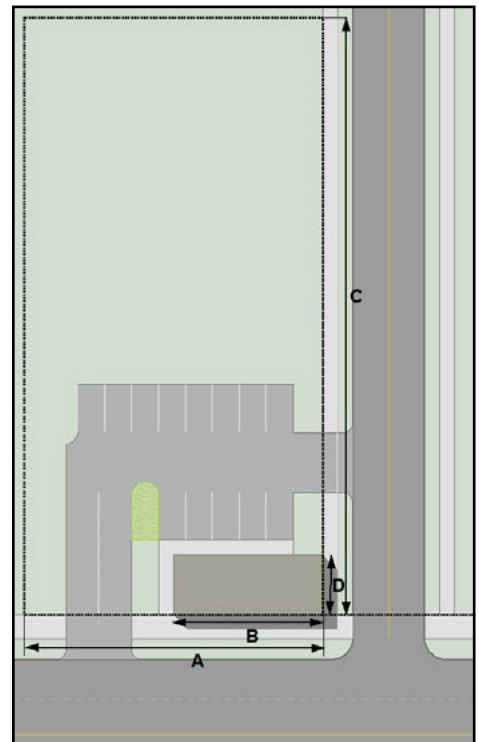
The City shall designate the front and side property lines within its TC and NC zones. The front property line should be the most pedestrian-oriented street frontage.

Figure 4.15.1.A. TC Zone Property Line Coverage Factors



A	Lot width
B	Minimum front property line coverage in TC zone (80%)
C	Lot depth
D	Minimum side property line coverage in TC zone (greater of 10% or 20')

Figure 4.15.1.B. NC Zone Property Line Coverage Factors



A	Lot width
B	Minimum front property line coverage in NC zone (50%)
C	Lot depth
D	Minimum side property line coverage in TC zone (greater of 10% or 20')

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4.15.2. Requirements

- A. Walkable Town Center:
 - a. A minimum of 80% of the buildable area along the front property line shall be covered by building façade within the front setback range.
 - b. If on a corner lot, 10% of the buildable area along the side property line (or 20 feet, whichever is greater) shall be covered by building façade within the side street setback range.
- B. Neighborhood Center:
 - a. A minimum of 50% of the buildable area along the front property line shall be covered by building façade within the front setback range.
 - b. If on a corner lot, 10% of the buildable area along the side property line (or 20 feet, whichever is greater) shall be covered by building façade within the side street setback range.

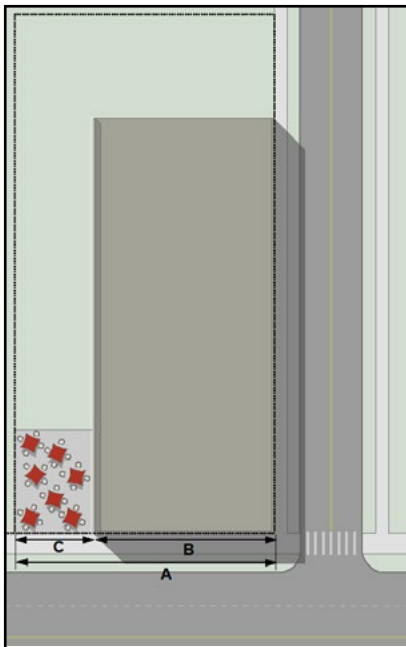
4.15.3. Exceptions to Building Setback Ranges & Allowable Alternative Façades

Exceptions to building setback ranges may apply to developments in which a portion of the building is proposed to be set back farther than the maximum setback.

“Façade” is intended to mean primarily the building’s exterior wall. However, certain alternative façades may help buildings meet their property line coverage requirement.

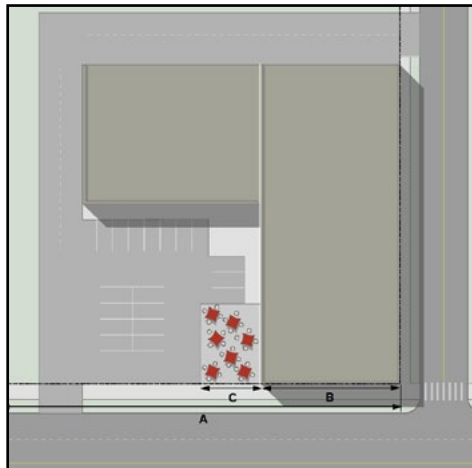
Allowable exceptions to building setback ranges and alternative façades are outlined below and on the next page.

Figure 4.15.3.A. Alternative Façade in TC Zone



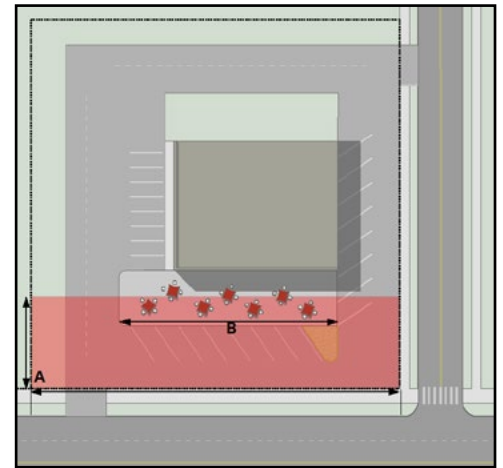
In this TC Zone example, the maximum of 25% of the required property line coverage (A) is met with an alternative façade (C). The building must still cover at least 75% of the property line.

Figure 4.15.3.B. Exception to setback range in NC Zone



This L-shaped building shows the allowable exception to the setback range in the NC Zone, along with the use of an alternative façade (C) to meet the 50% total front property line coverage requirement.

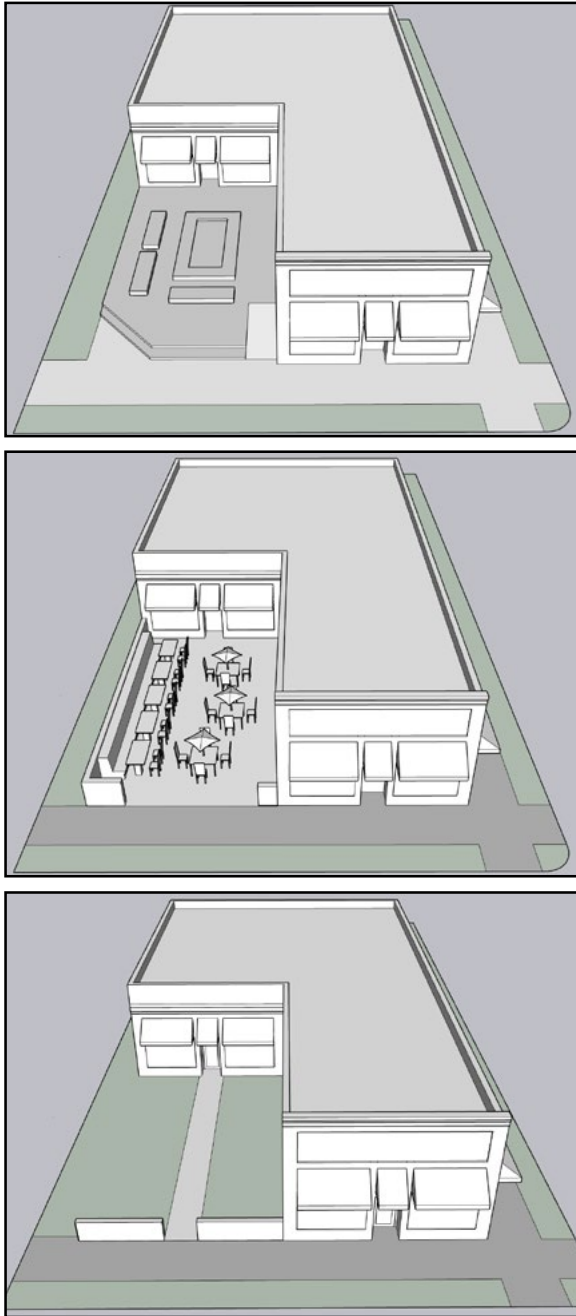
Figure 4.15.3.C. Alternative Façade in NC Zone



In this NC Zone example, the required 50% front property line coverage (B) within the setback range (A) is met with an alternative façade (permanent outdoor patio seating).

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Figure 4.15.3.D. Alternative Façades



Examples of alternative façades (from top to bottom: plaza, permanent outdoor patio seating, garden wall).

Allowable exceptions:

- A. Walkable Town Center:
 - a. Exceptions to building setback range: None. 100% of the building shall be located within the zone’s front and side setback ranges.
 - b. Alternative façades: In the case of a narrower building that does not fill up the entire property line coverage area, up to 25% of the required property line coverage may consist of an alternative façade. Allowable alternative façades in the TC zone are: permanent outdoor patio seating, garden walls (see [Figure 4.15.5.A.](#)).
- B. Neighborhood Center:
 - a. Exceptions to building setback ranges: At least 30% of the building shall be located within the setback range. The other 70% may be set back farther than the maximum setback, such as in the case of an L-shaped or horseshoe-shaped building.
 - b. Alternative façades:
 - i. Property line coverage requirements still apply to the full lot width (and depth, in the case of corner lots) but may be met with alternative façades.
 - ii. There is no limit to how much of the required property line coverage may consist of an alternative façade (see [Figure 4.15.5.C.](#)).
 - iii. Allowable alternative façades in the NC zone are: stairs leading to entrances, parks, plazas, squares, courtyards, permanent outdoor patio seating, garden walls (see [Figure 4.15.5.D.](#)).
 - iv. These alternative façades may push the building back farther than the maximum setback as long as the building begins immediately behind the alternative façade. No gap is allowed for parking or other uses.



Plazas offer open space for events such as concerts, social gatherings, and outdoor vending.

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Section 4.16. – Story/Height Regulations



One-story (right) and two-story (left) homes.



Outside of residential zones, structures such as church spires are not limited by the story/height regulations of their zone as long as such structures do not cover more than 25% of the building's roof area.

- A. A story is counted towards the maximum when more than one-half of its height is above the average level of the front adjoining ground.
 - a. Half-stories do not count towards the maximum.
 - b. Basements not visible from the front adjoining ground do not count towards the maximum.
- B. In Residential zones, additional height limits apply to all other structures and appurtenances (see [Subsection 4.2.3.](#) - Development Standards Table).
- C. In all zones other than Residential, the limitations of these regulations shall not apply to church spires, belfries, cupolas, domes, drive-in theater screens, poles, flagstaffs, chimneys, parapet walls, bulkheads, water tanks and towers, elevator shafts, and similar structures. Any such structure shall not have a horizontal area greater than 25% of the roof area of the building.

Section 4.17. – Access, Parking, and Loading

The regulations in this section intend to protect public safety, ensure the orderly flow of traffic, enhance roadway function, reduce harmful runoff or other adverse environmental effects, protect the quality and value of surrounding properties, and provide more choices for reaching roadways and surrounding properties.

4.17.1. Driveways

To preserve the smooth flow of traffic along adjoining streets and highways, the number and dimensions of driveways shall be limited. The following measurements shall be taken from the nearest respective edge of each driveway, sidewalk, or intersection.

- A. Driveway regulations vary by zone and street type (see [Table 4.17.1.A.](#)).
 - a. Rear driveways accessed from alleys are recommended wherever possible to reduce the amount of curb cuts and traffic interruption created by accessing properties from the front.
- B. The “Maximum Sidewalk Gap at Unsignalized Driveways” regulation refers to the break in sidewalk caused by any unsignalized driveway (see [Figure 4.17.1.B.](#)).
 - a. Sidewalk gap is measured from edge of sidewalk to edge of sidewalk.
 - b. Wider driveways shall install ADA-accessible pedestrian refuges within the driveway to ensure the maximum gap between sidewalks is not exceeded.
 - c. Pedestrian refuges shall provide a minimum of 6 feet of sidewalk between two driveway sections.
- C. Curb cuts shall be coordinated with existing or planned median openings and shall, where possible and reasonable, line up with driveways or streets on the opposite side of the roadway.
- D. Driveway Throat Length: Due to the dynamic nature of traffic patterns, the Planning Commission and/or City Staff working in coordination with the project engineer shall make all driveway throat length determinations based upon the characteristics of the given site. See [Table 4.17.1.C.](#) below for recommendations.
- E. Asphalt driveways shall consist of a minimum of 2 inches of asphalt over a minimum 6-inch gravel base.
- F. Permeable hard driveway surfaces are required in NH Zones. Examples include porous asphalt, porous concrete, and open jointed paving blocks or grids.

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Table 4.17.1.A. Driveway Regulations by Zone

Zone	Driveways	Minimum Driveway Spacing	Minimum Driveway Throat Length	Maximum Sidewalk Gap at Unsignalized Driveways <i>See Figure 4.17.1.B.</i>
AG	Front, side, and rear driveways allowed.	N/A	N/A	N/A
R-LD	Front, side, and rear driveways allowed.	N/A	25'	22'
R-NH	Lots 50+ feet wide: Front, side, and rear driveways allowed. Lots under 50' wide: Driveways only allowed off rear alleys.	Min 6' wide stretch of sidewalk between driveways.	25'	22'
R-FX	Lots 50+ feet wide: Front, side, and rear driveways allowed. Lots under 50' wide: Driveways only allowed off rear alleys.	Min 6' wide stretch of sidewalk between driveways.	25'	15' <i>See Figure 4.17.1.D.</i>
R-MH	Lots 50+ feet wide: Front, side, and rear driveways allowed. Lots under 50' wide: Driveways only allowed off rear alleys.	Min 6' wide stretch of sidewalk between driveways.	25'	22'
TC	No driveways allowed on primary streets. 1 driveway per block allowed on side streets.	No driveways within 100' of an intersection on same side of street If property not 100' deep, locate driveway on 1/3 of property farthest from intersection with highest-order streets.	<i>See Table 4.17.1.C.</i>	25'
NC	Front, side, and rear driveways allowed with spacing requirements.	No more than 1 driveway every 200' on arterials and every 150' on collectors. On arterial and collector streets: No driveways within 150' of an intersection on same side of street If property is not 150' wide/deep, locate driveway on 1/3 of property farthest from intersection with highest-order streets.	<i>See Table 4.17.1.C.</i>	35'
CC	Front, side, and rear driveways allowed with spacing requirements.	No more than 1 driveway every 250' on arterials and every 150' on collectors. On arterial and collector streets: No driveways within 150' of an intersection on same side of street. If property is not 150' wide/deep, locate driveway on 1/3 of property farthest from intersection with highest-order streets.	<i>See Table 4.17.1.C.</i>	40'
IND	Front, side, and rear driveways allowed with spacing requirements.	No more than 1 driveway per 100' of street frontage per lot. On arterial and collector streets: No driveways within 150' of an intersection on same side of street. If property is not 150' wide/deep, locate driveway on 1/3 of property farthest from intersection with highest-order streets.	<i>See Table 4.17.1.C.</i>	40'
CIV	Should follow the standards of abutting zone on same street.			
OS	Should follow the standards of abutting zone on same street.			

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This duplex features two compliant driveways with a long stretch of sidewalk between driveways.
Image: [Century Communities](#)



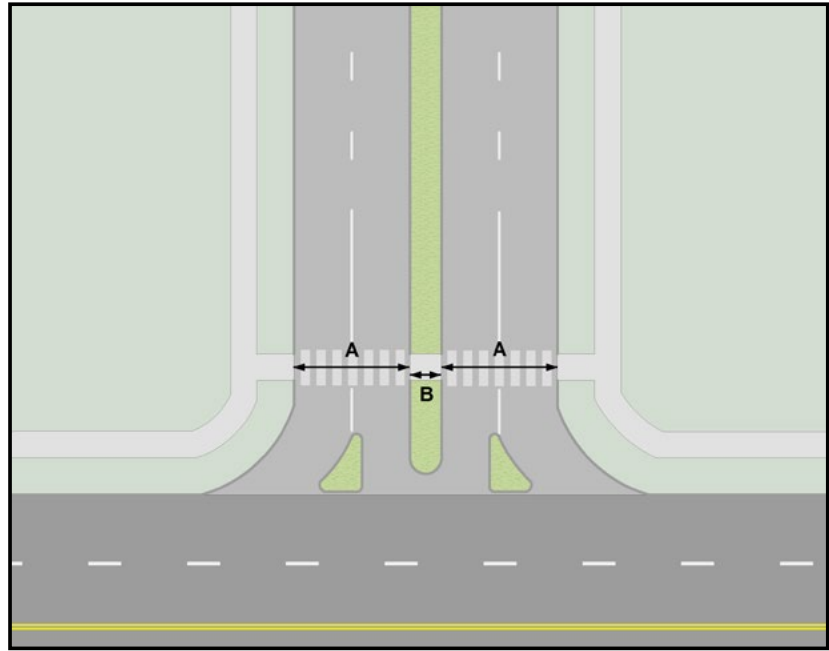
This duplex features a narrow driveway opening at the sidewalk, which then widens to accommodate two garages and additional parking.
Image: [Bungalower](#)



This duplex has a more pedestrian-friendly design, with one driveway leading to two rear garages located behind the residences.
Image: [Curbed Atlanta](#)



Figure 4.17.1.B. Maximum Sidewalk Gap at Unsignalized Driveways

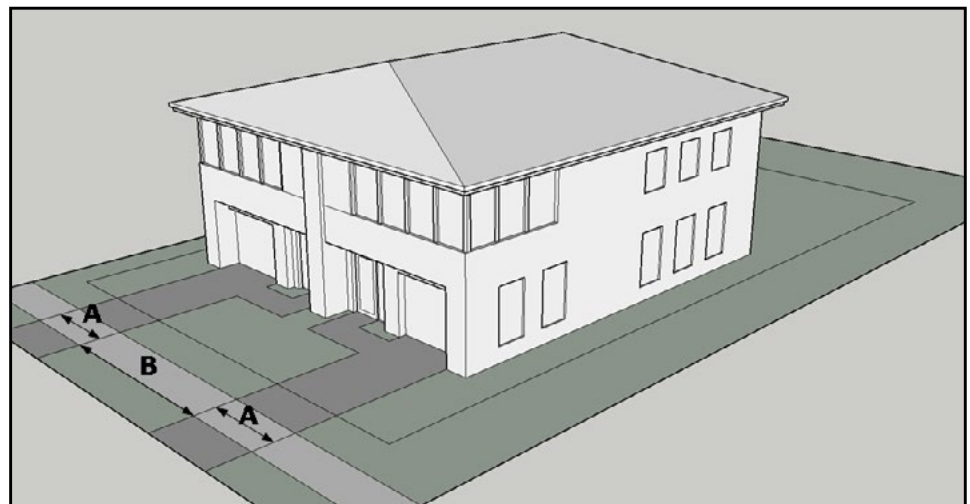


The sidewalk gap is the distance pedestrians must travel across a driveway between dedicated pedestrian facilities (A). Driveways exceeding the maximum allowed gap shall provide a pedestrian refuge of at least 6 feet in width (B). When a pedestrian refuge is provided the sidewalk gap shall be measured between the pedestrian refuge and the nearest pedestrian facility.

Table 4.17.1.C. General Driveway Throat Length Recommendations

Size / Impact of Development	Driveway Throat Length
Small / 200 ADT*	40' (2 vehicles)
Moderate / 750 ADT*	80-120' (4-6 vehicles)
Large / 2,000 ADT*	180-240' (9-12 vehicles)
*ADT = Average Daily Traffic	

Figure 4.17.1.D. Duplex with Front Driveways



Maximum sidewalk gap across a driveway (A) is 15 feet. A minimum of 6 feet of sidewalk space (B) is required between driveways. Demarcation of the continuation of the sidewalk across the driveway is encouraged through the use of alternative paving, stamping, or markings. Where possible duplexes should utilize rear loaded garages accessed from alleys.

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4.17.2. Driveway Sharing

Sharing a driveway between two or more properties allows better traffic flow, creates fewer potential conflict points for motorists and pedestrians, and can assist properties in achieving the minimum driveway spacing required in [Subsection 4.17.1.](#) above. Property owners are encouraged to:

- A. Locate new driveways along a property line abutting an adjacent property.
- B. Discuss entering into a joint-access agreement with the abutting property owner in which the property owners agree to share a single driveway which is ideally, but not necessarily, along their common property line.
- C. Place parking spaces in locations that can accommodate (i.e. do not block) future driveway sharing.



Example of driveway sharing.

4.17.3. Cross Access

Cross access connections between properties allow more properties to use shared street access points/traffic signals and improve roadway safety and efficiency by reducing the number of driveways and the need for vehicles to turn on and off the main roadway just to travel from one nearby business to another.

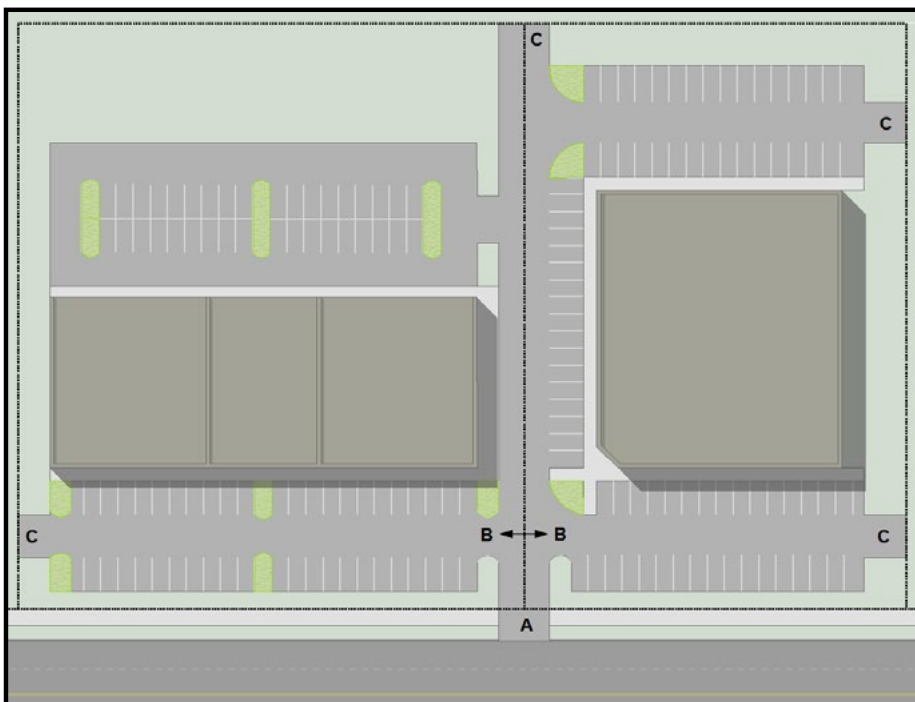
The following requirements shall apply to non-residential properties. If a property has any ground-floor commercial use, it shall be subject to these requirements.

- A. All new parking lots for non-residential properties shall install at least one vehicular connection to all adjacent non-residential properties.
- B. If an abutting property is undeveloped, stub-outs and other design features shall be required to make it visually obvious that the abutting properties shall be tied into the cross access connection when developed.
- C. If an abutting property is already developed and its design does not accommodate a cross access connection, the new development shall still install



Example of cross access.

Figure 4.17.3. Cross Access



A	The Planning Commission may require shared driveway connections to collector and arterial roads on access managed corridors. Shared driveways also help properties meet minimum driveway spacing requirements for their zone (see Table 4.17.1.A.)
B	Cross access connections are required for all properties with ground-floor commercial uses
C	Stub-outs are required when the property abuts either an undeveloped property or a property that does not yet accommodate a cross access connection

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J-swing garages allow for parking in front of homes while preserving a cohesive property frontage.



This multi-family development utilizes on-street as well as rear parking.

a stub-out to ensure a future connection can be installed upon the abutting property's redevelopment.

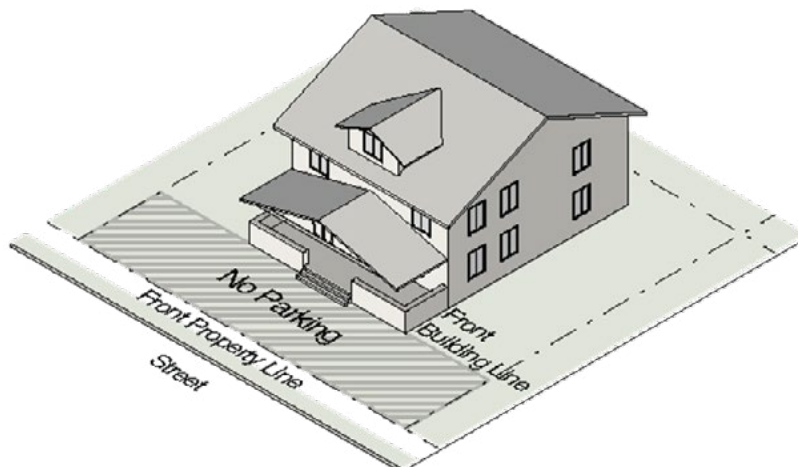
- D. The cross access connection shall be 20-24 feet wide. It shall accommodate two-way travel aisles for automobiles, service vehicles, and loading vehicles.
- E. Cross access connections should contain landscaping and/or other design features to make them visually obvious to traffic as an access corridor.
- F. A unified access and circulation plan that includes coordinated or shared parking areas should be offered wherever feasible.

4.17.4. Parking

4.17.4.1. General Requirements

- A. **Parking Space Quantity.** This UDO does not require a minimum number of off-street parking spaces. Property owners/developers should determine a development's parking needs based on intensity of the use and meet those needs through a combination of on-street and off-street parking. Instead, this UDO specifies the following off-street parking space maximums:
 - a. Residential/Housing: 2 per dwelling unit (exception: single-family dwellings are not regulated)
 - b. Lodging: 1.5/room
 - c. Office: 3/1,000 sq ft
 - d. Institution: 4.5/1,000 sq ft
 - e. Retail/General Business: 5/1,000 sq ft
 - f. Restaurant: 1/every 3 seats
- B. **On-Street Parking.** Wherever possible, on-street parking should be utilized to meet the development's parking needs. On-street parking is required in the TC zone and recommended in all other zones if practical.
- C. **Off-Street Parking** in R-NH, R-MH, and R-FX Zones.
 - a. No parking shall be permitted in a front yard or corner side yard except on a paved driveway leading to a garage, carport, or other permanent parking space located behind the front building line.
 - b. A driveway may be widened to provide no more than 1 additional parking space in front of the front building line.
 - i. The new parking space shall be paved and shall be added to the edge of the existing driveway farthest from the center of the primary structure.
 - ii. The outside edge of the new paved area shall be at least 5 feet away from the closest side lot line.

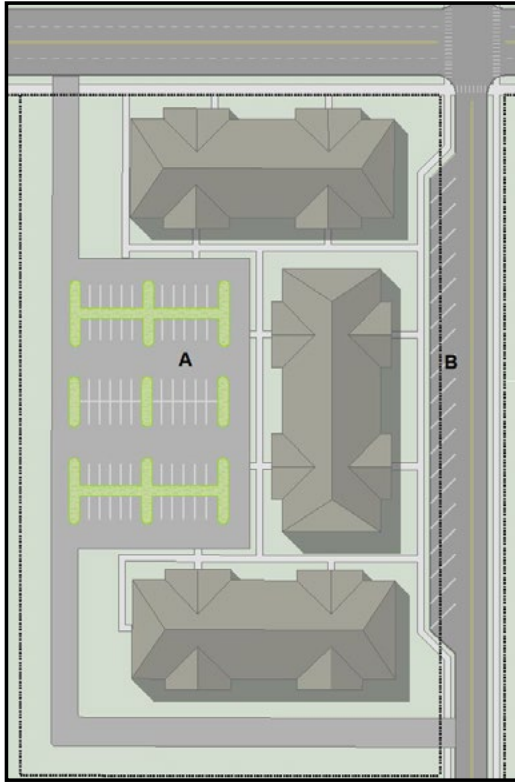
Figure 4.17.4.A. Front Yard Parking Restrictions



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Figure 4.17.4.B. Allowable Multi-Family Front Parking (3 or more Dwelling Units)



A	Rear parking is used to accommodate a large number of vehicles
B	To accommodate some front parking spaces, the developer has dedicated additional street right-of-way for on-street parking. The public sidewalk and buffer have been installed between the parking spaces and the building.



Multi-family residences with front parking.

D. Multi-Family Parking (3 or more Dwelling Units).

There shall be no parking areas between the front property line and the front building line, unless installed as on-street parking with a continuous sidewalk and buffer between the parking spaces and the front building line. (see [Figure 4.17.4.B.](#))

E. Overflow Parking.

- a. Overflow spaces may be approved by the Planning Commission for reasons such as special events and seasonal demands based upon adequate reasoning.
- b. All surface parking spaces provided more than the maximum allowance shall be pervious in nature, using alternate pervious materials such as geotextile-reinforced grass, grass pavers/grid blocks, and/or porous paving materials for the entire overflow area.
- c. Standard, non-porous asphalt or concrete, as well as other impervious materials, shall not be permitted within the overflow area.
- d. Overflow parking must still meet lot coverage standards for its zone.

F. Shared Parking. Neighboring developments are encouraged to share off-street parking spaces when circumstances allow. For example, some businesses have peak operating hours that differ from their neighbors' peak hours.

G. Parking or Storage of Boats, Recreational Vehicles, Utility/Travel Trailers, or Similar Vehicles

- a. Is allowed:
 - i. Within a front yard or corner side yard on a driveway or improved parking space, if the vehicle weighs no more than 1.5 tons (3,000 lbs).
 - ii. Within an interior side yard, no closer to the front of the lot or the street than the principal structure.

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A boat parked in the side yard of a home, behind the home's front building line.

- iii. Within a rear yard (not including rear yards adjacent to a public street).
 - iv. Within a corner side yard, or rear yard that is adjacent to a public street, if screened from view of the street by an opaque fence with a height of 6 to 8 feet and/or evergreen trees sufficient to obscure the full height of the vehicle.
- b. Is NOT allowed:
- i. Within 10 feet of any lot line.
 - ii. In any public right-of-way where parking is prohibited, for any amount of time.
 - iii. In any public right-of-way or easement for more than 48 hours.

4.17.4.2. Off-Street Parking Design

- A. **Location and Configuration.** Specific requirements for parking lot locations are included in the development standards for each zone (see Sections 4.3.-4.13.). In addition to those regulations, this UDO recommends the following general guidelines when determining parking lot location:
- a. Surface parking lots should be located on non-street fronting sides of buildings.
 - b. When locating a parking lot on a non-street fronting side of a building is not practical, then the parking should be located to the side of the building.
 - c. Locating parking between buildings and the street should be avoided when alternative parking configurations are practical.
- B. **Entrance and Exit Locations.** Shall meet the standards of Section 4.17. (Access, Parking, and Loading).
- C. **Circulation.** Parking lots shall be designed with a hierarchy of circulation.
- a. Circulation aisles with little or no parking; if adjacent to the building(s) being served, wide enough to allow for fire access, drop-offs, and pick-ups. Maximum of 36 feet in width unless greater width required by the Arkansas Fire Prevention Code.
 - b. Parking aisles to reduce speeds and allow for direct access to parking spaces. Maximum of 24 feet in width.
- D. **Parking Space Dimensions.**
- a. 9'x18' minimum.
 - b. 8'x16' for spots marked compact car only. A maximum of 10% of spaces may be compact car spaces.
- E. **ADA Accessible Parking.** All parking shall comply with all American with Disabilities Act requirements for parking and passenger loading zones.
- F. **Pedestrian Connections.** All commercial, mixed-use, multi-family, civic, and industrial developments shall provide a marked pedestrian connection between:
- a. The sidewalk and the building's entrance.
 - b. The parking lot and the building's entrances and exits.
 - c. Parking lots 10,000 square feet and larger shall install pedestrian walkways within landscape buffers leading from each building entrance/exit down the length/width of the parking lot.
 - i. The buffer shall be a minimum of 12 feet wide and include a minimum 5-foot-wide, ADA-compliant pedestrian walkway.
 - ii. Landscape strips of at least 3 feet in width shall be placed along each side of the walkway to form a buffer to pedestrians.
Exception: The landscape strips may be omitted on the portions of the walkway that abut ADA accessible parking spaces.

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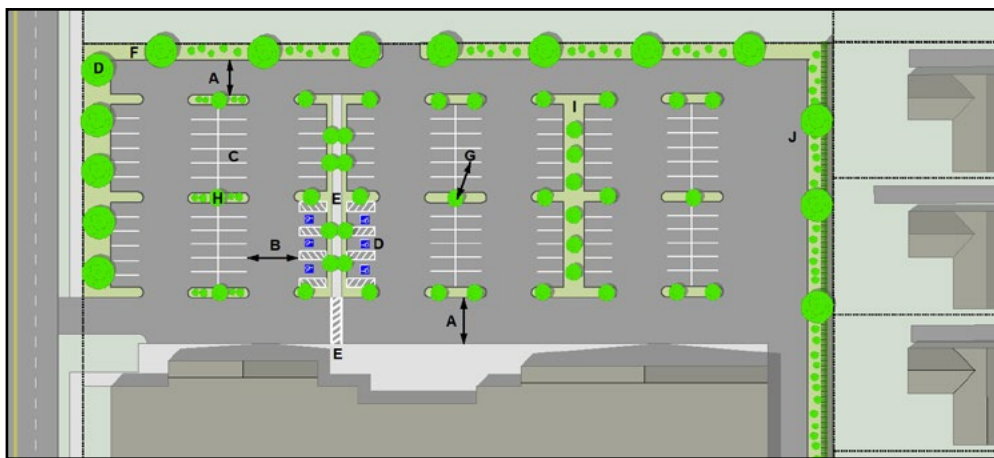
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- G. **Materials.**
 - a. All off-street parking shall be hard surfaced.
 - b. Permeable hard parking surfaces are encouraged. Examples include porous asphalt, porous concrete, porous pavers, and open jointed paving blocks or grids.
 - c. Where porous pavers are not practical for an entire surface lot, they can also be used just for parking spaces.
- H. **Landscaping.** See [Subsection 4.18.2.](#) for parking lot landscaping requirements.
- I. **Lighting.**
 - a. Lighting shall be required for all off-street parking areas, excluding those for single-family and two-family dwellings.
 - b. Reasonable amounts of lighting shall be provided within off-street parking areas.



Example of off-street parking.

Figure 4.17.4.2.A. Required Off-Street Parking Design Elements



A	Circulation aisle – 34’ maximum width, unless more required by Arkansas Fire Prevention Code.
B	Parking aisle – Minimum width of 12’ for 45-degree and 22’ for 90-degree parking.
C	Parking space – 9’x18’ minimum dimensions; 8’x16’ for compact car spaces (no more than 10% of total spaces).
D	ADA accessible parking – Meet ADA standards for parking and passenger loading zones.
E	Pedestrian connections – Between building entrance and public sidewalk. Buffered walkways from building entrances/exits through lot.
F	Perimeter landscaping – Planted with required canopy trees and/or shrubs. Up to 25% may be grouped.
G	Canopy trees – Planted within lot so that each parking space is no more than 60’ from the nearest tree.
H	Landscape islands – Planted with 1 canopy tree minimum plus additional plants. 9’ minimum width and minimum length equal to abutting parking spaces.
I	Landscape buffers – Recommended to prevent large expanses of asphalt or concrete.
J	Screening from residential properties – Perimeter landscaping plus minimum 36” tall screen.

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- c. Any lighting used to illuminate an off-street parking area shall use a shielded or cut-off design as defined by the IESNA or comparable standard and be arranged to direct the light away from adjoining property to minimize light trespass.
- d. Lighting fixtures shall not exceed 25 feet in height.
- J. **Conditional Uses.** Parking will be considered as part of the site plan review process for conditional uses. Site plan designs which may result in parking conflicting with street traffic patterns may be disapproved. However, the availability of on street parking and shared parking shall be considered during the site plan review.
- K. **Landscaping.** See [Subsection 4.18.2.](#) for parking lot landscaping requirements.
- L. **Conditional Uses.** Parking will be considered as part of the site plan review process for conditional uses. Site plan designs which may result in parking conflicting with street traffic patterns may be disapproved. However, the availability of on street parking and shared parking shall be considered during the site plan review.

4.17.5. Off-Street Loading

- A. Off-street loading areas should be located on non-street facing sides of buildings when practical.
- B. Off-street loading areas shall be hard surfaced.
- C. Permeable hard parking surfaces are encouraged. Examples include porous asphalt, porous concrete, and open jointed paving blocks or grids.
- D. Properties in the Industrial Zone shall provide sufficient hard surfaced space for loading, unloading, and standing to occur on site without interfering with traffic on surrounding streets.

Section 4.18. – Landscaping and Screening

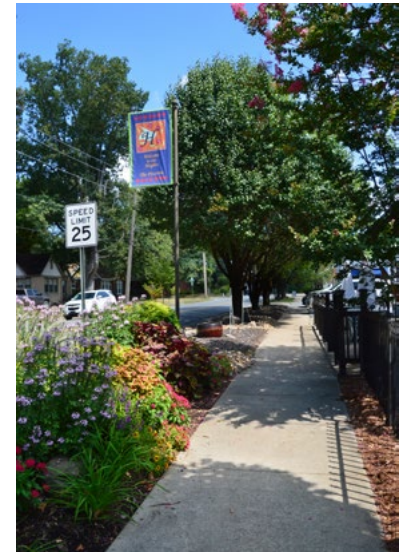
The intent of landscaping and screening requirements in this Section is to:

- A. Improve air quality and minimize the urban heat island effect.
- B. Screen automobiles and vehicular use areas, dumpsters, and loading areas to protect the visual quality of public rights of way.
- C. Break up large parking lots and other expanses of impervious surface.
- D. Provide a transition between and improve the compatibility of abutting land uses.
- E. Preserve existing native vegetation, tree canopy and significant trees.
- F. Promote conservation of natural resources.
- G. Create buffers that reduce wind, noise, and glare.
- H. Reduce/catch stormwater runoff.

4.18.1. Site Landscaping

4.18.1.1. General

- A. A landscaping plan and plantings list are required for all commercial, industrial, mixed-use, institutional, and multi-family residential development sites with more than 2 dwelling units.
- B. All areas not covered by structures, service yards, walkways, driveways, patios, and parking spaces shall be landscaped.
- C. Landscaping can include trees (minimum 2-inch caliper), shrubs, groundcover, and grass.
- D. Native species should be used whenever possible.
- E. Landscaping shall be designed to catch stormwater runoff if site conditions are appropriate. Landscape areas may have inverted slopes to allow infiltration and ponding of water. Curbs around landscape areas shall have cuts or other features to allow stormwater to flow into the landscape area.
- F. Graded areas shall be re-vegetated to prevent erosion by seeding/sodding, mulching, and fertilizing. Disturbed areas shall be planted with suitable plant materials.
- G. Landscape fabric or erosion blankets shall be provided on slopes exceeding 50% while ground cover is being established.
- H. All new landscape islands, strips, and bioretention areas shall have soils improved to a depth of 18 inches.
- I. All landscaped areas shall be served by irrigation (preferably automatic) sufficient to maintain plant and/or tree life.
- J. Landscaping plans are strongly encouraged to incorporate existing on-site landscape features and vegetation.
 - a. Where possible and reasonable, existing trees and vegetation, rock outcroppings, and riparian corridors shall be preserved and incorporated into landscaping plans.
 - b. Where healthy plant material exists on the site prior to development and the provision is made to preserve and incorporate that plant material on a permanent basis, then credit may be given against all pertinent city landscaping requirements, so long as the existing plant material meets the purpose and intent of the landscaping requirements.
- K. The current property owner shall be responsible for maintaining all landscaping within the boundaries of the site to present a healthy, neat, and orderly appearance. Any dead plant material shall be replaced in accordance with the approved landscaping plan.
- L. The utility company shall be contacted for any plantings in utility easements.



A landscaped buffer with flowers and street trees between the street and the sidewalk creates a pleasant walking environment.

Saving trees and groves of trees is an important consideration.

Wherever possible, existing trees should be preserved in landscape areas. Many considerations must be weighed in the decision to preserve healthy trees and vegetation, including the existing and proposed grading conditions, age, condition, and type of trees, and the percentage of the critical root area that will be impacted by site improvements and disturbance. An evaluation by a certified arborist is encouraged and can assist in determining the extent of the critical root zone disturbance and whether a tree can be saved.

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4.18.1.2. Street Trees

- A. Street tree requirements vary by zone. See the development standards table in [Section 4.2.](#)
- B. See Appendix A for list of allowable street trees.
- C. In zones where street trees are required, all developments shall incorporate streetscape improvements consisting of deciduous trees planted a minimum of every 30 feet along all public streets except alleys.
Exception: Street trees shall not be required where prohibited by the Arkansas Department of Transportation. In such cases, developers shall install canopy trees as part of their front perimeter landscaping to provide shade over the sidewalk.
- D. The planting area/sidewalk buffer shall be at least 5 feet wide and situated in the public right of way, on the side of the sidewalk closest to the street.
- E. Street trees shall be planted in tree grates, tree wells, or in a continuous planting strip.
- F. Street trees shall be planted a minimum of 2 feet from the back of curb and a minimum of 2 feet from utilities. In the event overhead obstructions exist which would prohibit the use of canopy trees, understory trees shall be planted.

4.18.1.3. Landscaping Around Base of Structure

- A. For all sides of a building set back from the public right-of-way, a landscaping strip around the base of structures shall be planted with vegetation dense enough to sufficiently lessen the impact of an otherwise bulky appearance where the structure meets the ground.
- B. The landscaping strip shall be a minimum of 3 feet wide on all sides of structures visible from abutting streets, driveways, and parking lots.
- C. The landscape strip along the building should be increased in width and planting density as necessary to meet its intent of aesthetically softening and screening the structure's base.
- D. Deviation from these standards may be allowed under special circumstances. Special circumstances that could justify deviation from standards include:
 - a. Conflict with utilities
 - b. Special security considerations
 - c. Preservation of significant trees or habitats
 - d. Traffic safety considerations



This buffer, landscaped with plants and rocks, also serves to absorb stormwater.

4.18.1.4. Landscaping Around Site Perimeter

- A. The perimeter of a site shall be landscaped to provide a buffer for adjacent uses as well as an attractive view from the street.
- B. Where street trees are not installed, canopy trees shall be provided every 30 feet along all site perimeters abutting a street.
- C. Non-street fronting property lines.
 - a. A perimeter landscape strip at least 6 feet wide shall be provided along all property lines adjoining nonresidential areas. This provision is waived when neighboring structures are attached to the structure in question.
 - b. A perimeter landscape strip at least 12 feet in width shall be provided along all property lines adjoining any exclusively residential area.
 - c. There shall be at least one canopy tree every 30 feet, one decorative tree every 15 feet, or one shrub every 6 feet along all boundaries of the site which do not abut streets. Up to 25% of these plantings may be grouped.
 - d. Existing vegetation which meets, in whole or in part, the purposes of

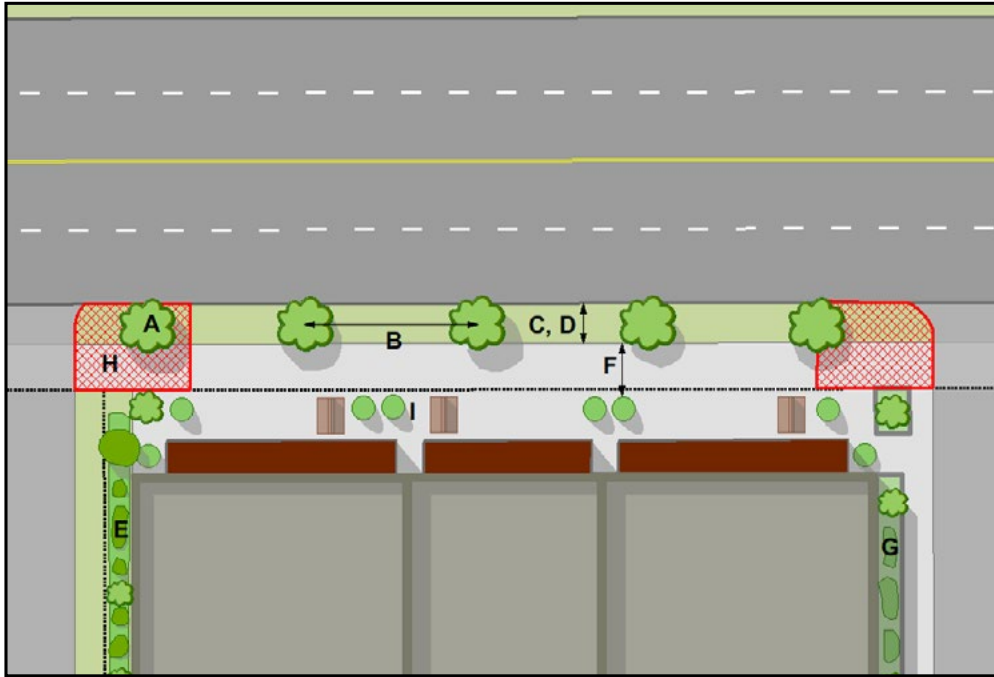
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perimeter landscaping described above any be applied toward these requirements.

- e. See the tables accompanying the diagrams below for required clear sight areas.

Figure 4.18.1.4.A. Landscaping Standards for Buildings Built Up to the Front Property Line



Example of site landscaping in a Walkable Town Center or Neighborhood Center Zone.

A - Street trees	Site and regionally appropriate street trees required along abutting streets.
B - Street tree spacing	Street trees shall be spaced no farther than 30' apart.
C - Planting strip	Street trees can be planted in tree grates, tree wells, or in a continuous landscape strip.
D - Planting strip width	Minimum 5' width.
E - Building frontages set back from property line	Plantings consisting of trees and shrubs required along base of structure along non street facing sides when building is not built to the property line.
F - Sidewalk clear zone	A minimum clear zone for pedestrians, free of plantings, tree wells, tree pits, or tree grates and street furniture must be maintained. See each zone's development standards for minimum clear zone width.
G - Building base landscaping	Plantings of trees and shrubs are required along the building perimeter on sides without shopfront windows. Plantings in raised beds are encouraged.
H - Clear sight areas	At street intersections and driveway entrances, an area extending 20' from the back of street curbs and 15' from driveway edges shall not be planted with sight line obstructing vegetation. Pruned street trees maintained with no lower branches can be planted in this area.
I - Additional landscaping	Additional landscaping and street furniture is encouraged but must be placed outside of the sidewalk clear zone.

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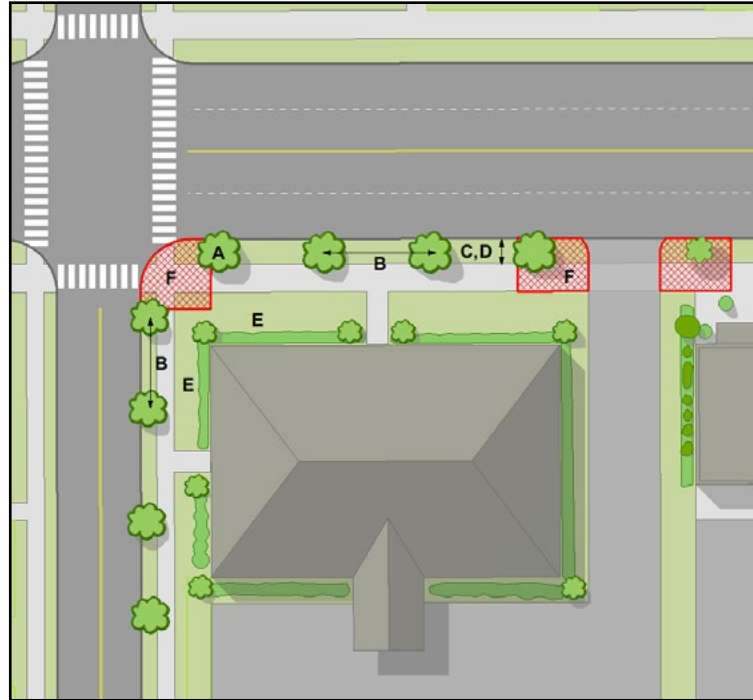


Example of setback landscaping.



Example of parking lot islands.

Figure 4.18.1.4.B. Landscaping Standards for Buildings Set Back from the Front Property Line



A - Street trees	Site and regionally appropriate street trees required along abutting streets.
B - Street tree spacing	Street trees shall be spaced no farther than 30' apart.
C - Planting strip	Street trees are planted in a continuous landscape strip.
D - Planting strip width	Minimum 5' width.
E - Building base landscaping	Plantings consisting of trees and shrubs required along base of structure along street facing sides when building is not built to the property line.
F - Clear sight areas	At street intersections and driveway entrances, an area extending 20' from the back of the street curb(s) and 15' from driveway edges shall not be planted with sight line obstructing vegetation. Pruned street trees can be planted in this zone provided they are maintained with no lower branches. This applies only to intersections and does not apply to the length of a street or driveway.

4.18.2. Parking Lot Landscaping and Screening

A. General.

- a. Landscape areas abutting or inside parking lots shall have either 6-inch concrete curbs or wheel stops to protect them from erosion and damage from automobiles. Bollards may also be used to protect trees or pedestrians from vehicles. Curb cuts and inlets are encouraged to allow stormwater to enter the landscape areas.
- b. Parking lots less than 10,000 square feet are exempt from interior landscape requirements. However, perimeter landscape requirements still apply (see Item B below). If additional spaces are later added so that the lot is greater than 10,000 square feet, then the percentage of interior planting area required shall be calculated for the entire lot.

B. Perimeter Landscaping. Parking lots shall follow the Site Perimeter Landscaping requirements in [Section 4.18.1.4](#) above, as well as the following requirements:

- a. In addition to the required street/canopy trees, the perimeter landscaped areas around a parking lot shall be planted with shrubs no more than 3 feet

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apart on center and a minimum height of 30 inches when planted.

- b. Up to 25% of the required trees and shrubs may be grouped but must meet the minimum total required for the length of the frontage.

B. Canopy trees.

- a. Canopy trees shall be planted within the paved parking lot so that each parking space is no more than 60 feet from the nearest tree. Perimeter trees may also be used to satisfy this requirement.
- b. Canopy trees may be planted in landscape islands, continuous landscape strips, or bioretention areas.
- c. Each tree shall be maintained to provide a minimum vertical clearance of 8 feet.

C. Landscape Islands.

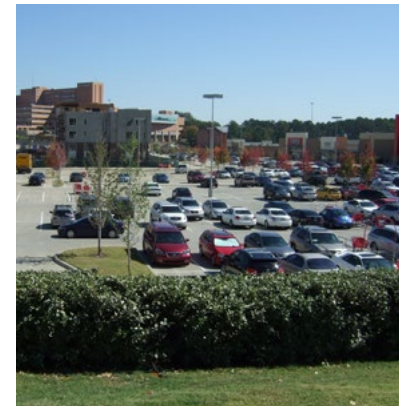
- a. A landscape island shall be installed, at minimum, at both ends of each parking lot aisle.
- b. A minimum of 1 canopy tree shall be planted in each island. If signage or lighting fixtures conflict with the normal growth of the tree, an understory tree or grouping of taller shrubs may be substituted.
- c. Landscape islands shall have a planting area of at least 150 square feet, with a 9-foot minimum width and minimum length equal to the total length of abutting parking spaces.
- d. In addition to trees, islands shall be planted with shrubs, annuals, perennials, ornamental grass, and/or ground-cover.
- e. All islands shall be sodded, seeded, decorative rock, or mulched.

D. Landscape Buffers.

- a. In addition to islands, landscape buffers are recommended to be installed approximately every fourth row of parking to prevent large expanses of asphalt or concrete.
- b. Except for driveways which may cross them, these buffers should extend the width or depth of the parking lot.
- c. Buffers should be a minimum of 9 feet wide.
- d. All buffers shall be sodded, seeded, or mulched.
- e. Buffers should include 1 canopy tree approximately every 30 feet as well as shrubs, annuals, perennials, ornamental grass, and/or groundcover.

E. Screening. Parking lots adjacent to exclusively residential properties shall follow the Site Perimeter Landscaping requirements in [Section 4.18.1.4.](#), as well as the following screening requirements:

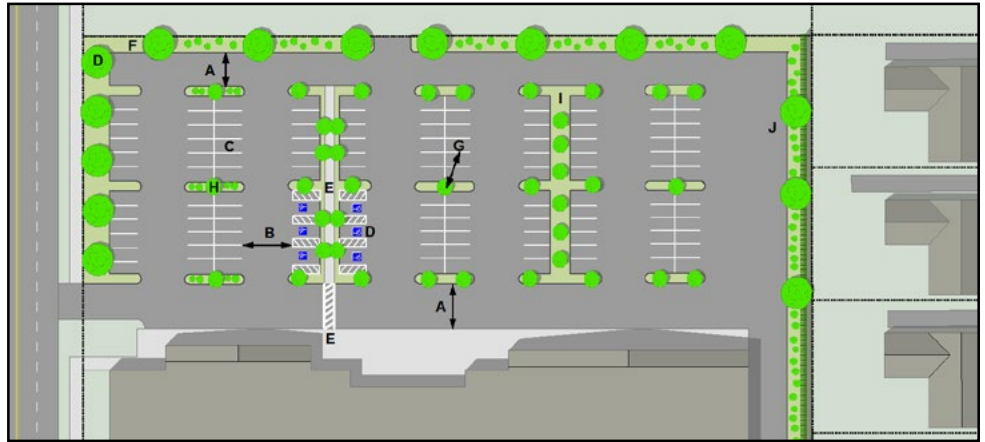
- a. Parking lots adjacent to exclusively residential properties shall provide a screen at least 36 inches tall as measured from the average finish elevation of adjacent streets, parking lots, and the ground floors of all structures on the site.
- b. Where fences or walls are used, they shall be constructed from a durable material. Landscaping shall be provided along the length of both sides of walls or fences.
- c. Where shrubs are used, they shall be evergreen in nature, be at least 30 inches tall at the time of planting, and be spaced closely enough to grow into a seamless row of hedging.
- d. Where earth berms are used, they shall be gently rolling to appear natural. If the berm does not reach the minimum height, then plantings may be included on top.
- e. Screening shall not impair the sight line of drivers.



Parking lot screened with shrubs.

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Figure 4.18.2.A. Required Parking Lot Landscaping Elements



A	Circulation aisle – 34’ maximum width, unless more required by Arkansas Fire Prevention Code.
B	Parking aisle – Minimum width of 12’ for 45-degree and 22’ for 90-degree parking.
C	Parking space – 9’x18’ minimum dimensions; 8’x16’ for compact car spaces (no more than 10% of total spaces).
D	ADA accessible parking – Meet ADA standards for parking and passenger loading zones.
E	Pedestrian connections – Between building entrance and public sidewalk. Buffered walkways from building entrances/exits through lot.
F	Perimeter landscaping – Planted with required canopy trees and/or shrubs. Up to 25% may be grouped.
G	Canopy trees – Planted within lot so that each parking space is no more than 60’ from the nearest tree.
H	Landscape islands – Planted with 1 canopy tree minimum plus additional plants. 9’ minimum width and minimum length equal to abutting parking spaces.
I	Landscape buffers – Recommended to prevent large expanses of asphalt or concrete.
J	Screening from residential properties – Perimeter landscaping plus minimum 36” tall screen.

4.18.3. Dumpster Screening

The following standards apply to the placement of any dumpster on a site:

- A. Dumpsters shall be located within a rear yard.
- B. Dumpsters shall be placed within a minimum 8-foot-tall fenced or walled enclosure. Any fences and gates shall be of solid, opaque, and durable materials.
- C. Dumpsters shall be placed on a paved surface with a loading zone capable of supporting a heavy-duty vehicle.
- D. If visible from a public street, dumpster enclosures shall be screened with evergreen vegetation capable of obscuring view of the dumpster.

4.18.4. Mechanical and Utility Equipment Screening

- A. All mechanical and utility equipment located on the wall, roof and/or on the ground shall be screened when visible from the public realm or residential areas.
- B. All roof-mounted utilities and mechanical equipment shall be screened on all sides (360°) by incorporating screening into the structure utilizing materials compatible with the supporting building.
- C. Mechanical equipment over 48 inches in height shall meet building setbacks.
- D. All mechanical equipment shall be screened in a method sufficient to ensure that no adjacent properties are negatively affected by noise generated by the

equipment. This is especially critical when projects abut residential uses.

- E. Wherever possible, transformers should be placed in a location which maximizes safety and minimizes visual impacts, such as in the side or rear yard. When an ideal location cannot be achieved, the transformers shall be well screened.
- F. Other equipment, such as gas meters, electrical meters, cable boxes, junction boxes, irrigation controllers, and roof access ladders shall be located within a designated utility area. Where this cannot be achieved, these features shall be designed as part of the rear or side of the building and screened from public view.
- G. Reduced pressure zone (RPZ) assemblies (backflow preventers) for landscape irrigation and domestic water shall not be located at visually prominent locations and shall be well-screened with covers, shrubs, berms, or low screen walls.

4.18.5. Fences

The purpose of this section is to outline general requirements for the construction of fences in any zone to protect the visual appearance and safety of abutting properties and public rights-of-way. Please see individual zones' development standards ([Sections 4.4. – 4.12.](#)) for specific fence regulations for each zone.

A. General Requirements.

- a. All fences shall be constructed of durable exterior grade materials, such as treated pine, cypress, cedar, redwood, wrought iron, or other exterior materials. The use of sheet metal is not allowed.
- b. Chain-link fences are permitted unless expressly prohibited in the zone's fence regulations.
- c. All fences shall require a building permit and shall be built to meet the Arkansas Fire Prevention Code.
- d. Fences shall not be placed in any rights-of-way or easements.
- e. Fences shall not be allowed within 3 feet of a fire hydrant.
- f. If a fence will be visible from an adjacent street or other public space (excluding: alleys), the finished side of the fence shall face the street/public space.
- g. Fences placed on a vacant lot or a lot without a primary structure shall require approval from the Board of Zoning Adjustment (exception: Community Gardens, see [Section 3.3.4.](#)).
- h. All fences along state rights-of-way shall adhere to all state requirements.

B. Barbed Wire Fences.

- a. Barbed wire fences may be permitted in the rear and side yards of Industrial and Commercial Corridor Zones.
- b. Barbed wire shall be vertical or inclined inward to the property.
- c. The total height, including the barbed wire, shall not exceed the permitted total height allowed by the zone.

C. Concertina or Razor Wire Fences.

- a. Concertina or razor wire shall only be located at the top of the fence. A second row of concertina wire located below the top of the fence shall not be permitted.
- b. Concertina or razor wire may be permitted in rear yards in Industrial Zones.
- c. Concertina or razor wire may be permitted on top of fences 7 feet in height. The total height, including the wire, cannot exceed 8 feet.
- d. Concertina or razor wire shall not extend over a property line.

D. Electric Fences.

- a. No electric fence shall be installed, operated, or maintained except as a Conditional Use approved by City Council.



Chain-link fence with razor wire.

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Section 4.19. – Signs

4.19.1. Purpose



Commercial buildings featuring both blade and awning signs.

The purpose of this section is to:

- A. Promote the creation of an attractive visual environment that promotes a healthy economy.
- B. Protect and enhance the physical appearance of the community in a lawful manner.
- C. Foster public safety and welfare of drivers and pedestrians along public and private streets within the community by assuring that all signs are constructed and displayed in a safe manner by avoiding unsafe and harmful visual clutter.
- D. Implement administrative review procedures that allow consistent enforcement, minimize discretion in review, and minimize the time required to review applications.

4.19.2. General Requirements

The following requirements shall apply to signs within city limits:



A wall sign.

- A. **On-Premise Location.** Signs shall be located on the same premises as the business/use they are advertising, unless an off-premise sign is expressly permitted in this regulation.
Exception: Lots without street frontage that gain access through another property or easement may install off-premise signs. Such signs shall be located within 500 feet of the lot's access point and shall conform to this UDO's sign standards for their type and zone.
- B. **Measurement.**
 - a. When determining maximum area of a sign, the total area of one side of the sign shall be used, except for signs having more than two sign faces. In these cases, the total area of all sign faces shall be used.
 - b. When determining maximum area where signage is made from individual letters or figures (sometimes referred to as channel letters), the area shall be calculated by measuring a continuous boundary around the entirety of the signage elements.
 - c. Window signs shall count toward the maximum sign surface area allowed for wall signs.
- C. **Prevention of Access.** No sign shall be erected which prevents free ingress and egress from any driveway, parking lot, or structure door, window, or fire escape. No sign of any kind shall be attached to any part of a fire escape or building standpipe.
- D. **Obstruction of Vision.** No sign shall be placed in manner that would allow it to obstruct the vision of drivers and pedestrians at driveway entrances. No pole or ground mounted signs shall be placed within 25 feet of an intersection.
- E. **Interference with Utilities.** No sign shall be located within the designated safety zone of overhead electrical conductors as directed by the utility owner, within 10 feet of a fire hydrant, or upon any easement.
- F. **Illumination adjacent to Residential Areas.** If facing or adjoining a residential lot line or zone, no freestanding sign or wall sign on a side or rear façade shall be internally illuminated unless shielded in a manner to minimize the trespass of light into the residential lot or zone.

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- G. **Construction Standards.** All signs and sign structures permitted herein shall conform to the applicable building and electrical codes adopted by the City. All signs, except Temporary Signs, shall be constructed of materials that are durable and permanent in nature, and permanently affixed through secure anchoring to the ground or a building. Temporary signs shall be securely anchored to the ground or a building in a non-permanent fashion.
- H. **Content of Signs.** These regulations are not intended to regulate the message or content of non-commercial signs or temporary signs.
- I. **Conformance with State and Federal Regulations.** The sign regulations in this section are in addition to regulations established under U.S. Code by the Federal Highway Administration and the Arkansas Department of Transportation's Regulations for Control of Outdoor Advertising on Arkansas Highways.
- J. **Exempted from Regulations.** The following are exempted from the sign regulations:
 - a. Signs not visible or which are clearly not intended to be visible from the public right-of-way.
 - b. Flags of any nations, government, or non-commercial organization.
 - c. Historical markers as recognized by local, state or federal authorities.
 - d. Signs which are mandated to be displayed by law or action of a governmental entity.
 - e. Public signs or notices, or any sign relating to an emergency. Such as safety signs, danger signs, traffic signs, and official logo signs erected along state and federal highways.
 - f. Signs created by landscaping.
 - g. Art displays that do not contain a commercial message.
 - h. Any display or construction not defined as a sign.



Example of a monument sign.



A parking deck sign.

4.19.3. Permitting

- A. Signs shall require a building permit before they are erected, transferred, rebuilt, or structurally altered within the city. See [Subsection 6.2.3.](#) for the building permit approval process.
- B. A separate permit shall be required for each sign.
- C. Addition or modification to the illumination of any existing sign which changes the type or intensity of the lighting shall require a new sign permit.
- D. Refacing a sign or a change in message of a permitted sign shall not require a permit unless it involves modification to the electrical or structural components of the sign.
- E. Electrified signs shall also require an electrical permit.
- F. Exempted from Permitting. The following signs do not require a building permit but shall still conform to the provisions of this section (see [Table 4.19.6.](#) – Sign Standards).
 - a. Address signs.
 - b. Nameplates of 2 square feet or less, non-illuminated, attached to building or supported by a post and arm structure, 1 per occupancy.
 - c. On-premise directional/informational signs of 6 square feet or less.
 - d. Sidewalk signs.
 - e. Temporary signs.
 - f. Window signs.

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A pole sign.

4.19.4. Billboards and Pole Signs

Unless the regulations in this section are more restrictive, billboards/off-premise signs along any type of roadway within city limits shall meet the requirements of [Arkansas Code Annotated 27-74-201 through 213](#), as amended, and the Arkansas Department of Transportation's Regulations for Control of Outdoor Advertising on Arkansas Highways.

- A. New billboards/off-premise signs are allowed if they are:
 - a. Located within 660 feet from the nearest edge of an interstate's right-of-way.
 - b. Installed on property abutting an interstate and zoned either AG, CC, or IND.
 - c. 672 square feet maximum in area per face.
 - d. Single-panel.
 - e. 40 feet maximum height above interstate elevation, as measured from the grade of the interstate perpendicular to the sign location.
 - f. 50 feet minimum from the nearest freestanding sign.
 - g. 1,200 feet minimum from the nearest billboard on the same side of the interstate.
- B. There shall be no new billboards/off-premise signs along state highways or city arterials. Existing billboards/off-premise signs along these roadways may be replaced, however:
 - a. Replacements shall be no more than 25 feet high.
 - b. Replacements shall be no more than 240 square feet in area along 2- and 3-lane roadways, and no more than 400 square feet in area along roadways with 4 or more lanes.
- C. Billboards/off-premise signs are prohibited along streets classified as local or collector streets per the City's Master Street Plan. Existing billboards/off-premise signs along these roadways shall not be replaced.
- D. Billboards/off-premise signs may be externally illuminated or digital display, per state regulations.
- E. On-Premise Pole Signs. Properties abutting an interstate may install one on-premise pole sign per lot in addition to an allowed ground mounted sign or in lieu of an allowed pole sign. This pole sign may be up to 400 square feet per face in area and a maximum of 40 feet above interstate elevation, as measured from the grade of the interstate perpendicular to the sign location.

4.19.5. Prohibited Signs

The following signs are prohibited within city limits:

- A. Signs imitating warning signals, or which constitute a traffic hazard.
- B. Signs containing flashing or intermittent illumination unless part of a permitted Digital Display Sign.
- C. Signs within a public right-of-way, excluding wayfinding signs.
- D. Abandoned signs that for at least 12 months have not identified a bona fide business such as a lessor, service, owner, product or activity.
- E. Rotating signs.
- F. Roof signs.
- G. Inflatable signs over 10 feet tall by 10 feet wide by 10 feet deep, or 1,000 cubic feet.
- H. Signs painted on or attached to trees, rocks, or other natural formations, fence posts, street signs, or utility poles.
- I. Signs affixed or painted on a vehicle or trailer that is parked adjacent to a public right-of-way for more than 5 days.

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4.19.5. Measuring Signs

- A. Method 1: Sign area is most simply calculated using length x width.
- B. Method 2: Irregular sign area may be calculated using a single continuous rectilinear perimeter of not more than 8 straight lines, intersecting at right angles.
- C. Regardless of which method is used, the sign area must enclose the outer limits of all words, representations, symbols and/or pictorial elements, together with all material, color and/or lighting forming an integral part of the display or used to differentiate the sign from the background against which it is placed.



Example of a wall sign.

Figure 4.19.5.A. Calculating Sign Area

Method 1



Method 2



Source: Fairfax County, VA

DIMENSION CHART		EXAMPLE AREA CALCULATION		
NUMBER	DIMENSION	NUMBERS	DIMENSIONS	AREA
1	= 10'	1 X 8	10' X 2'	= 20.0 sq. ft.
2	= 1.5'	3 x 4	3' x 1.5'	= 4.5 sq. ft.
3	= 3'	6 x 5	8" x 3.5'	= 2.3 sq. ft.
4	= 1.5'	total sign area = 26.8 sq. ft.		
5	= 6.5'	or 27 sq. ft.		
6	= 8"			
7	= 6.5'			
8	= 2'			



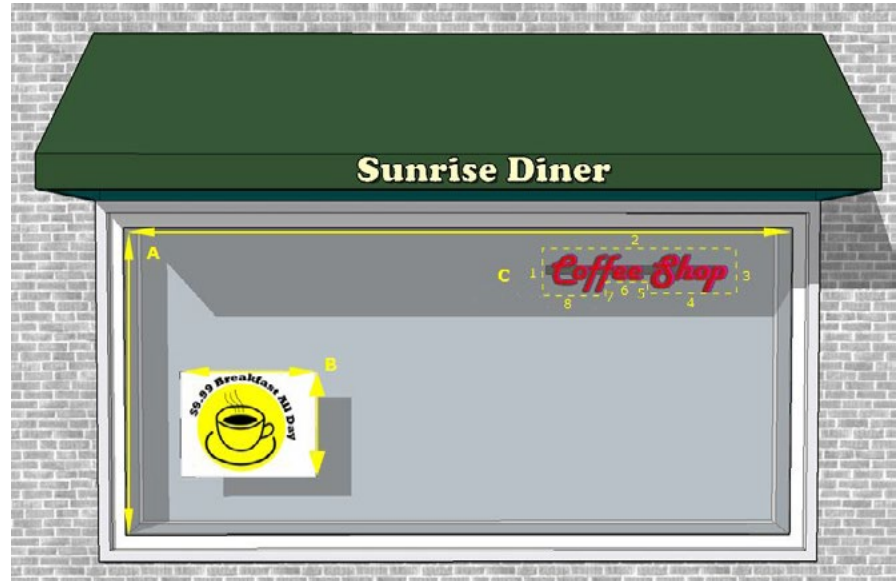
A wall sign.

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Figure 4.19.5.B. Measuring Window Signs

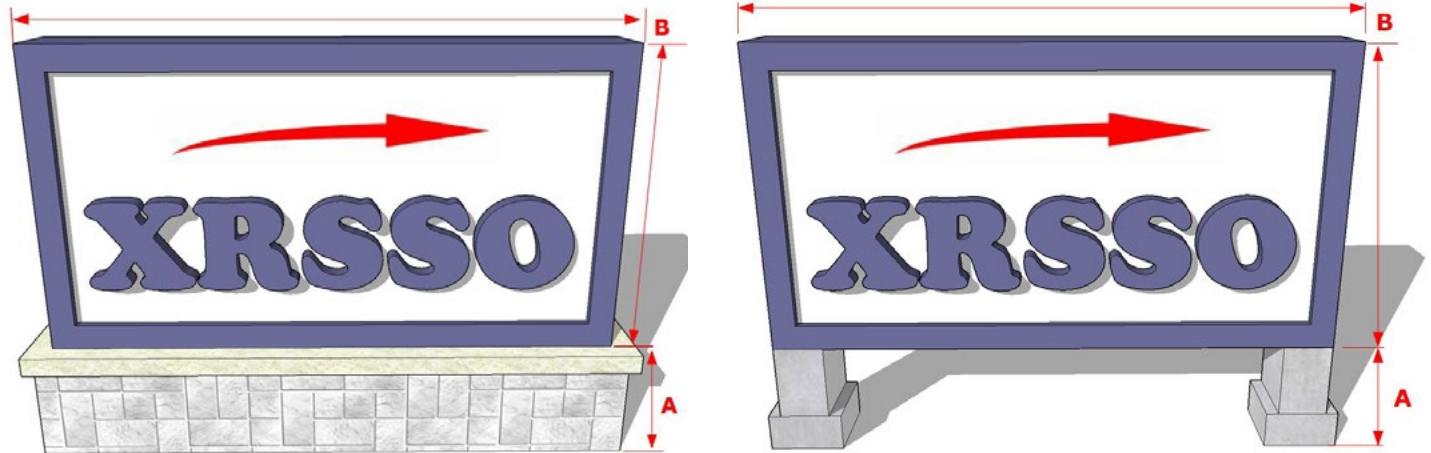


A window sign.



A	Total glazed window area
B	Maximum window sign area = $A * 0.25$
C	Maximum neon sign area = $B * 0.2$

Figure 4.19.5.C. Measuring Gound Mounted Signs

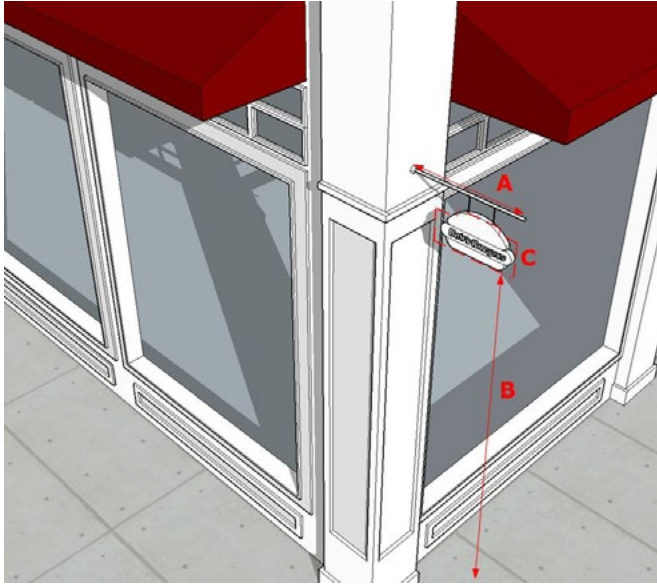


A	The height of the sign base/distance between the ground and the bottom of sign may be 18" maximum.
B	The sign area includes the entire face of the sign, not simply the lettering/graphics.

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Figure 4.19.5.D. Measuring Blade Signs



Example of a blade sign.

A	Blade signs may encroach a maximum of 3' over the sidewalk.
B	Blade signs must maintain a minimum vertical clearance of 8' from pedestrian areas and 14' from vehicular areas.
C	A blade sign's size shall not exceed 6 sq. ft. per sign face.



These signs in downtown Little Rock demonstrate the difference between signage scaled for pedestrians (left) and motorists (right).

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Table 4.19.6. Sign Standards

Key: P = Permitted; [-] = Not Permitted

Sign Standards by Sign Type and Zone

SIGN TYPE	STANDARDS APPLICABLE TO ALL ZONES (where permitted)	AG Agricultural	R-LD Low-Density Residential	R-NH Neighborhood Residential
Address Sign	<i>For all uses, including residential:</i> Shall be a building sign located near the principal entrance to the building with at least 8" letters and visible from the street. May be internally or externally illuminated. 4" - 8" Residential only	P	P	P
Awning Sign	May be used in lieu of or in combination with a permitted wall sign. Corner lots: awning signs may wrap around corner.	-	-	-
Banner Sign	1 banner max per business. 24 sf max per sign face. Banners may be changed. Banners may not be placed within the street right-of-way. Banners may not be hung from awnings. Banner permits must be renewed on an annual basis.	P	P	P
Billboard/Off-Premise Sign	See Section 4.19.4. for regulations.	P	-	-
Blade Sign	6 sf max per sign face. May encroach a max of 3' horizontally over a sidewalk. May be attached to building or hung under the soffit of an arcade or under a canopy/awning. Must maintain a minimum vertical clearance of 8' from pedestrian areas and 14' from vehicular areas. May be internally or externally illuminated.	P	P	P
Digital Display Sign (aka Electronic Message Board)	Shall be shielded if within 500' of a residential zoned property. Shall be affixed to the principal building or be placed in the front yard in addition to a permitted pole or ground mounted sign. 1 max per sign structure or each of lot's street frontages. Dwell time 8 secs min w/ 1-sec max transition between messages. No use of animation on diplays over 32 sf. No use of sound.	-	-	-
Directory Sign	Permitted only for multi-tenant buildings. 1 max per building entrance. 10 sf max. Shall be mounted to the building wall.	-	-	-
Gas Station Canopy Sign	1 max per side of canopy facing street. 4 max per lot. May cover 30% max of surface area of canopy facing the street. May be internally illuminated or use "halo" lighting.	-	-	-
Ground Mounted Sign (aka Monument Sign)	All businesses integrated into same sign. 18" max sign base height/distance between ground and bottom of sign. Permitted on properties with 10' min front setback between principal building and front property line. May be internally or externally illuminated. May incorporate manual readerboard lettering.	P 1 max per street frontage. 2 max per lot, separated by at least 300'. 48 sf max area. 6' max height.	P 1 max per lot. 48 sf max area. 4' max height.	P 1 max per lot. 48 sf max area. 4' max height.

Sign Standards Table *continued*

R-FX Flexible Residential	R-MH Manuf. Home Residential	TC Walkable Town Center	NC Neighborhood Center	CC Commercial Corridor	IND Industrial	CIV Civic	OS Open Space
P	P	P	P	P	P		
P Only accent lighting allowed. Shall be placed immediately above awning (e.g. gooseneck mounts).	-	P Only accent lighting allowed. Shall be placed immediately above awning (e.g. gooseneck mounts).	P Only accent lighting allowed. Shall be placed immediately above awning (e.g. gooseneck mounts).	P	P		
P	P	P	P	P	P		
-	-	-	-	P	P	Signs on City property only require City Council approval.	Signs on City property only require City Council approval.
P	P	P	P	P	P	Other development requires Site Plan Review. See Section 6.3.	Other development requires Site Plan Review. See Section 6.3.
-	-	-	P	P	P	Development should generally follow development standards of abutting zone to complement character of surrounding area.	Development should generally follow development standards of abutting zone to complement character of surrounding area.
P	-	P	P	P	-		
-	-	-	P	P	P		
P 1 max per lot. 48 sf max area. 4' max height.	P 1 max per lot. 48 sf max area. 4' max height.	-	P 1 max per street frontage. 2 max per lot, separated by at least 300'. 64 sf max area. 6' max height.	P 1 max per street frontage. 2 max per lot, separated by at least 300'. 96 sf max area. 6' max height.	P 1 max per street frontage. 2 max per lot separated by at least 300'. 96 sf max area. 6' max height.		

Sign Standards Table *continued*

Key: P = Permitted; [-] = Not Permitted

SIGN TYPE	STANDARDS APPLICABLE TO ALL ZONES (where permitted)	AG Agricultural	R-LD Low-Density Residential	R-NH Neighborhood Residential
Pole Banner Sign	1 max per light pole. 8 sf max per sign face. Shall be approved by the appropriate utility prior to permitting.	P	P	P
Neon Sign	May cover 20% max of permitted window or wall sign area. Permitted only for restaurants, entertainment uses, and retail shopfronts. Shall be turned off daily at the close of business.	-	-	-
Pole Sign	See Subsection 4.19.4. for lots abutting interstates. 1 max per lot. May be internally or externally illuminated. May incorporate manual readerboard lettering. Bottom edge of sign must maintain a minimum vertical clearance of 8' from pedestrian areas and 14' from vehicular areas.	P 32 sf max area. 15' max height above street grade.	-	-
Sidewalk Sign (aka A-Frame or Sandwich Board Sign)	A-frame design only. 1 max per use. 2' wide by 4' high max. Permitted only for retail, service, or restaurant uses. Shall leave 4' min width of sidewalk unobstructed. Shall be taken in daily at close of business. Shall not be illuminated.	P	P	P
Wall Sign	May be placed above any entry to a business, on any wall facing a public street, and on any wall facing off-street parking. Shall not project more than 9" from outer face of wall. May be internally or externally illuminated. May incorporate manual readerboard lettering.	P 1 max per lot; 1 add'l for rear entrances. 12 sf max area.	P 1 max per lot; 1 add'l for rear entrances. 12 sf max area.	P 1 max per lot; 1 add'l for rear entrances. 12 sf max area.
Window Sign	Limited to 25% of window area. Exempt from this limitation: a) addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now hiring signs; b) mannequins and storefront displays of merchandise sold; c) interior director signage identifying shopping aisles and merchandise display areas. Shall not be illuminated.	P	P	P
Temporary Signs				
General	With permission of property owner or in public right-of-way with City approval. May be placed for 3 months max in a calendar year. Shall be removed within 15 days after the action/event advertised. Shall not be illuminated.	P	P 12 sf max	P 12 sf max
For Sale/Lease Sign	Shall be properly maintained and replaced if they become unsightly. Shall be removed as soon as sale/lease is complete. Shall not be illuminated.	P	P	P
Yard Sale/Estate Sale/ Open House Sign	6 sf max. Only allowed up to 24 hours before and after event. Shall not be illuminated.	P	P	P

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Sign Standards Table *continued*

R-FX Flexible Residential	R-MH Manuf. Home Residential	TC Walkable Town Center	NC Neighborhood Center	CC Commercial Corridor	IND Industrial	CIV Civic	OS Open Space
P	P	P	P	P	P	<p>Signs on City property only require City Council approval.</p> <p>Other development requires Site Plan Review. See Section 6.3.</p> <p>Development should generally follow development standards of abutting zone to complement character of surrounding area.</p>	<p>Signs on City property only require City Council approval.</p> <p>Other development requires Site Plan Review. See Section 6.3.</p> <p>Development should generally follow development standards of abutting zone to complement character of surrounding area.</p>
-	-	P	P	P	P		
-	-	-	P 32 sf max area. 15' max height above street grade.	P 64 sf max area. 25' max height above street grade.	P 64 sf max area. 25' max height above street grade.		
P	P	P	P	P	P		
P 1 max per lot; 1 add'l for rear entrances. 12 sf max area.	P 1 max per lot; 1 add'l for rear entrances. 12 sf max area.	P 1 max per use; 1 add'l for rear entrances. 32 sf max area along each street frontage.	P 1 max per use; 1 add'l for rear entrances. 32 sf max area along each street frontage.	P 1 max per use; 1 add'l for rear entrances. 64 sf max area along each street frontage.	P 1 max per use; 1 add'l for rear entrances. 64 sf max area along each street frontage.		
P	P	P	P	P	P		
P 16 sf max	P 12 sf max	P 16 sf max	P 16 sf max	P 32 sf max	P 32 sf max		
P	P	P	P	P	P		
P	P	P	P	P	P		

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ARTICLE 5. – SUBDIVISION STANDARDS

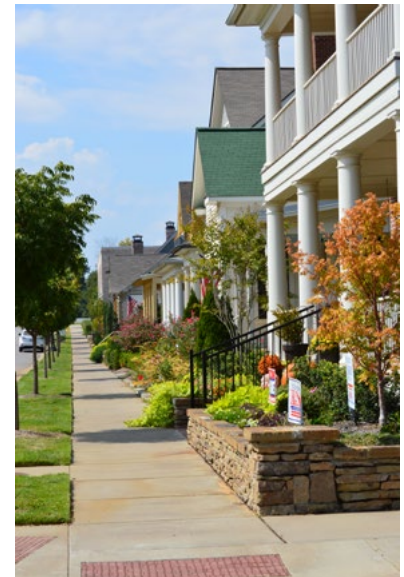
Section 5.1. – Purpose

In addition to the goals of this UDO stated in [Section 1.3.](#), the City's Subdivision Regulations aim to:

- A. Implement the City's Comprehensive Land Use and Master Street Plans.
- B. Establish reasonable standards of design and procedures for the division and redivision of land into lots, parcels, or sites for building.
- C. Ensure proper legal descriptions and monumentation of land that has been subdivided.
- D. Further the design of subdivisions that are well-integrated with the surrounding area's natural and built features.
- E. Preserve the integrity, stability, and beauty of the community and the value of the land through the wise use and management of natural resources, such as air quality, stormwater drainage, and water quality.
- F. Ensure that public facilities and services will have a sufficient capacity to serve the proposed subdivision and that the community will not be required to bear more than its fair share of the cost of providing such facilities and services by requiring the developer to pay fees, furnish land, or establish mitigation measures.
- G. Ensure that land is subdivided only when subdivision is necessary to provide for uses for which market demand exists and which are in the public interest.
- H. Remedy the problems associated with inappropriately subdivided lands, including premature subdivision, excess subdivision, partial or incomplete subdivision, scattered and low-grade subdivision.
- I. Provide the most beneficial relationship between the uses of land and buildings and the connectivity and circulation of traffic throughout the city; avoid congestion in the streets and highways; allow for multi-modal connections to various buildings and uses; and provide for the proper location and width of transportation facilities.
- J. Provide for the fair, orderly, thorough, and expeditious public review of subdivisions.
- K. Ensure compliance of proposed subdivisions with the development standards of this UDO.

In this Article

- [5.1. Purpose](#)
- [5.2. Application](#)
- [5.3. General Policies](#)
- [5.4. Lots and Blocks](#)
- [5.5. Transportation Design](#)
- [5.6. Lighting](#)
- [5.7. Utilities and Drainage](#)



Walkable residential subdivisions.

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Section 5.2. – Application

5.2.1. What is Regulated in this Article



A residential subdivision with sidewalks, buffers, and canopy trees.

This UDO uses the term “City Staff” throughout the document. The role of City Staff may be fulfilled by a registered professional engineer who is either on the City staff or hired by the City as a consulting engineer. The City Staff shall NOT be the same person or employed by the same firm as the project engineer hired by the developer, as that would represent a conflict of interest.

- A. The regulations in this Article shall apply to the following forms of land subdivision and development:
 - a. All land divisions or platting of a tract, lot, or parcel of land into two or more tracts, lots, sites, or parcels, any of which, when subdivided, shall contain less than 5 acres in area.
 - b. The provision of access to lots and parcels.
 - c. The dedication or vacation of any street or alley through any tract of land.
 - d. The extension or provision of utilities.
 - e. The construction of any street or public utility through any tract of land within the corporate limits of the City.
 - f. Developments requiring site plan review (see [Subsection 5.2.3.](#)).
- B. No developer proposing to make or having made a subdivision within the City’s Planning Area shall proceed with any clearing, grading, or construction work on the proposed subdivision, before obtaining a Certificate of Construction Plat Approval from the Planning Commission. See Article 6 (Procedures and Enforcement), [Subsection 6.4.1.](#) for the construction plat approval process.
- C. No developer shall record a minor subdivision, resubdivision, or final plat of a subdivision or any part thereof before obtaining from the City Council a Certification of Final Plat Approval and acceptance of the plat pursuant to the requirements of this Article. See Article 6, [Subsection 6.4.3.](#) for the final plat approval process.
- D. Any subdivision of land or recording of a plat for a minor subdivision, resubdivision, or final plat that has not been so approved is void.
- E. Every subdivider engaging in the subdivision and/or development of land as covered in this regulation shall be required to install, at his or her own expense, or to have installed by the appropriate public utility, the improvements outlined in this Section.
- F. Land in the Agricultural Zone shall not be subdivided into any lots below 5 acres in size without first or simultaneously completing a rezoning process.

5.2.2. Incidental Subdivisions

See Article 6, [Subsection 6.4.5.](#) for the Incidental Subdivision review process.

No incidental subdivision shall involve the dedicating, vacating, widening, narrowing, or change of alignment of any thoroughfare, street or alley; the vacating, narrowing or change of alignment of any easement; or the construction of any public streets or utilities. For the purposes of this UDO, Incidental Subdivisions may include the following:

- A. Lot Splits in which a single lot, tract, or parcel is being split into two lots meeting minimum lot requirements.
- B. Minor subdivisions containing no more than 5 lots, in which all lots front a public street.
 - a. Minor subdivisions shall not include any subdivision that is part of a larger tract to be developed in phases.
- C. Lot combinations.
- D. Re-plats of existing lots or lot line adjustments in existing subdivisions.
- E. One-lot subdivisions that convert a metes and bounds description into a plat suitable for filing at the County Recorder’s office.

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Figure 5.2.2.A. Lot Split

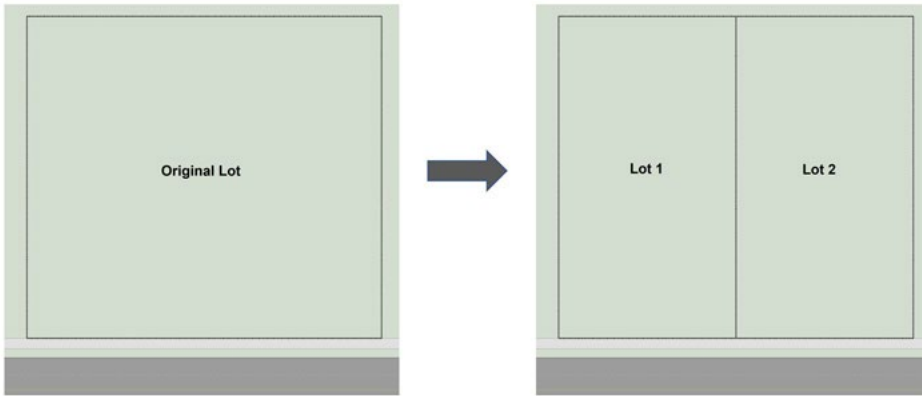


Figure 5.2.2.B. Minor Subdivision into 4 Lots

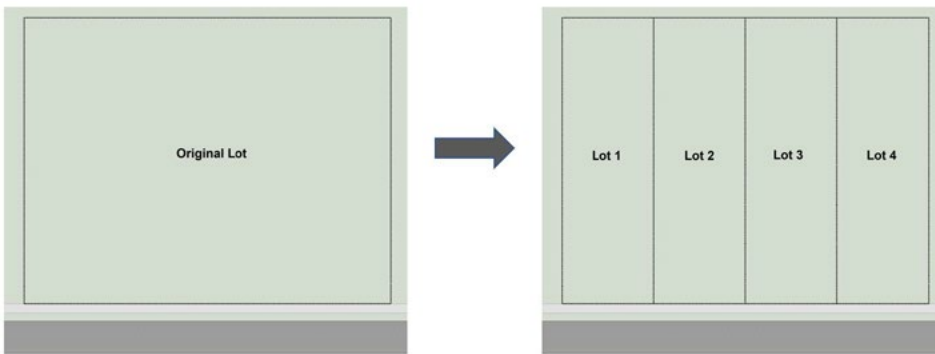
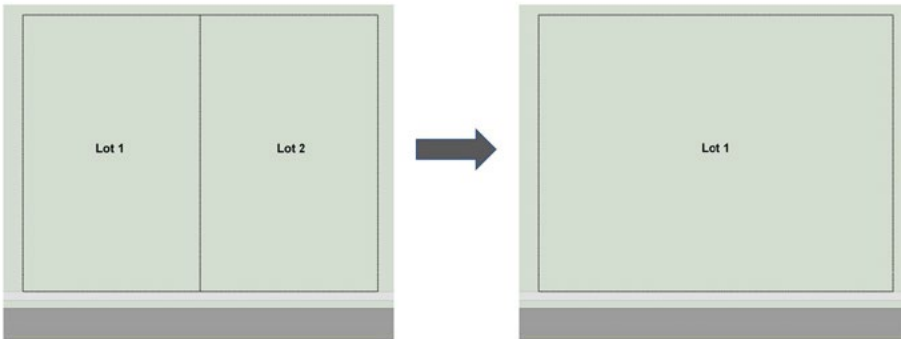


Figure 5.2.2.C. Lot Combination with Adjacent Property





The two buildings pictured above would require site plan review.

5.2.3. Site Plan Review

Site plan review is a development review process that provides for case-by-case consideration of project details, including the provision of access, parking and landscaping, siting of buildings, and the compatibility of the proposed development with adjacent uses.

See [Section 6.3](#) for more information on the review process. See Appendix H for the Site Plan Approval Application Form with checklist.

The site plan review process shall apply to the types of developments listed below.

- A. All new development (detached single-family homes and duplexes are exempt).
- B. New parking lots.
- C. The provision of new points of access to lots.
- D. Expansions of existing developments if:
 - a. The expansion will add 10,000 square feet or more impervious surface to a lot.
 - b. The expansion aggregates or spans over property that is 2 acres or more in size combined.
 - c. The expansion creates the need to change the development's access.
 - d. Changes have occurred to adjacent properties that would require new site analysis of the proposed development.
- E. PUDs, if developed on one single lot.
- F. Any building or business designed or intended for the sale of petroleum or other flammable products or any commercial or industrial use with accompanying hazards.

5.2.4. Plat Vacations

See Article 6, [Subsection 6.4.6](#) for the Plat Vacation review process.

- A. A subdivision or plat may be vacated in part or in full.
- B. A full plat vacation has the effect of divesting the public of all rights in the streets, alleys, public areas, easements, and dedications laid out in such plat, except those reserved by the vacation.
- C. A partial plat vacation may serve purposes including, but not limited to, removing a portion of property from a buildable site or vacating an easement.
- D. Vacation of plats may occur when:
 - a. The owner chooses to vacate all or part of the subdivision before the sale of any lot therein.
 - b. After lots have been sold, the owners of all lots or parcels in the subdivision consent in writing to the vacation.
 - c. Utilities have released their vested interest in any easements.
 - d. The Planning Commission finds in writing that the vacation will not adversely affect the interests or rights of persons in the subdivision being vacated.
 - e. The Planning Commission finds in writing, after a hearing with proper notice, that a hazard, unknown to the local government at the time the subdivision

was approved, exists on or near the property that would endanger the public health or safety if development were to commence or proceed pursuant to the terms and conditions of the subdivision approval.

- f. The Planning Commission finds in writing, after a public hearing with proper notice, that there is an error in the subdivision or the plat thereof.
- g. The City Council by ordinance declares that a public improvement in a subdivision is no longer needed by the local government, but such a vacation shall apply only to the extent of the public improvement so declared.

5.2.5. Exempted Divisions

The division of land into tracts of 5 acres or greater is exempted from the requirements of this Article as long as it does not involve the dedication, vacation, or reservation of any public or private rights-of-way or easements, including those of public or private utilities, through any of the tracts involved.

Section 5.3. – General Policies

5.3.1. Conformance to Plans and Regulations

- A. Prior to any land clearing or grading, the applicant shall comply with all federal, state, and local permitting requirements.
- B. All proposed development shall comply with all adopted regulations and plans in effect at the time of construction plat submission to the City Staff, including but not limited to the following:
 - a. This UDO
 - b. Comprehensive Land Use Plan
 - c. Master Street Plan
 - d. Bicycle-Pedestrian Plan
 - e. Multi-Modal Transportation Plan
 - f. Parks/Open Space Plan
 - g. Schools Plan
 - h. Drainage/Stormwater Management Plan
 - i. Water/Sewer Plan
- C. No final plat of land within city limits shall be approved unless it conforms to this UDO's Development Standards ([Article 4](#)).
 - a. When there is a discrepancy between the standards or dimensions contained in this UDO's Development Standards, the City's building code, or other official regulations or ordinances, the most restrictive shall apply.
 - b. The Planning Commission shall grant no waiver to the Subdivision standards that would have the effect of violating any provision of the Development Standards.
- D. Except in cases where the local Fire Department has discretionary authority or the City has adopted more stringent regulations, the Arkansas State Fire Prevention Code shall supersede any regulations contained herein.
- E. Land that has been subdivided prior to the effective date of these regulations should, whenever possible, be brought within the scope of these regulations.

5.3.2. Considerations for Plat Approval

5.3.2.1. Suitability of Land

- A. Land proposed for development shall be suitable for development without creating hazards that would threaten the health, safety, and welfare of the general population or adjacent property owners.
- B. Floodplain:
 - a. Base floodplain elevation data shall be provided for all proposed plats/site plans that are impacted by a floodplain.
 - b. Land within the 100-year flood plain shall not be platted for residential, commercial, or industrial development unless the subdivider meets applicable Floodplain and Flood Damage Protection Standards.
- C. Mitigation: The Planning Commission may require additional on- and off-site design elements and improvements to solve real or anticipated problems created by the proposed development. The Planning Commission is to apply development conditions and requirements in proportion to the anticipated impacts caused by the development proposal.

5.3.2.2. Adequacy of Public Facilities and Services

- A. Land which is neither provided with, nor programmed by the City within the corporate limits to provide with adequate water, sanitary sewer collection/treatment services, or storm drainage facilities shall not be subdivided for purposes that require such services unless the developer provides such services in compliance with all state and local codes.
- B. The availability of fire protection, police protection, garbage collection service, public schools, and parks and recreation facilities shall be considered by staff in its analysis of the plat.
- C. Mitigation: The Planning Commission may require additional on- and off-site design elements and improvements to solve real or anticipated problems created by the proposed development. The Planning Commission is to apply development conditions and requirements in proportion to the anticipated impacts caused by the proposed development.

5.3.2.3. Land Dedications, Reservations, and Easements

- A. The Planning Commission may require, according to applicable state, regional, or local plans, the dedication or reservation of land within a proposed subdivision for public uses such as parks, trails, schools, wetlands, floodways, major drainage facilities, critical natural areas, and steep slopes.
- B. Land dedications, the donation of land to a government for a public purpose, shall be clearly identified on the final plat with a statement declaring the purpose of the land dedication.
- C. Land reservations refer to a tract of land that is withdrawn by a government from sale or settlement and appropriated to a specific public use, such as parks or schools.
 - a. Land reservations shall be valid for a period of up to 12 months after the filing of the Letter of Intent to Develop by the subdivider.
 - b. Such reservations shall be referred to the appropriate public board, commission, or body having jurisdiction or financial responsibility, to provide the opportunity to acquire said sites either through purchase, taking an option, or filing of condemnation proceedings under the power of eminent domain.
 - c. The failure or refusal of any public entity to acquire lands designated as suitable sites for public uses within 12 months of the filing of a Letter of Intent to Develop by the subdivider shall relieve the subdivider of any responsibility to hold such land for future public purposes.
 - d. One public entity may transfer the reservation to another public entity within 12 months of the Letter of Intent to Develop.
- D. Easements for public rights-of-way, utilities, and other purposes including but not limited to trails and greenways, shared use paths, scenic views, historic preservation, cemetery access, and unique natural sites, shall be designed for dedication as appropriate.
- E. All site plans and plats shall exhibit standard easement notes stating the type and purpose of the easement along with a list of prohibited uses/activities within the easement.
- F. All property required to be dedicated, reserved, or otherwise set aside and identified on the approved site plan or construction plat shall be surveyed, staked, and appropriately marked and protected prior to beginning clearing and grading work.



A new street under construction.

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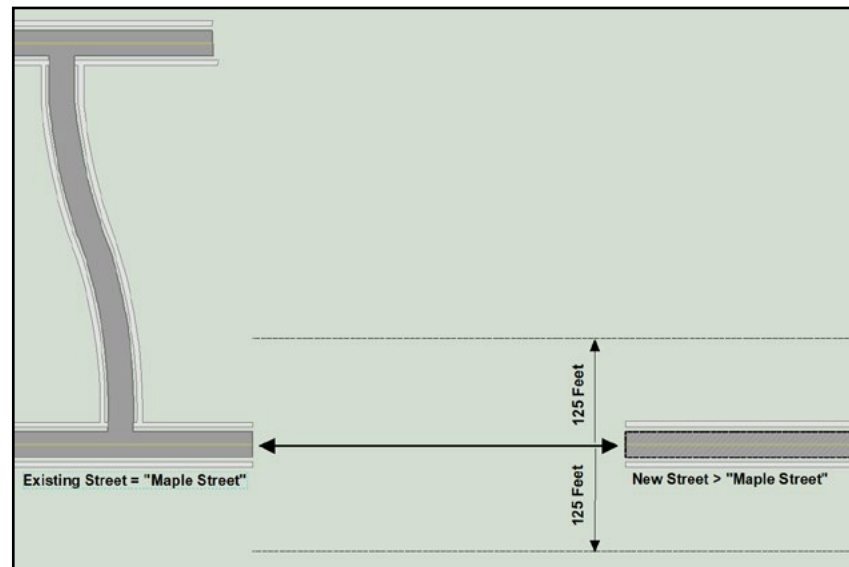
5.3.2.4. Subdivision and Street Names

- A. The proposed name of any subdivision or street shall not duplicate, or too closely approximate phonetically, the name of any street or subdivision in the area covered by this UDO.
- B. The County 911 Addressing Coordinator shall review and have authority to disapprove street and subdivision names.
- C. Street names shall require Planning Commission approval after review by the 911 Addressing Coordinator.
- D. Where a proposed street is on the alignment and a continuation of an existing street, or where the street is on the same alignment but not linked to an existing street, the name of the existing street shall be applied to the new street (see [Figure 5.3.2.4.A.](#)).

Exception: In the case of an alignment where there is a significant barrier such as lake, river, interstate, highway, or major utility easement (transmission line, pipeline) between streets, a different street name may be used.

- a. A proposed street shall be considered in alignment with an existing street if the centerline of the proposed street is offset 125 feet or less from the centerline of the existing street.
- b. Where a proposed street or private road connects or aligns with two differently named streets, the City Staff shall decide the name to be used, giving consideration to the length, road classification, and number of residents affected.

Figure 5.3.2.4.A. Naming Conventions for Aligning Streets



5.3.3. Access

5.3.3.1. General

The Planning Commission and City Council have determined that an interconnected transportation system is necessary to protect public health, safety, and welfare. The purpose of this subsection is to ensure that public rights-of-way connect neighborhoods, promote a resilient and efficient multi-modal transportation network, reduce miles of motorized travel, decrease vehicle emissions and wear on the roadway, and provide continuous and logical traffic routes.

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To achieve these goals, the requirements in this Subsection shall apply to all subdivisions and developments regulated in this Article:

- A. All lots and parcels intended for single or two-family use shall have frontage on and access to either an existing public street or highway or to a publicly dedicated street or publicly dedicated alley within the subdivision. Private drives serving two or more lots are not permitted.
- B. In any other subdivision or development (mixed-use, commercial, industrial, or civic), all lots shall have access to a publicly dedicated street through either street frontage or written cross access agreement(s), filed with the City, granting access to the development through another property or properties.
- C. A proposed development shall provide local street connections to and between local destinations, such as parks, schools, services, and retail, without requiring the use of arterial streets.
- D. Each development shall incorporate and continue all collector or local streets stubbed to the boundary of the development's property line by previously platted or existing development.

5.3.3.2. Access from Arterial or Collector Streets

- A. Local streets should connect only to other local and collector streets. Local street connections to arterials should be limited.
- B. Residential lots 1 acre and smaller shall not derive access exclusively from an arterial street.
- C. Residential lots 1 acre and smaller should avoid deriving access exclusively from a collector street.
- D. Where driveway access from an arterial or collector street may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a shared driveway, cross access easement, or alley to limit possible traffic hazards on such street.
- E. Driveways shall be designed and arranged such that vehicles are not required to back into arterial and collector streets.

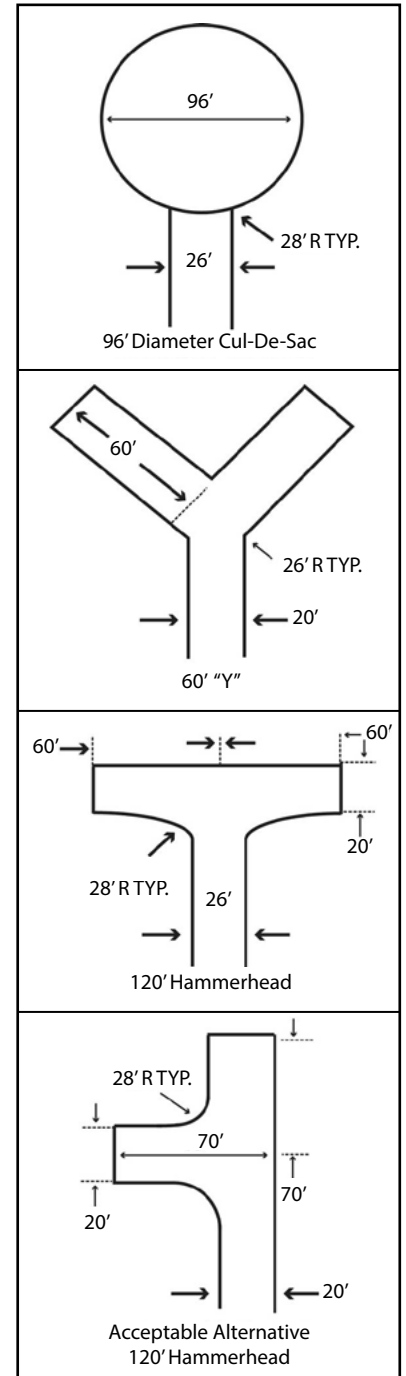
5.3.3.3. Access to Federal or State Highways

- A. When a subdivision or lots of a subdivision gain access from any state or federally numbered highway, the rules, and regulations of the Arkansas Department of Transportation regarding access shall apply as a minimum.
- B. This UDO may require more stringent access control measures to ensure public safety and convenience.

5.3.3.4. Access from Stub Streets

- A. Proper access in the form of stub-streets or temporary dead-end streets shall be provided to adjacent unplatted property.
- B. Proposed through streets shall be extended to the boundary of the tract to be subdivided and an acceptable temporary turnaround shall be constructed to be removed when the street is extended beyond the property (see [Figure 5.3.3.4.A.](#))
- C. Where a property is adjacent to an existing stub street, it shall be required to connect to and extend the stub street through the property when platted to provide interconnected traffic flow.

Figure 5.3.3.4.A. Turnaround Types



Source: 2018 International Arkansas Fire Prevention Code.

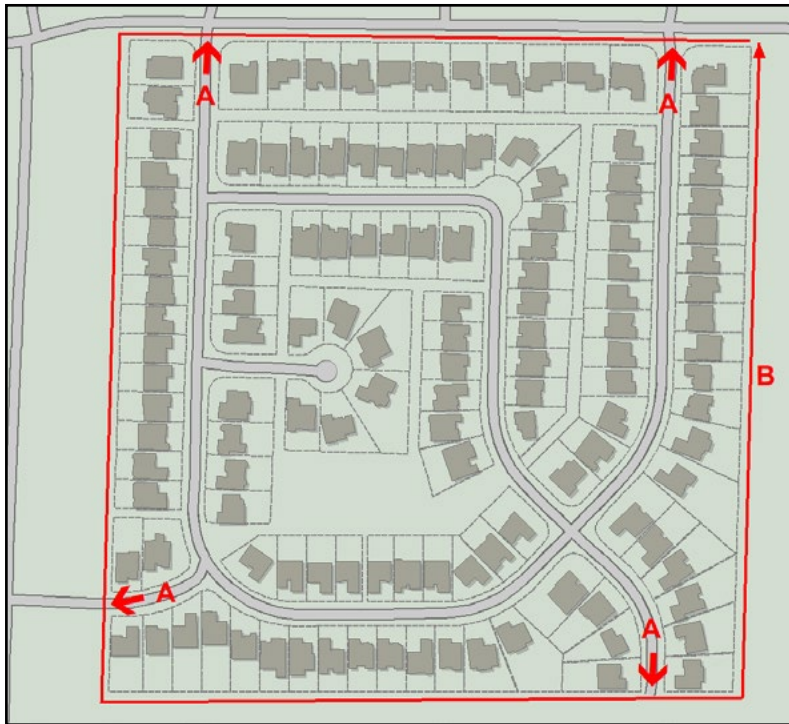
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- D. Subdivisions that abut existing streets shall dedicate additional right-of-way to meet the minimum right of way width requirements from each side of the centerline as required in the Master Street Plan. Paving and other improvements shall be installed in accordance with the established standards in this UDO and the Master Street Plan.

5.3.3.5. Access Routes

- A. An access route is defined to be a vehicular travel way which begins as a departure point from a collector (including residential collectors), minor arterial, or major arterial street, as defined in the City's Master Street Plan, and extends to each lot occupied by a dwelling unit or units, or, in the case of a single lot multi-family development, to the paved point nearest to each building with dwelling units.
- B. These access routes shall be in the form of dedicated street rights-of-way. Exception: access routes within single lot multi-family developments, which may take the form of private drives or cross access easements upon the one lot.
- C. An access route to the development may have one or more lanes but shall still be considered one access route.
- D. **Access requirements for residential developments.**
 - a. The first access route serving a development shall connect directly to a major street (collector or arterial) outside of the development.
 - b. The second access route serving a development should connect directly to a major street outside the development but may instead connect to a local street in an adjacent development as long as that local street connects directly to a major street (collector or arterial) outside of both developments.
 - c. Any access routes in addition to the first two may take the shape of connections to a) a major street outside the development; b) a local street outside of the development; or c) a stub-out street inside the development preparing for a connection to future development.
 - d. Access routes shall, whenever possible, gain access from different streets.
 - e. Access routes shall be at least 200 feet from any other access route to the development, measured from centerline to centerline of each street right-of-way.
 - f. **30 or less dwelling units.** 1 minimum access route connecting to a major street (collector or arterial) outside of the development.
 - g. **31-100 dwelling units.** 2 minimum access routes.
 - h. **More than 101 dwelling units.** Access routes are required for every 2,000 feet of perimeter around the development, rounded to the nearest whole number.
 - i. *Example 1: A development's perimeter measures 8,250 feet.
Calculate: $8,250' / 2,000' = 4.1$. Result: 4 total access routes required.*
 - ii. *Example 2: A development's perimeter measures 21,000 feet.
Calculate: $21,000' / 2,000' = 10.5$. Result: 11 total access routes required.*

Figure 5.3.3.5. Access Routes



Subdivisions with over 150 dwelling units are required to have 1 access route (A) for each 2,000' of the subdivision's perimeter (B). Stub streets extended to the subdivision edge are counted as access routes.

- E. **Access requirements for multi-family developments.** Multi-family residential developments shall provide access routes and install approved automatic sprinkler systems in accordance with the International Arkansas Fire Prevention Code.

5.3.3.6. Large Tracts or Parcels

- A. When land is subdivided into lots containing more than one acre of land and there are indications that such lots will be eventually resubdivided into smaller building sites, such lots shall be arranged and designed to allow for the opening of future streets and the ultimate extension of adjacent streets to provide access to those areas not presently served by streets.
- B. Easements providing for the future opening and extension of such streets shall be made a requirement of the plat.

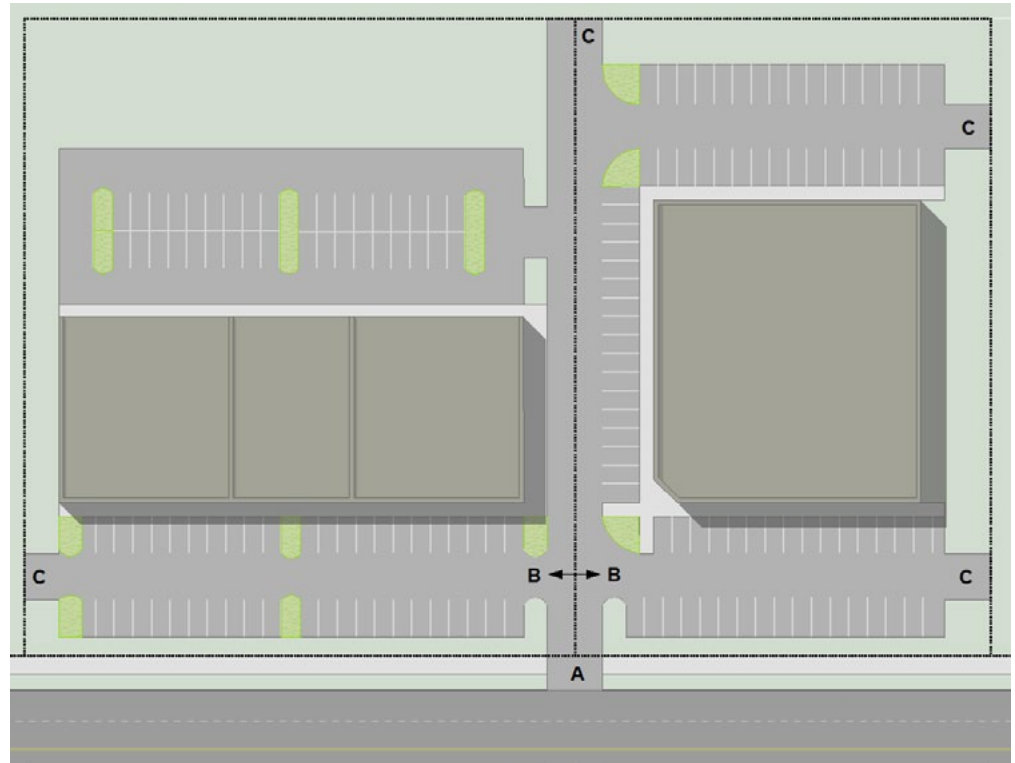
5.3.3.7. Cross Access

Refer to [Subsection 4.17.3.](#) for cross access requirements.

- A. Cross access easements shall be included on plats and site plans.
- B. Plats or site plans indicating cross access easements shall be accompanied by a notarized cross access agreement, signed by all affected property owners, which guarantees that access be unrestricted and specifies maintenance responsibilities.
- C. The agreement shall be filed along with the plat/site plan with the City Staff and County Recorder, as applicable.

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Figure 5.3.3.7. A. Cross Access



A	The Planning Commission may require shared driveway connections to collector and arterial roads on access managed corridors. Shared driveways also help properties meet minimum driveway spacing requirements for their zone (see Table 4.17.1.A)
B	Cross access connections are required for all properties with ground-floor commercial uses
C	Stub-outs are required when the property abuts either an undeveloped property or a property that does not yet accommodate a cross access connection

5.3.3.8. Pedestrian Access

The purpose of the following requirements is to provide connections for pedestrians, bicycles, and similar users (short: “pedestrians”) to neighboring properties that are shorter in distance than the connections provided by streets.

To achieve this connectivity, the following requirements shall apply:

- A. All developers/subdividers shall include a pedestrian plan within their plat/site plan detailing sidewalks and off-street path connections.
- B. All developments shall conform to local and regional transportation plans (such as the City’s Master Street Plan, Bike-Ped Plan, Multi-Modal Guidelines, and others) and, where indicated in the plan(s), incorporate into their plats/site plans
 - a) public right-of-way for planned pedestrian facilities inside the development,
 - b) easements for connections to existing or planned pedestrian facilities outside the development.
- C. Developers erecting a fence, wall, berm, or screen along their lot lines must maintain a clear area to allow for passage between properties of the minimum width required in the plan(s).
- D. Additional requirements for pedestrian access and facilities are listed in [Section 5.4.3. – Blocks](#), [Section 5.5.2. – Sidewalks](#), and [Section 5.5.3. – Shared Use and Side Paths](#).

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Section 5.4. – Lot and Block Standards

5.4.1. Property Description and Monuments

- A. All plats and site plans shall provide a property description utilizing the Public Land Survey System (PLSS).
- B. Permanent reference monuments are required on all outside lines of the subdivision at angle points and points of curve.
- C. All monuments shall be installed and certified by a professional surveyor after all improvements have been completed.
- D. All monuments shall comply with the Arkansas Minimum Standards for Property Boundary Surveys and Plats.
- E. Monuments shall be of steel 3/4" in diameter, 24" in length or other approved monument and shall be set flush with the ground in concrete.
- F. All lot corners shall be marked with metal pins not less than 3/8" in diameter and 16" long and driven to be flush with the finished grade.
- G. All monuments, found or set, shall be shown on the plat.

5.4.2. Lots

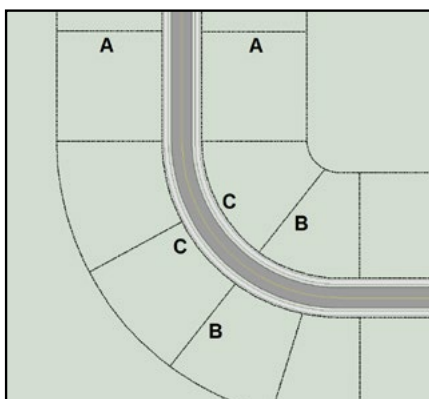
The layout of individual lots within a subdivision shall conform to the following standards as well as the lot standards outlined in [Article 4](#).

- A. The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- B. Inside City limits, minimum lot dimensions shall conform to the development standards of this UDO for the applicable zone.
- C. Outside City limits but within the City's Planning Area Boundary, the developer shall design lots to the standards of the zone most appropriate to the property. Minimum building setback lines shall conform to R-LD (Low-Density Residential) standards in residential subdivisions and CC (Commercial Corridor) standards in commercial subdivisions.
- D. Lots not served by public water/sanitary sewer system and proposed to be served by a septic tank system must submit at the time of construction plat filing a written certification of approval by the Arkansas State Department of Health (ADH). The minimum lot sizes shall conform to ADH requirements.
- E. Side lot lines should be at right angles to street lines or radial to curving street lines unless a variation from this regulation, subject to Planning Commission approval, would give a better street or lot plan, allow better land utilization, or conserve energy. Front lot line radii shall be concentric with the curb in the case of curved streets.



Example of a lot corner marker.

Figure 5.4.2.A. Lot Lines

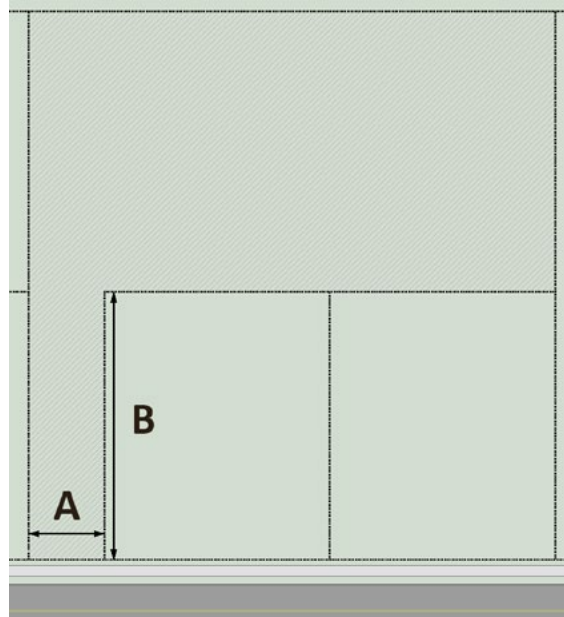


A	Side lot lines perpendicular to straight streets
B	Side lot lines radial to curved streets
C	Front lot lines concentric with curb along curved streets

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- F. Pipe-stem lots may be permitted in residential subdivisions provided that the stem, or narrowest part of such a lot, shall not be less than 30 feet in width or have a length of more than 125 feet. In pipe-stem lots, the building line shall be computed from the front lot line and not associated with the pipe-stem portion. Pipe-stem lots are to be used on rare occasions in order to use otherwise unusable properties.

Figure 5.4.2.B. Pipe-Stem Lot



The stem, or narrowest part of a pipe-stem lot, shall be at least 30 feet wide (A) and no more than 125 feet long (B).



This neighborhood in Conway, Arkansas has blocks that are 660' x 560' long.



This neighborhood in Lonoke, Arkansas has blocks approximately 280' long.

5.4.3. Blocks

The lengths, widths and shapes of blocks shall be determined with due regard for the following:

- A. Provision of adequate building sites suitable to the needs of the planned use.
- B. This UDO's Development Standards ([Article 4](#)) for lot sizes and dimensions.
- C. Needs for convenient access, circulation, control, and safety of motorized and non-motorized traffic.
- D. Limitations and opportunities of topography.

5.4.3.1. Block Lengths

- A. Block lengths shall be measured from back of curb to back of curb.
- B. Subdivisions in the R-LD (Low-Density Residential), CC (Commercial Corridor), and IND (Industrial) zones are exempt from the requirements in this Subsection, but shall meet the connectivity requirements outlined in [Subsection 5.4.3.3.](#)
- C. In all other zones, blocks shall be 200 to 600 feet in length unless:
 - a. The terrain makes blocks of other lengths necessary; or
 - b. Preexisting adjacent developments make future connections improbable.

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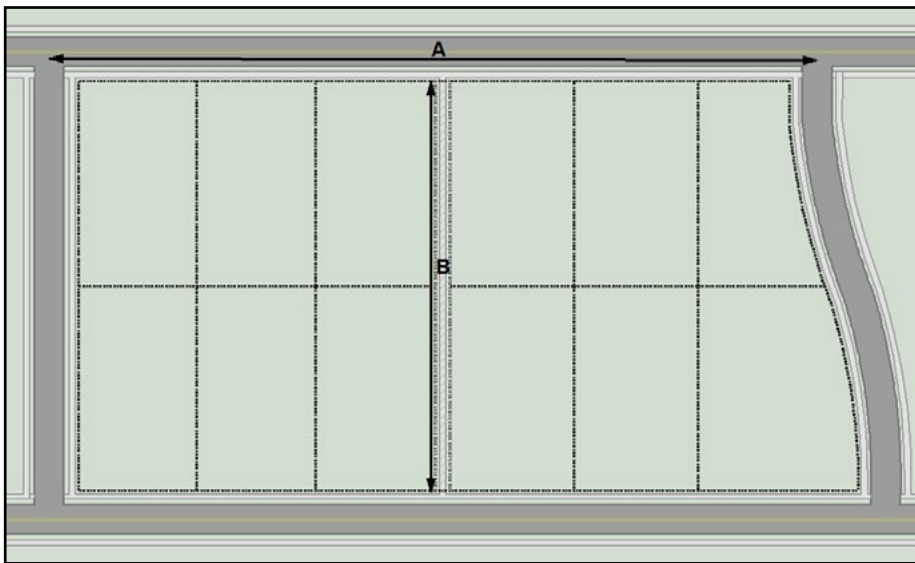
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- D. **Mid-Block Passages.** When a block exceeds 600 feet in length, the developer shall dedicate an easement at least 15 feet wide for a mid-block passage to provide multi-modal access through the block.
- If the mid-block passage easement will connect two existing streets/pathways, the developer shall construct a minimum 5-foot-wide path through the easement. Wider passages and/or shared use paths are encouraged.
 - Mid-block passages may be constructed using concrete, asphalt, packed crushed stone, gravel fines compacted with a roller, boardwalk, or other natural materials bonded with synthetic materials (e.g. “chip and seal”).
 - Mid-block passages shall meet accessibility requirements for trails. See <https://www.access-board.gov/aba/guides/chapter-10-outdoor/#trails>.
 - Mid-block passage easements ending in an undeveloped area shall be recorded on the plat but may be left undeveloped.
 - Lots abutting a mid-block passage shall be developed as corner lots, with the mid-block passage considered a side street for the purposes of this UDO.



Example of a mid-block walkway.

Figure 5.4.3.1.A. Mid-block Passage



Blocks over 600 feet long (A) must provide a mid-block passage (B).

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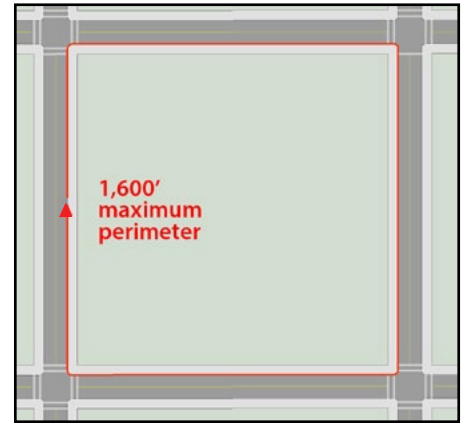
E. Block Perimeters.

- a. In the Walkable Town Center (TC) and Neighborhood Center (NC) zones, block perimeters (total length of all 4 sides of the block) shall not exceed 1,600 feet.
- b. In the Neighborhood Residential (R-NH), Flexible Residential (R-FX), and Manufactured Home Residential (R-MH) zones, block perimeters (total length of all 4 sides of the block) should not exceed 1,600 feet but shall not in any case exceed 2,400 feet.
- c. In all other zones, the developer shall refer to the Master Street Plan for the location of required public streets and rights-of-way.

Figure 5.4.3.1.B. Maximum Block Perimeters



Maximum block perimeter for Neighborhood Residential (R-NH), Flexible Residential (R-FX), and Manufactured Home Residential (R-MH) zones.



Maximum block perimeter for Walkable Town Center (TC) and Neighborhood Center (NC) zones.

5.4.3.2. Stub-Outs and Cul-de-Sacs

- A. No stub-out streets shall be permitted except in cases where such streets are designed to connect with future streets on abutting land.
 - a. Allowed stub-outs over 100 feet in length shall have a temporary turnaround easement at the end of the street dedicated and constructed (see [Subsection 5.3.3.4.](#) for acceptable turnaround designs).
 - b. Exemption: Stub-outs that do not provide service access to any homes or buildings (such as mail or garbage service) are not required to construct a turnaround.
- B. Cul-de-sacs shall only be permitted if they are:
 - a. A maximum of 400 feet in length (see [Figure 5.4.3.2.A.](#)), or
 - b. A maximum of 600 feet in length and provide a connection from the end of the cul-de-sac to another street, public right-of-way, or development (see [Figure 5.4.3.2.B.](#))
 - c. The connection shall conform to the same standards as a mid-block passage (see [Subsection 5.4.3.1.](#)).
- C. Cul-de-sacs shall be provided at the closed end with a turn-around. This turn-around shall meet the minimum requirements of the Arkansas State Fire Prevention Code.
- D. All cul-de-sacs that abut an existing or planned street or shared use path shall provide a pedestrian connection from the end of the cul-de-sac to an abutting street or path. The connection shall conform to the same standards as a mid-block passage (see [Subsection 5.4.3.1.](#) above).



Example of a simple connection from the end of a cul-de-sac to the adjacent property.

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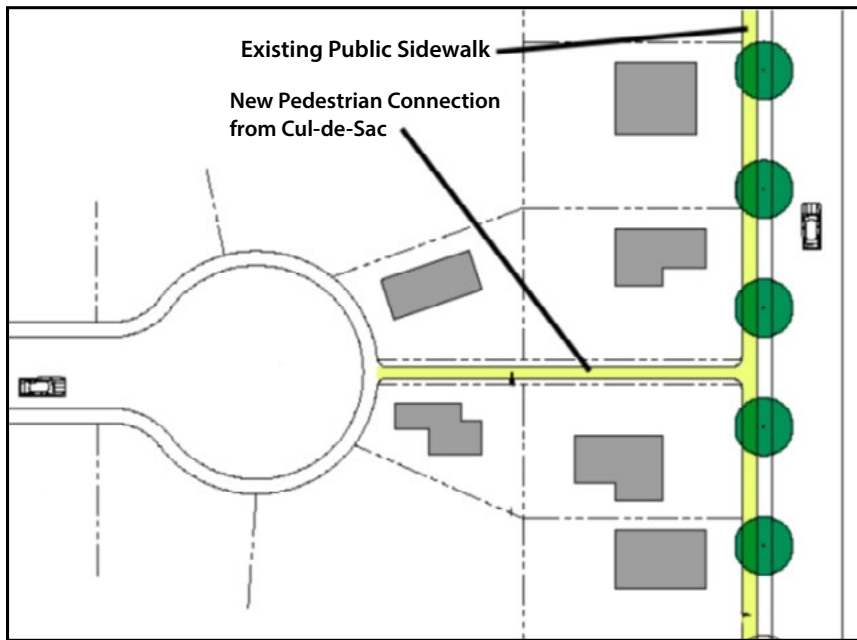
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Figure 5.4.3.2.A. Measuring Cul-de-Sac Length



Cul-de-sac length is measured from the center point of the cul-de-sac's circular turn around to the nearest intersection /access point providing access to 2 or more routes of egress (A to B above).

Figure 5.4.3.2.B. Providing Multi-modal Connections from a Cul-de-Sac



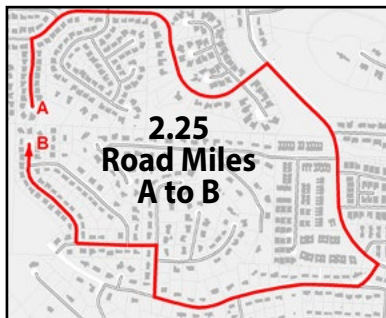
Connecting cul-de-sac heads with the greater sidewalk/trail network increases pedestrian connectivity. Source: Fayetteville NC UDO.

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5.4.3.3. Connectivity

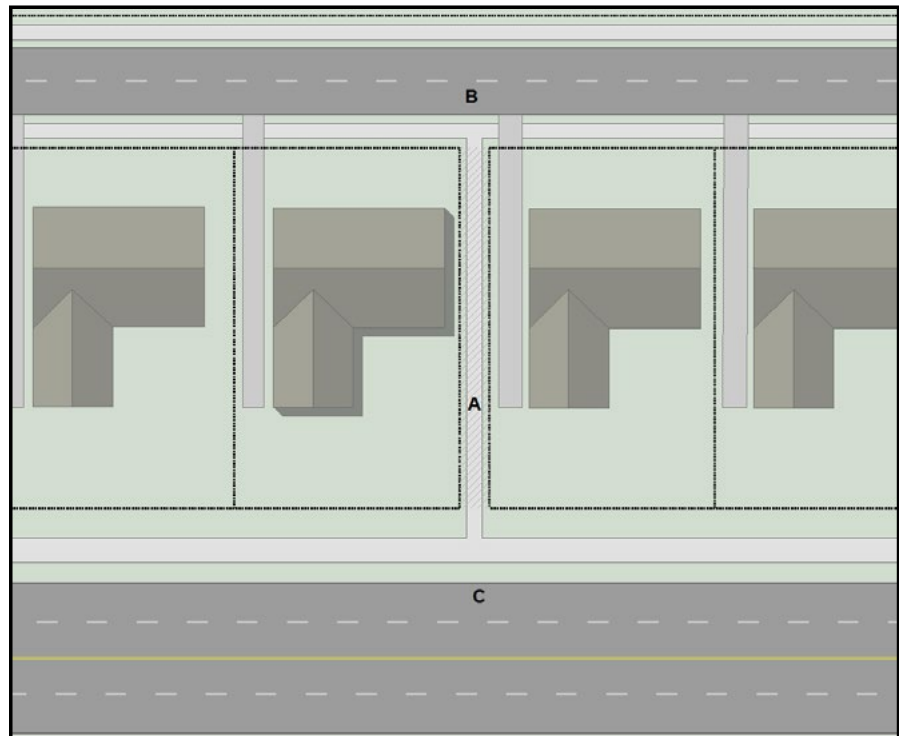
This Subsection is intended to ensure new developments meet the City’s goal to further connectivity to efficiently distribute traffic on the street network and give pedestrians and bicyclists additional transportation choices.

- A. **External Connectivity.** To ensure connectivity with existing and planned streets and paths outside of the development, the following regulation shall apply:
 - a. Developments shall meet the minimum access route requirements outlined in [Subsection 5.3.3.5. – Access Routes](#).
 - b. Any new street or cul-de-sac serving a property or properties with a lot line on any existing or planned boundary street or path shall provide either a street, shared use path, or pedestrian connection between the new street and the abutting boundary street or path. Pedestrian connections shall conform to the same standards as a mid-block passage (see [Subsection 5.4.3.1.](#)).



In this part of west Little Rock, the back yards of two houses in different cul-de-sacs touch, yet you must drive 2.25 miles to get from one house to the other.

Figure 5.4.3.3.A. Connection to Boundary Street



A mid-block passage (A) connects a local street with lots abutting the subdivision boundary (B) with the external boundary street (C).

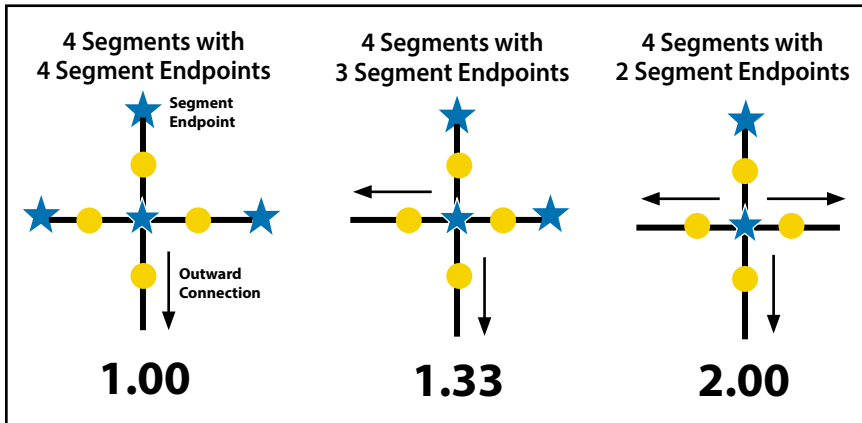
- B. **Internal Connectivity.** To ensure connectivity within a new subdivision or development, this UDO requires a minimum connectivity index. The higher a development's connectivity index, the more connected the transportation network. The index ranges from 1.00 (poorly connected) to 2.00 (very well connected). The guidance and figures below demonstrate how to calculate the connectivity index.
- To provide adequate internal connectivity within a subdivision or planned development, the street network alone shall have a minimum connectivity index of 1.40.
 - If the street network's connectivity index is between 1.40 and 1.60, additional segments and segment endpoints formed by trails, shared use paths, mid-block passages, and alleys may be counted to bring the total connectivity index up to a minimum of 1.60.
 - The connectivity index is defined as the number of segments divided by the number of segment endpoints.
 - A segment is defined as a stretch of right-of-way between two intersections or from an intersection to a cul-de-sac/stub-out. This includes segments leading into the development from the adjoining street network or adjacent developments.
 - Segment endpoints are defined as intersections between 2 different streets.
 - Cul-de-sacs also count as segment endpoints.
 - The end of a stub-out at the property line or an intersection with the adjoining street network does NOT count as a segment endpoint.

The connectivity index is defined as the number of segments divided by the number of segment endpoints.

$$\text{Connectivity} = \frac{\text{Segments}}{\text{Endpoints}}$$

Figure 5.4.3.3.B. Measuring Connectivity

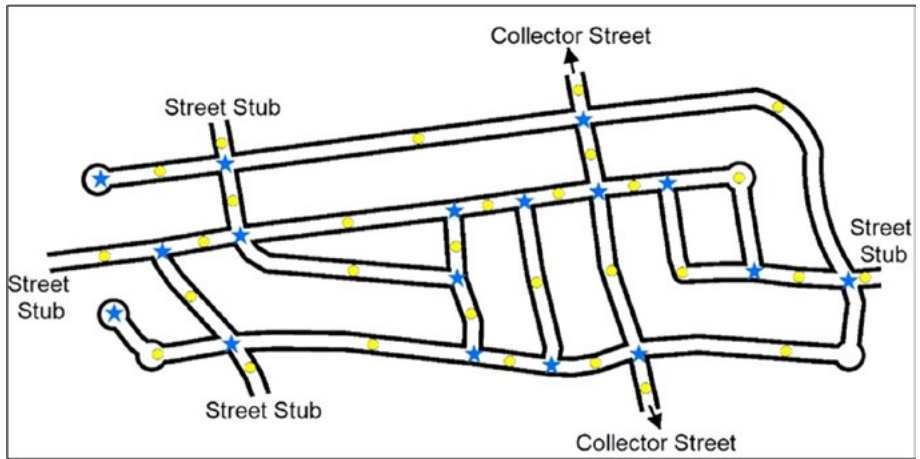
Key: ● = segment; ★ = segment endpoint



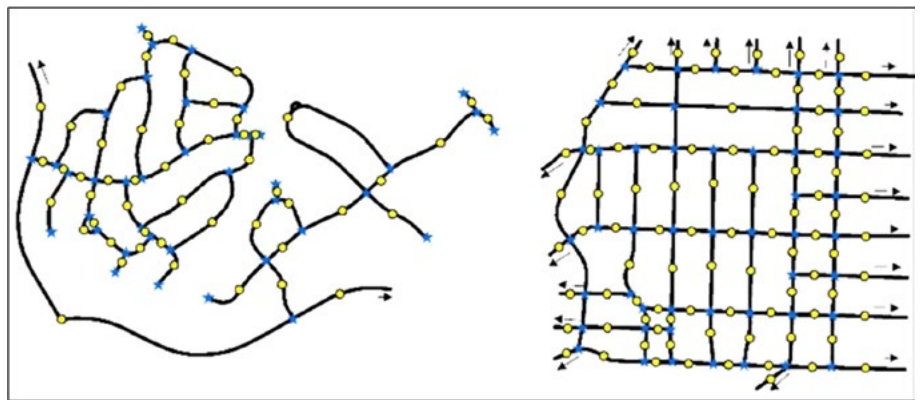
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Figures 5.4.3.3.C. Example Connectivity Index Calculations

Key: ● = segment; ★ = segment endpoint

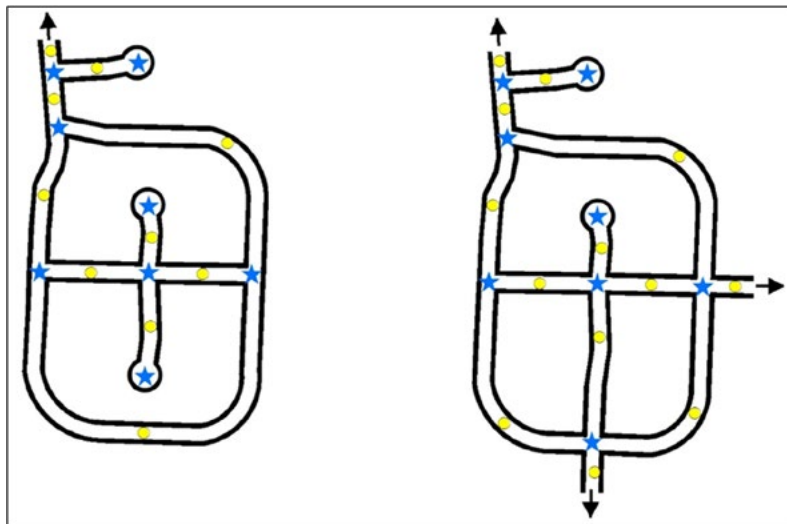


30 segments/17 endpoints = 1.76



51 segments/38 endpoints = 1.34

91 segments/48 endpoints = 1.90



9 segments/8 endpoints = 1.13

13 segments/8 endpoints = 1.63

Adding two links to streets outside of the development (right and bottom) increased the connectivity index from 1.13 (poorly connected) to 1.63 (well connected).

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Section 5.5. – Transportation Design Standards

5.5.1. Streets

5.5.1.1. General

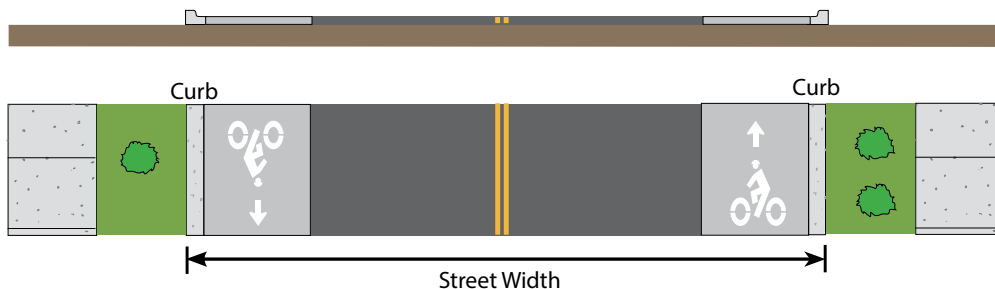
- A. Every subdivision shall be served by an adequate system of publicly dedicated streets.
- B. All public streets within the subdivision shall be located, platted and dedicated to the City or the County in accordance with the standards and procedures outlined in this UDO and the City's Master Street Plan.
- C. Unless otherwise indicated in the Master Street Plan, developers shall build streets according to the specifications in the AASHTO "Green Book" (*Policy on Geometric Design of Highways and Streets*, Current Edition).
- D. No land shall be graded until the City Staff has reviewed construction drawings and the construction plat has been approved.
- E. Street grades shall conform as closely as possible to the original topography.
- F. Combinations of steep grades and curves shall be avoided.
- G. Curbs and gutters shall be installed on all streets except as this UDO may direct.

American Association of State Highway and Transportation Officials (AASHTO)

5.5.1.2. Right-of-Way and Pavement Widths

- A. All highways, street rights-of-way, and other features of the transportation network shall be platted by the subdivider in the location and dimension indicated on the Master Street Plan adopted for the City's Planning Area.
- B. The street right-of-way width shall be the distance across a street from property line to property line.
- C. The minimum street right-of-way and pavement widths shall conform to the street cross section standards designated within the City's Master Street Plan.
- D. If the Master Street Plan does not designate right-of-way widths, the following minimum right-of-way dedication requirements shall apply:
 - a. Local street with curb and gutter: 50 feet
 - b. Local street with open drainage: 60 feet
 - c. Local street in Industrial zone: 80 feet
 - d. Collector street: 60 feet
 - e. Minor arterial street: 80 feet
 - f. Major arterial street: 100 feet
- E. Street pavement widths and curb radii shall be installed according to the standards in the Master Street Plan.
 - a. All widths shall be measured from back of curb to back of curb.
 - b. Front lot line radii shall be concentric with the curb in the case of curved streets.

Figure 5.5.1.2. Measuring Street Pavement Width



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5.5.1.3. Street Layout, Intersections, and Alignments



A roadway and sidewalk under construction.

- A. The proposed street layout shall integrate with the street system in the area adjoining the subdivision.
- B. Public alleys are allowed at the rear of all platted lots. The width of an alley's right-of-way shall be 15 feet minimum, with 20 feet recommended in commercial areas.
- C. Street intersections and alignments shall be located and designed to avoid creating hazardous driving conditions.
- D. Where the angle of street intersection is less than 90 degrees, the Planning Commission may require a greater curb radius than is prescribed in the City's Master Street Plan.
- E. In site plan review, the number of driveways and their alignment with intersecting streets and other development shall be evaluated and approved by the Planning Commission with due regard to the street classification(s) and expected traffic volumes of the development and streets.
- F. The Planning Commission may discourage new street rights-of-way from intersecting with arterial streets if other options exist.
- G. Proposed new intersections shall wherever practical coincide with any existing intersections on the opposite side of the street. Street jogs with centerline offsets of less than 125 feet shall not be allowed.
- H. Intersections shall provide adequate clear sight distance. See [Subsection 4.18.1.4. – Landscaping Around Site Perimeter](#) for guidance.
- I. Intersections should be designed with flatter approach grades wherever practical.
- J. All intersection designs must be approved by the City Staff.
- K. Additional street paving and/or right-of-way in the form of turning lanes will be required by the City Staff where heavy traffic is anticipated.
- L. Roundabouts should be considered at proposed four-way intersections, with due consideration of their impact on pedestrian, bicycle, and vehicular safety.

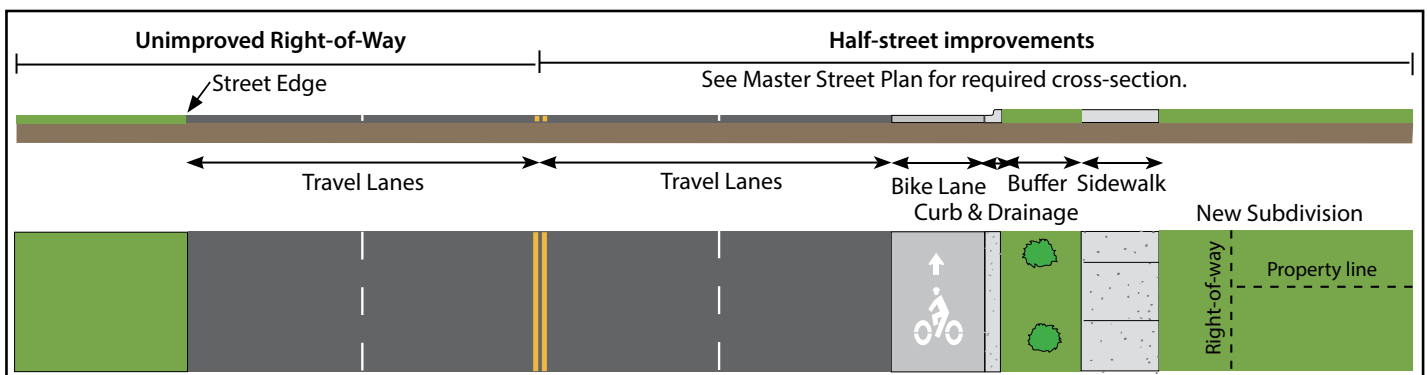


The developer of the subdivision on the right has installed half-street improvements on the boundary street per the Master Street Plan and Subdivision standards.

5.5.1.4. Boundary Streets

- A. **Existing boundary streets.** When a proposed subdivision abuts an existing public street right of way, the developer shall install boundary street improvements as defined below. Required boundary street improvements include:
 - a. The plat or site plan shall reflect right-of-way dedication for one-half of the right-of-way required in the Master Street Plan. If the Master Street Plan does

Figure 5.5.1.4.A. Required Half-Street Improvements on Existing Boundary Streets



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not designate right-of-way widths, refer to [Subsection 5.5.1.2](#) for minimum widths.

- b. Reconstruction of one-half section of the abutting street if the existing street is not up to City standards.
 - c. Widening of one-half section of the abutting street to City standards.
 - d. Reconstruction or construction of the entire street section of the street if the existing street is not up to City standards and is located wholly within the proposed subdivision and is located wholly within the proposed site or subdivision.
 - e. Curb and gutter for the length of the project boundary that adjoins the street.
 - f. Sidewalks as required in the development standards for the zone.
 - g. Drainage piping and drainage structures as required by the City Staff.
 - h. 100 percent of bridge and box culvert construction. (Waivers may be granted in the case of arterial streets).
 - i. Other standard roadway or drainage improvements required by ordinance or as may be required to conform to accepted engineering principles, as identified by the City Staff and relayed to the Planning Commission.
- B. **Planned boundary streets.** If a boundary street is planned for future construction in the Master Street Plan, the subdivision plat or site plan shall reflect right-of-way dedication for one-half of the right-of-way as required in the Master Street Plan.
- C. **New boundary streets.** Street systems in new subdivisions shall be laid out to eliminate boundary half-streets. The Planning Commission may authorize a new boundary street if the subdivider improves and dedicates the entire required street right-of-way width within their own subdivision boundaries.
- D. Developments along state or federal highways shall coordinate with ArDOT regarding required half-street improvements. At a minimum, developers shall dedicate the right-of-way required by ArDOT and shall construct sidewalks per the zone's development standards.

5.5.1.5. Frontage Roads

- A. When a lot fronts a limited access road, such as a freeway, the Planning Commission may require the developer to construct a frontage road.
- B. Right-of-way dedication and/or construction shall be completed as required in the Master Street Plan.

5.5.1.6. Street Construction Standards

All street construction designs are subject to approval by the City Staff. The City Staff may make adjustments to the street construction requirements based on known soil and terrain conditions.

5.5.1.6.1. Soil Conditions

- A. The City Staff may require soil tests and/or a geotechnical analysis to determine undercut, base, and pavement thickness prior to any street construction. Soil tests and geotechnical analysis shall be performed at the developer's expense.
- B. When directed by the City Staff or recommended by the geotechnical analysis:
 - a. Localized weak soil conditions shall be undercut and excavated material removed. Crushed stone, shale or other material approved by the City Staff shall be used to bring the subgrade to finish grade.

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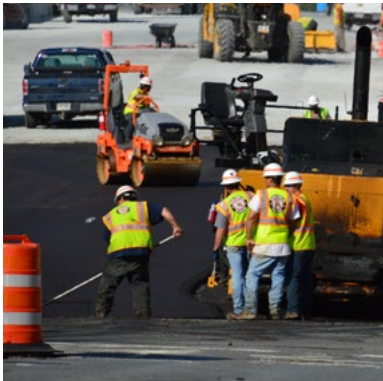
- b. Continuous springs and wet weather springs shall be intercepted with a French drain system and drained to an acceptable drainageway.
- c. Large areas having weak soil conditions, as evidenced by subgrade or base failure prior to surfacing, shall have the subgrade undercut to sufficient depth and the base thickness increased as required to stabilize the subgrade. Filter fabric shall be required when large area subgrade failures occur due to saturated soil conditions because of seasonal perched water tables.

5.5.1.6.2. *Grading and Subgrade Preparation*

- A. The streets shall be shaped and graded in accordance with approved street plans.
- B. The subgrade shall be compacted to 95% Modified Proctor Density (from back of curb to back of curb).
- C. Soft, yielding sections of subgrade shall be removed and replaced in 6-inch maximum lift thicknesses with each lift compacted with a sheepsfoot roller to 95% Modified Proctor Density. Compaction with track equipment or other equipment not specifically designed for earthwork compaction is not allowed.
- D. The developer shall perform compaction testing before placement of the crushed stone base course.
- E. The moisture content of the fill material shall be plus or minus 3% of optimum.
- F. All earthwork, including the subgrade (back of curb to back of curb) shall conform to the requirements of Sections 210 and 212 of the Arkansas Department of Transportation (ArDOT) Standard Specifications for Highway Construction (Standard Specifications), or as otherwise approved by the City Staff prior to construction plat or site plan approval.

For ArDOT's Standard Specifications, see: <https://www.ardot.gov/divisions/construction/standard-specifications/>

- G. Prior to placement of the crushed stone base course, the subgrade must field demonstrate that it is firm and unyielding to the passage of equipment over the subgrade.
- H. The developer shall perform additional compaction testing after all stormwater drainage and utility placement. Diggable cement is recommended for backfilling the subgrade after utility placement.



Street construction.

5.5.1.6.3. *Asphalt Street Standards*

- A. **Pavement thickness.**
 - a. Residential street standard: 8-inch crushed stone base with 3-inch asphalt surface course, unless otherwise approved by the City Staff.
 - b. Non-residential streets shall require geotechnical analysis to determine construction standards.
- B. **Base.** The base shall consist of crushed stone base course conforming to the requirements of a Class 7 aggregate base course as specified in Section 303 of ArDOT's Standard Specifications, and shall be prepared in accordance with Section 304 of ArDOT's Standard Specifications.
- C. **Surface.** The surface course shall consist of Asphaltic Concrete Hot Mix conforming to the requirements of Section 407 of ArDOT's Standard Specifications, or as otherwise approved by the City Staff prior to construction plat or site plan approval.

5.5.1.6.4. *Concrete Street Standards*

- A. Base course or subgrade shall be compacted according to Section 302 of ArDOT's Standard Specifications.

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- B. Concrete pavement shall be constructed according to Section 501 of Portland Cement Association Pavement Specifications.
- C. Unless otherwise indicated in the Master Street Plan, developers shall build sidewalks according to the specifications in the AASHTO *Guide for the Planning, Design, and Operation of Pedestrian Facilities*, Current Edition.
- D. Concrete shall be poured in separate lanes with a maximum width of 15 feet.
- E. Transverse control joints shall be tooled or saw cut to 1/3 of the pavement depth at a maximum of 12-foot intervals.
- F. Transverse expansion joints shall be 1/2-inch asphalt impregnated fiber board or other approved material, at a maximum of 50-foot intervals.
- G. The poured surface grade shall have a minimum thickness of 6 inches of concrete.
- H. Reinforcing tie bars, where required, shall be in general conformance with the Portland Cement Association recommendations.



Drainage improvements under construction.

5.5.1.6.5. Street Grades

Grades shall conform to the requirements of the Master Street Plan and Arkansas Fire Prevention Code. Unless otherwise indicated, the minimum grade for all streets shall be 0.5 percent unless the developer offers a suitable design for draining the street of surface storm water.

5.5.1.6.6. Storm Drainage Within Street Right-of-way

See [Section 5.7.5.](#) – Storm Drainage for requirements.

5.5.1.6.7. Curbs and Gutters

- A. The Master Street Plan shall determine where curbs and gutters are required.
- B. Curbs and gutters shall be installed on all newly platted streets.
- C. Where required, the subdivider shall construct permanent 6-inch concrete curbs with 24-inch integral concrete gutters.
- D. Asphalt curbs shall not be allowed.
- F. Curb and gutter requirements may be modified in areas where a low-impact development plan is approved that utilizes alternative stormwater management techniques.

5.5.1.6.8. Street Name Signs

Street name signs shall be placed on diagonally opposite corners of each street intersection.

5.5.2. Sidewalks

The requirements in this Subsection are minimum requirements. The Planning Commission may require additional and/or wider sidewalks near commercial areas, schools, and other places of public assembly.

- A. Sidewalk width and placement shall be determined according to this UDO (see [Article 4](#)) and the City's Master Street Plan.
- B. Sidewalks shall be constructed on one side of the street unless the City's Master Street Plan requires a different street cross-section.
- C. The design of sidewalk improvements shall be included in all site plans and plats.
- D. Sidewalks shall be designed to follow federal Americans with Disabilities Act (ADA) standards, as amended.
- E. Driveways shall not obstruct or alter the approved sidewalk design.

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- F. Questions or variance requests concerning the construction of sidewalks shall be resolved prior to the approval of a site plan or construction plat.
- G. Sidewalk ramps at street intersections shall be ADA compliant and shall be constructed by the developer of the subdivision concurrently with street construction.
- H. Required sidewalk construction in all rights-of-way abutting a lot shall be completed before a Certificate of Occupancy is issued for that lot.
- I. All sidewalks indicated on the final plat shall be installed before the developer is released from the guarantee of installation (see [Section 6.4.4.](#)).



Clearly marked crosswalks and pedestrian pathways make streets more navigable for all users.

5.5.2.1. Sidewalk Construction Standards

- A. Concrete sidewalks shall be constructed to the standards of the Arkansas Department of Transportation (ArDOT) Standard Specifications for Highway Construction (Standard Specifications), Section 633, unless the requirements in this subsection are more stringent or alternative standards are approved by the City Staff prior to construction plat or site plan approval.
For ARDOT's Standard Specifications, see: <https://www.ardot.gov/divisions/construction/standard-specifications/>
- B. Sidewalks shall have no more than a 2% cross-slope.
- C. Sidewalks shall be constructed behind driveway aprons and before the beginning of a driveway.
- D. Wheelchair ramps shall be constructed in accordance with Section 641 and Subsection 633.03 of ArDOT's Standard Specifications, and the Standard Drawing WR-1.
 - a. The concrete island portion of the ramps shall be constructed in accordance with Subsection 632.03 and Standard Drawing DR-1.
 - b. The cast-in-place tactile panels shall be installed into the wet concrete per the manufacturer's specifications and in accordance with Standard Drawing WR-1, or as otherwise approved by the City Staff prior to construction plat or site plan approval.



A sidewalk under construction.

For ARDOT's Standard Roadway Drawings, see: <https://www.ardot.gov/divisions/roadway-design/standard-roadway-drawings/>

5.5.3. Shared Use and Side Paths

The requirements in this Subsection are minimum requirements. The City may place additional requirements on developments near commercial areas, schools, and other places of public assembly.



A shared use path.

- A. The location and design of any required or proposed paths shall be included in all site plans and plats.
- B. Path cross-sections, location, and specifications shall meet the City's Bike-Ped Plan and Multi-Modal Guidelines.
- C. Designated shared use paths shall have a minimum 18-foot right-of-way with a minimum 10-foot-wide paved pathway.
- D. Designated side paths shall be included in the street right-of-way. Side paths shall have a minimum 10-foot-wide paved pathway. There shall be a minimum 3-foot-

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wide buffer between the side path and the back of the curb, or edge of the street if no curb is present.

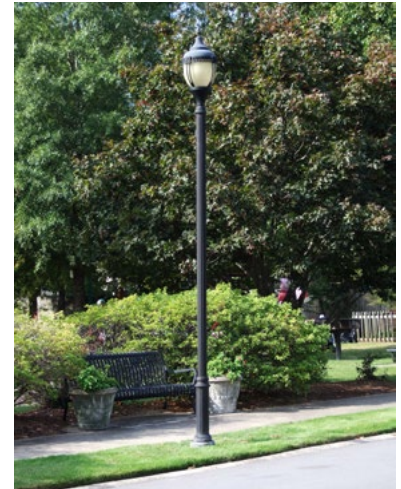
- E. Paths shall be designed to follow federal Americans with Disabilities Act (ADA), as amended, standards.
- F. Ramps shall be constructed to permit wheelchair access at street intersections. Ramp specifications shall meet or exceed ADA standards.
- G. Paths shall be constructed using asphalt or concrete, or as specified in the Bike-Ped Plan, or other adopted or applicable protocols governing construction.
- H. Questions or variance requests concerning the construction of paths shall be resolved prior to the approval of a site plan or construction plat.
- I. Path construction shall be completed by the developer before the issuance of any Certificates of Occupancy for structures on lots abutting the path.



A side path set back at least 3' from the curb.

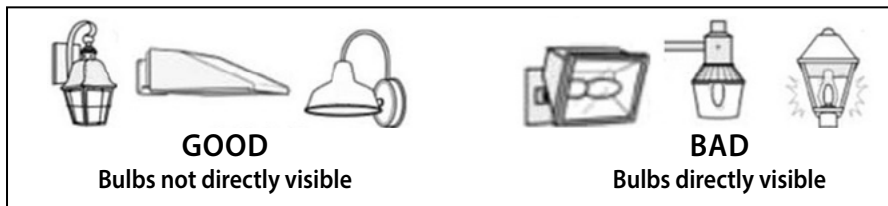
Section 5.6. – Lighting

- A. Developers shall prepare, or arrange to be prepared, lighting plans in coordination with the City and applicable electric utilities. The plan shall include lighting along all new and improved public rights-of-way, including paths listed in the Master Street Plan, and in parking lots. Alleys are excluded from the lighting requirement.
- B. Proposed lighting location and design, both in the public right-of-way and on private property, where applicable, shall be included on all site plans and subdivision plats and shall be approved by the Planning Commission before any installation begins.
- C. The lighting's installation and connection to electricity shall occur at no cost to the City.
- D. Where underground service is proposed, the developer shall provide electrical service to all points proposed for future lights.
- E. Light poles along streets shall be installed within the public right-of-way. Where sidewalks are present, poles shall be installed in the buffer between the street and the sidewalk (i.e. planting strip or furnishing zone).
- F. Lighting should be hooded, shielded, and aimed downward (see [Figure 5.6.A.](#)).
- G. Light spread shall not extend into adjacent neighborhoods.
- H. When a light abuts residential property, no light source shall be visible, in a direct line of sight, from the residential area behind the front building line.
- I. **Allowable Lighting Types.**



Examples of residential street lighting.

Figure 5.6.A. Shielded vs. Unshielded Lighting Fixtures



Source: Fountain Hills Dark Sky Association

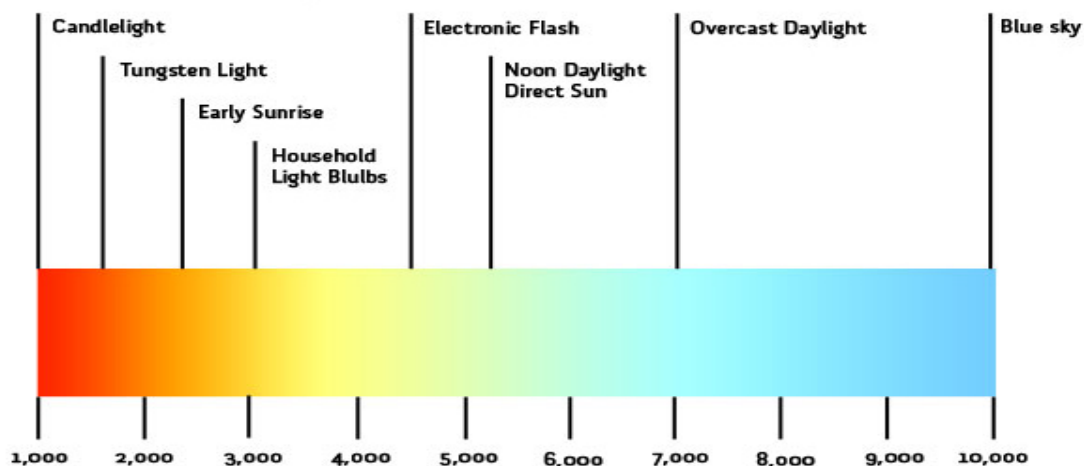
- a. Both cobra head and pedestrian-scale lights are allowed and can be used individually or in combination with one another.
- b. Pedestrian-scale lighting is encouraged.

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- J. **Color Temperature.** Lights should be warm white, no higher than 3,000 degrees Kelvin (see [Figure 5.6.B.](#)).
- K. **Spacing.** Lights shall be spaced to minimize dark areas over streets, sidewalk, and paths (see [Figure 5.6.C.](#))
- L. **Placement.**
 - a. Local and collector streets shall have a minimum of one light per public street intersection.
 - b. Arterial streets shall have a minimum of 2 lights per public street intersection.

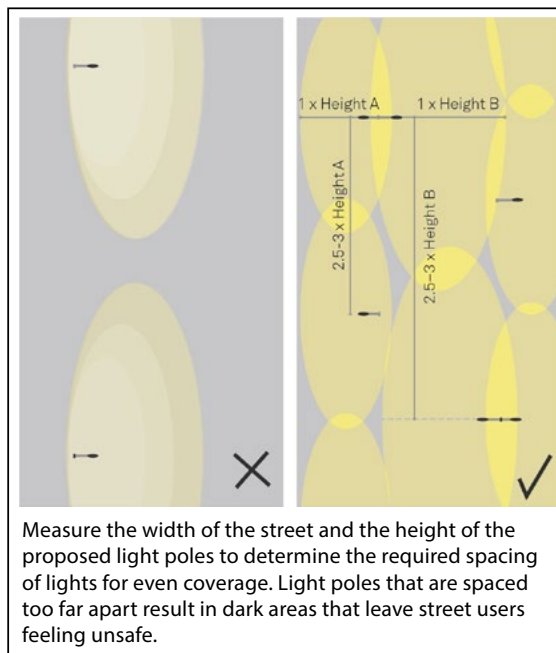
Figure 5.6.B. Color Temperatures

Figure 5.6.B. Color Graphic



- c. Mid-block light poles generally are to be placed on lot lines.
- M. **Maintenance.**
 - a. Lighting installed in the public right-of-way and functioning to the specifications approved by the City will be accepted as a public improvement upon final plat approval, or upon issuance of the Certificate of Occupancy in the case of site plans.
 - b. If a developer wishes to install poles and/or light fixtures in a subdivision other than the models approved by the City for on-going public maintenance, a homeowners association, property owners association, or improvement district shall be formed to ensure private maintenance of the lighting.

Figure 5.6.C. Light Spacing Guide



Source: Global Designing Cities Initiative

Section 5.7. – Utility and Drainage Standards

5.7.1. Fire Hydrants

Fire hydrants shall be installed by the subdivider in accordance with the Arkansas Fire Prevention Code and approved by the local Fire Department. In the absence of locally approved hydrant regulations, the following standards shall apply:

- A. The maximum hydrant spacing for commercial/mixed-use, civic, or industrial zones shall be 300 feet.
- B. The maximum hydrant spacing in residential zones shall be 500 feet.
- C. Hydrants shall alternate every 250 feet on streets with center medians.
- D. Undeveloped incorporated areas shall have a maximum hydrant spacing of 1,000 feet.
- E. Areas without a water supply shall comply with NFPA 1142 or the International Wildland-Urban Interface Code.
- F. The distance from any point on the street frontage to a hydrant shall not exceed 250 feet in any residential, commercial/mixed-use, civic, or industrial zone.
- G. The first fire hydrant shall be located at the street intersection or at the main entrance(s) into a subdivision, apartment complex, or commercial development.
- H. All fire hydrants shall be capable of providing at least 1,500 GPM (gallons per minute) with a minimum residual pressure of 20 PSI (pounds per square inch).
 - a. If the water supply does not allow for 1,500 GPMs/20 PSI hydrants, lower-pressure hydrants shall be spaced closer together as required by the local Fire Department.
- I. Buildings required to have a Fire Department Connection (FDC) shall locate the FDC within 100 feet of a hydrant.



A fire hydrant.

5.7.2. Utility and Drainage Easements

The following shall govern the establishment of easements connected with a subdivision.

- A. Easements shall be clearly marked on the plat.
- B. Easements for poles, wires, conduits, storm sewers, sanitary sewers, gas lines, water lines and similar purposes shall be provided where required by the utilities or the City Staff.
- C. Easements shall be of sufficient width to provide for installation, access and maintenance of the facility or service. Excessive easement width is discouraged.
- D. Open drainage: Easements for open drainage channels, streams, creeks, and similar waterways shall be of sufficient width to provide the required waterway cross sectional area plus access for maintenance. A minimum of 15 feet on both sides may be required for access and maintenance. The minimum width shall be 25 feet. No encroachments of any type shall be permitted in open drainage channels. Vehicle and equipment access for maintenance shall be provided when required by the City Staff.
- E. Any access easements provided for utility vehicles shall be clearly indicated on the plat and properly dimensioned according to the requirements of this UDO.
- F. Easements shall not be blocked, built upon, or fenced.

5.7.3. Water Supply

- A. The subdivider shall install a water supply and distribution system approved by the City and/or public water district and meeting the requirements of the State Health Department and the Arkansas Plumbing Code. Recognized engineering

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design criteria shall be used to design the system.

- B. The water supply and distribution system shall be designed to provide the anticipated water consumption within the subdivision including fire protection.
- C. The subdivider shall install a system of water mains to connect to the public water supply.
- D. A service line and meter box to each lot shall be installed prior to paving the street.

5.7.4. Sanitary Sewage Disposal



A sewer manhole cover.



Wastewater treatment facility.

- A. All subdividers shall provide access to a sewage collection and treatment system approved by the wastewater utility, the Department of Health, and/or the Arkansas Division of Environmental Quality.
- B. Where a public sanitary sewer is within a reasonable distance of any point of a subdivision, the subdivider shall connect with such sewer and provide a connection to each lot. Reasonable distance shall be defined as follows:
 - a. Less than 5 lots: within 600 feet of existing service.
 - b. 5 to 20 lots: within ¼ mile of existing service.
 - c. More than 20 lots: within ½ mile of existing service.
- C. The sewage collection system shall be designed to handle the anticipated flow of sewage from within the subdivision, including development of future sections of the same subdivision and adjacent areas within the same drainage basin.
- D. The sewage collection system shall be designed using recognized engineering design criteria in accordance with the Department of Health and/or the Arkansas Division of Environmental Quality.
- E. A connection to each lot on the sewage collection system shall be installed prior to street paving.
- F. All sewer stubs and service conduit locations shall be marked in a manner, approved by the City Staff, on the curb for the purpose of locating by the utilities, as well as accurately recording said locations on the as-built drawings.
- G. Developers installing non-public, communal sanitary sewer systems (i.e. package plants or similar) shall establish a dedicated funding mechanism for their on-going maintenance. Improvement Districts are strongly preferred.

5.7.5. Storm Drainage

All subdivisions requiring construction plat approval and all site plans shall provide a drainage plan, prepared by a professional engineer, detailing the storm drainage system that is designed and constructed to handle rainfall runoff that originates in or traverses the subdivision or development.

- A. Such subdivisions/developments shall make adequate provision to accommodate or dispose of stormwater by means of drains, sewers, catch basins, culverts, and other facilities deemed necessary by the City Staff.
- B. Stormwater facilities shall be designed to capture and/or dispose of a 10-year rainfall, or higher as deemed necessary by the City Staff.
- C. All runoff computations and drainage facility designs shall be calculated and designed using acceptable engineering methods. Computations shall be checked and approved by the City Staff.
- D. If the City does not have its own drainage manual, street drainage designs shall meet the standards in FHWA's HEC-22 Urban Drainage Design Manual, Current Edition.
- E. If a development is built out in phases, each individual phase shall incorporate sufficient storm drainage facilities to meet its immediate needs. Facilities may



Concrete Valley. Photo: <https://www.seattlewapaving.com/concrete-paving.html>

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be temporary if later phases are built to meet the drainage needs of two or more phases combined.

- F. Runoff computations and drainage designs shall be based on what the development's stormwater capture capabilities will be after the site (or, if applicable, each phase) is fully developed.
- G. Every lot shall drain to the street or a drainage easement.
- H. Facilities may include open and closed systems as well as detention and retention structures.
- I. Within any street right-of-way, an underground drainage system shall be installed with inlets as required by the City Staff.
- J. Underground drainpipes are required for all surface area drains where flow is greater than 3 cfs.
- K. All storm drainage pipe shall be RCP Class III unless specifically approved otherwise by the City Staff.
- L. Concrete valley gutters shall be used at all surface cross drains where surface flow is less than 3 cfs (cubic feet per second). The design of all concrete valleys is subject to review and approval by the City Staff.
- M. Box culverts and bridges which cross streets in the City right-of-way shall be of sufficient width to accommodate future street and sidewalk cross-sections as indicated in the Master Street Plan.
- N. The storm drainage system shall be engineered so that development does not adversely affect adjacent properties. Storm drainage capacity upstream and downstream of the property must be included in the project plan and reviewed by the City Staff. On-site detention/retention facilities, off-site drainage improvements, and/or fees in lieu of improvements may be required if adverse impact is anticipated.
- O. **Drainage Overflow Path.** All construction plats and site plans shall include a positive surface stormwater runoff easement, or "drainage overflow path," that will accommodate a one in 100-year frequency rainfall event across and through the development.
 - a. The overflow path shall be able to accommodate the amount of stormwater expected from a one in 100-year rainfall minus the amount of stormwater accommodated by the underground storm drainage system.
 - b. The overflow path shall be designed to receive a 100-year runoff from the upstream adjacent property and properly discharge the runoff at the downstream limits of the overflow path according to the downstream properties' stormwater drainage capacity. Stormwater detention or retention facilities may be required to ensure proper discharge (see Item P below). The overflow path shall generally follow the natural low place or valley through the development.
 - d. It is anticipated that the street system, open ditches, or swales will be utilized where practical to accommodate the overflow path. Where the overflow path leaves the street right-of-way, the surface shall be shaped and graded to form a channel of adequate capacity to accommodate the flow with a positive downstream gradient along its entire length.
 - e. The overflow path shall be uniformly graded along its length such that water will not pond or accumulate on the surface due to humps or depressions along the route.
 - f. Computations for the quantity of stormwater runoff, sizing of the overflow path, and estimated elevation of the 100-year flood shall be prepared by a registered professional engineer and submitted to the City Staff for



Box culvert with sidewalk.



Bridge over a drainage path.

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Green Infrastructure like that pictured above uses or mimics natural processes that result in the infiltration and/or evapotranspiration of stormwater in ways that protect water quality. For more guidance on Green Infrastructure for roads, alleys, and parking lots, visit www.epa.gov/nps/green-streets-handbook.



Retention ponds maintain a pool of water throughout the year and hold stormwater runoff following storms.



Detention ponds hold water for a short period of time; this pond temporarily holds water before it enters the stream. Photo: <https://www.lccdnet.org/wp-content/uploads/Ponds.pdf>

review and approval. The computations shall be made using accepted methods and procedures as approved by the City Staff.

- g. An easement of adequate width to accommodate the required overflow path shall be provided on the plat. The easement shall clearly identify the easement as a "Drainage Overflow Path". The plat shall have a note that reads as follows: "No structures, fences, fill or obstructions shall be placed in the Drainage Overflow Path easement. No reshaping of the surface within the Drainage Overflow Path easement shall be made without the approval of the City Staff"

- P. **Detention/Retention.** Detention/retention facilities shall be provided where needed to ensure that runoff from a one in 100-year storm event is properly discharged to downstream properties so as not to overwhelm their stormwater drainage capacity . This requirement does not apply when all adjacent downstream properties are undeveloped.
 - a. The stormwater detention/retention facilities shall be designed to provide a holding area such that stormwater runoff can be accumulated and released through an outlet structure. The required storage volume and outlet structure shall be sized to release the storm water at a rate that does not exceed the capacity of the downstream storm drainage system or a computed runoff rate equal to that of the pre-development conditions of the proposed development, whichever is the greater.
 - b. The detention/retention facilities shall be designed to accommodate a one in 100-year frequency storm event.
 - c. Detention/retention basins shall be graded and shaped to provide for the positive drainage of surface water into all portions of the basin. Detention basins that are dry when not accommodating stormwater, shall have a concrete paved channel from the inlet pipe to the outlet pipe to provide a maintainable bottom area.
 - d. An easement shall be dedicated that contains the entire detention/retention system, including the high-water limits.
 - e. Developers installing detention or retention facilities shall establish a dedicated funding mechanism for their on-going maintenance. Improvement Districts are strongly preferred.

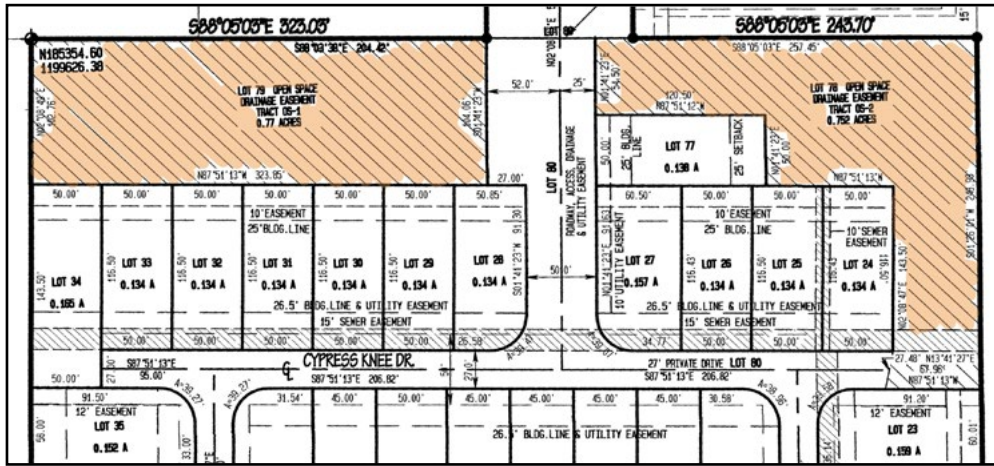
Municipal Separate Storm Sewer Systems (MS4s)

Municipal Separate Storm Sewer Systems (MS4s) are regulated by the Environmental Protection Agency (EPA) in Census-designated urbanized areas. Many small cities in central Arkansas are part of either the Little Rock/North Little Rock or Conway urbanized areas. Storm drainage systems in these areas shall comply with EPA MS4 permit requirements. Contact the City and visit www.adeg.state.ar.us/water/permits/npdes/stormwater for more information.

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5.7.5.A. Drainage Easement in Residential Subdivision for Stormwater Detention

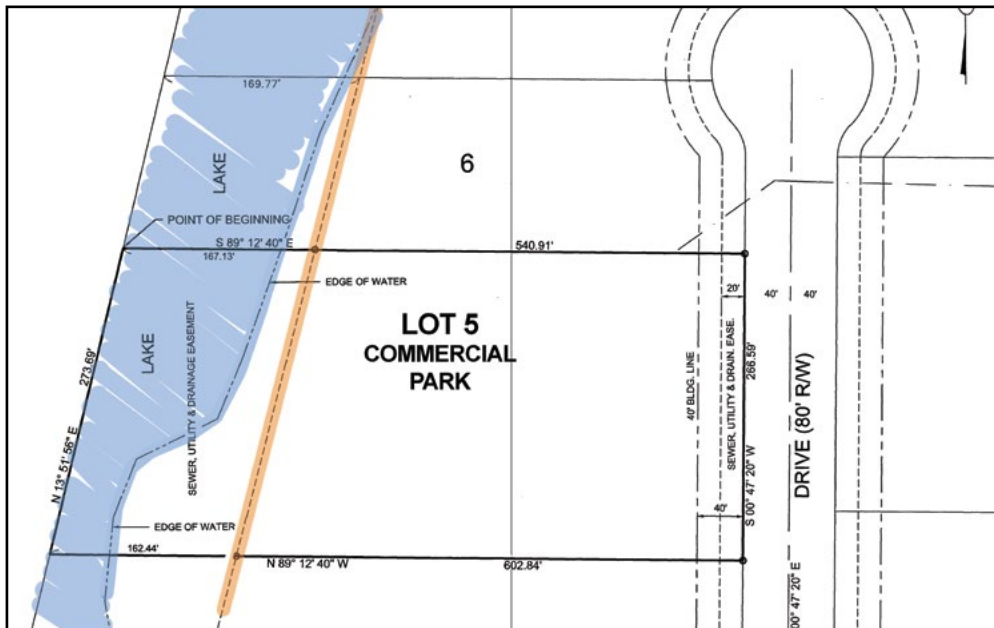


On this plat of a residential subdivision, two lots (orange) have been reserved as drainage easements for stormwater detention. (Courtesy of the City of North Little Rock)



On-channel detention ponds reduce peak storm flows and provide flood control for downstream neighborhoods. Photo: <https://www.lccdnet.org/wp-content/uploads/Ponds.pdf>

5.7.5.B. Drainage Easement on Commercial Property for Lake Overflow



On this plat of a commercial park, a drainage easement (orange line) is included to accommodate high water levels and protect development from flooding. (Courtesy of the City of North Little Rock)

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ARTICLE 6. – PROCEDURES AND ENFORCEMENT

Section 6.1. – Review Procedure

The intent of this Article’s review procedures is that an applicant may apply for required development permits, plat or site plan approvals, and amendments needed for development and have the application considered by approving authorities in a streamlined manner.

The following regulations apply to all reviews:

- A. **Document Retention.** The City Staff shall maintain a public record of applications, permits, licenses, site plans, and plats, along with a notation of any action taken, in accordance with the state’s document retention policy.
- B. **Fees.** Fees shall be paid upon submission of the application, in the amount indicated in the fee schedule adopted by City Council. If a penalty has been assessed for non-compliance, both the penalty and the normal permit fee must be paid before a permit shall be issued. Under no condition shall the sum or any part of a fee be refunded if an application fails to be approved.
- C. **Time periods.** Time periods are expressed in calendar days. If the last day of a time period falls on a federal or state holiday or on a weekend, the time period ends the next weekday. When calculating public hearing dates, the date of the hearing is in addition to the required notification period.
- D. **Time limits.**
 - a. Approvals, permits, certificates, and licenses become void if the use or construction has not begun within 180 days of date of issue, or after a 180-day period of inactivity.
 - b. Permits may be extended once for another 180 days by receipt of a written request at least 14 days prior to the original permit’s expiration. Fees may apply.

Review procedures are outlined below according to the application’s approving authority. All reviews consist of three elements:

- A. A completeness review of the application.
- B. Action on the application.
- C. An appeal process.

6.1.1. Administrative Approval

The Administrative Approval Procedure is used for applications that can be reviewed by applicable City personnel and approved by the City Staff.

Examples: Certificate of Zoning Compliance, Business License, Building Permit, Certificate of Occupancy.

The Administrative Approval Procedure consists of:

- A. **Completeness Review.** The City Staff shall inform the applicant whether the application is complete within 7 days after submission.
- B. **Action.**
 - a. Within 15 days after the application is determined complete, the City Staff, in coordination with applicable City personnel, shall review the application and notify the applicant of the approval, approval with modifications, or denial the application based on its compliance with the standards in this UDO.

In this Article

- [6.1. Review Procedure](#)
- [6.2. Permits and Licenses](#)
- [6.3. Site Plan Review](#)
- [6.4. Subdivision Review](#)
- [6.5. PUD Review](#)
- [6.6. Residential Cluster Development Review](#)
- [6.7. Variances, Appeals, and the BZA](#)
- [6.8. Enforcement and Violations](#)
- [6.9. Amendments and Rezoning](#)

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- b. If the City Staff denies the application, the applicant shall have 30 days to submit a corrected application without paying a separate application fee. If a corrected application is not resubmitted within 30 days, the application shall be considered withdrawn, and a new application fee shall be required for future re-submittals.
 - c. A written explanation of denial shall be provided for denied applications upon request of the applicant.
 - d. Failure of the City Staff to act (approve, disapprove, or modify) within 45 days of the application's completeness determination shall be deemed an approval of the application.
- C. **Appeal.** See [Section 6.7](#). (Variances, Appeals, and the BZA) for appeal procedures.

6.1.2. Planning Commission Approval

The Planning Commission Approval Procedure is used for applications that must be approved by the **Planning Commission**. Applications in this category are first reviewed by the City Staff and applicable City personnel, then forwarded to the Planning Commission for review, public hearing (if required), and final determination.

Examples: Open Display Permit, Franchise Permit, Site Plan Review, Construction Plat Review, Residential Cluster Development Review.

The Planning Commission Approval Procedure consists of:

- A. **Completeness Review.** The City Staff shall inform the applicant whether the application is complete within 7 days after submission.
 - B. **Action.**
 - a. Complete applications shall be filed at least 15 days prior to a regular meeting of the Planning Commission in order to be placed on the next Planning Commission agenda.
 - b. The Planning Commission may approve, approve with modifications, deny, or defer the application based on findings of fact regarding the case and the standards in this UDO.
 - c. If the Planning Commission determines that the application meets the standards and rules of this UDO, it shall approve it. Upon obtaining approval from the Planning Commission, the developer may commence construction after obtaining a building permit and any other required permits.
 - d. If the Planning Commission denies the application, the applicant shall have 30 days to submit a corrected application without paying a separate application fee. If a corrected application is not resubmitted within 30 days, the application shall be considered withdrawn, and a new application fee shall be required for future re-submittals.
 - e. A written explanation of denial shall be provided for denied applications upon request of the applicant.
 - f. Failure of the City Staff or Planning Commission to act (approve, disapprove, modify, or forward to the next reviewing entity) within 60 days of the application's completeness determination shall be deemed an approval of the application.
 - g. Planning Commission approval shall be limited to the type of building, development, or use stated in the application. Should the developer decide to build on or use the property in a manner inconsistent with the descriptions in the application, the applicant must submit a new application to the Planning Commission for approval.
- C. **Appeal.** See [Section 6.7](#). (Variances, Appeals, and the BZA) for appeal procedures.

6.1.3. City Council Approval

The City Council Approval Procedure is used for applications that must first be reviewed by City Staff and the Planning Commission, then approved by the **City Council**. Applications in this category are first reviewed by the City Staff, then forwarded to the Planning Commission for review, public hearing (if required), and recommendation to the City Council. The City Council makes the final review and determination.

Examples: Conditional Use Permit, Final Plat Review, PUD Review, Rezoning, Amendments to the UDO, Comprehensive Plan Amendments (Land Use Plan, Master Street Plan, etc.)

The City Council Approval Procedure consists of:

- A. **Completeness Review.** The City Staff shall inform the applicant whether the application is complete within 7 days after submission.
- B. **Action.**
 - a. The process shall comply with provisions of [Arkansas Code Annotated 14-56-422](#), as amended.
 - b. After deeming the application complete, the City Staff shall, within 15 days, request that the Planning Commission place the application on the next possible Planning Commission agenda, providing enough time for any required public notices.
 - c. **Public Hearing at Planning Commission — Notice Requirements.**

Required for: Conditional Use Permit, Rezoning, PUD, UDO Amendments, Comprehensive Plan Amendments (Land Use Plan, Master Street Plan, etc.)

 - i. **Newspaper.** Notice of the application shall be published at least one time, no less than 15 days prior to the date of the public hearing in a newspaper of general circulation, at the expense of the applicant.
 - ii. **Mailings.**
 - a. (Required for all except CUP applications): No less than 15 days prior to the public hearing, the applicant shall mail notice of the public hearing by first class mail to the boards of directors of all school districts affected by the proposed plan, ordinance, or regulation sufficiently in advance to allow representatives of all affected school districts a reasonable opportunity to submit comments on the proposed plan, ordinance, or regulation.
 - b. (Required for all public hearings) No less than 15 days prior to the public hearing, the applicant shall mail notice of the public hearing by first class mail to all the landowners and residents with separate addresses within 200 feet of the property's boundaries.
 - iii. **Signage.** No less than 15 days prior to the public hearing, the applicant shall post a sign on the property advertisement the proposed change and the date of the public hearing.
 - a. Signs shall be made available to the applicant by the City for a fee per the City's fee schedule.
 - b. The applicant shall post notice on the land for which the use is requested in a visible, prominent location no more than 10 feet from the street that does not impede the vision of drivers or pedestrians. The City Staff may require an alternate location or additional signs.
 - c. If a hearing is postponed, the applicant will be notified when a new sign has been created. The applicant shall then be responsible

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for posting the sign with the new date at least 15 days prior to the hearing.

- iv. **Proof of Public Notice.** At least 7 days prior to the public hearing, the applicant shall provide proof to the City Staff that all required notices have been given. Proof includes:
 - a. A photograph of the sign posted on the property
 - b. An alphabetical list of the landowners, residents, and school board members who were mailed first class letters, with the name and signature of the individual who completed the mailing. The applicant shall then be placed on the Planning Commission agenda for the meeting on which the public hearing is to be held.
 - d. Following the public hearing (if required), the Planning Commission may recommend, recommend with modifications, deny, or defer the application based on findings of fact regarding the case and the standards in this UDO. The applicants shall be notified of the Planning Commission's decision within 15 days of the public hearing. If the application is denied, a written explanation of the denial shall be provided upon request of the applicant.
 - e. Applications approved or recommended by the Planning Commission shall be placed on the next possible City Council agenda for consideration as either a resolution or ordinance, as applicable.
 - f. The City Council may approve/ratify, approve with modifications, deny, or defer the application based on findings of fact regarding the case and the standards in this UDO.
- C. **Appeal.** See [Section 6.7](#). (Variances, Appeals, and the BZA) for appeal procedures.

Section 6.2. – Permits and Licenses

The following provisions apply to all permits, certificates, and licenses in this section:

- A. No activity or construction which requires a permit, certificate or license shall be conducted prior to the issuance of said document.
- B. Permits/certificates/licenses are not transferrable between owners or locations.

6.2.1. Certificate of Zoning Compliance

ADMINISTRATIVE APPROVAL (Section 6.1.1.)

The Certificate of Zoning Compliance application is incorporated into the business license and building permit applications. See Appendix B for a copy of the business license application with checklist. See Appendix C for a copy of the building permit application with checklist.

- A. No business license may be issued for a use on any existing structure or land for which it is not presently being used until a certificate of zoning compliance has been issued by the City Staff. Such certificate shall be issued only when the proposed use complies with all provisions of Article 3 (Uses) of this UDO.
- B. No building permit shall be issued for any construction, reconstruction, or alteration of a structure until the City Staff has verified that the proposed development complies with all provisions of [Article 3](#) (Uses) and [Article 4](#) (Development Standards) of this UDO. The zoning compliance verification is incorporated into the building permit application procedure (see [Subsection 6.2.3.](#)).
- C. No fee shall be charged for a certificate of zoning compliance.

6.2.2. Business License

ADMINISTRATIVE APPROVAL (Section 6.1.1.)

See Appendix B for a copy of the business license application with checklist.

- A. No business or organization may operate within the City without first obtaining a business license and paying the applicable fee.
- B. Business license applications shall be submitted to the City Staff.
- C. The Certificate of Zoning Compliance at the top of the business license application shall be completed by the City Staff prior to issuance of the business license.

6.2.3. Building Permit

ADMINISTRATIVE APPROVAL (Section 6.1.1.)

See [Article 7](#) for detailed definitions.

See Appendix C for a copy of the building permit application with checklist.

- A. Building permits are required for:
 - a. Construction/reconstruction (*includes excavation, fill, paving, drainage, alter the site line, and similar activities*)
 - b. Addition (*construction that increases the size of a building in terms of site coverage, height, length, width, or finished floor area*)
 - c. Structural alteration (*any change in the supporting members of a building, such as bearing walls*)

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- d. Remodel (*improvement to the exterior or interior of a building that requires an electrical, plumbing, or HVAC permit but is not a structural alteration, addition, or new construction*)
- e. Demolition/removal
- f. Roofing
- g. Fence/Retaining Wall (*see Article 4 for regulations*)
- h. Sign (*see Article 4 for regulations*)
- i. Accessory structure (*see Section 3.4. for accessory use regulations*)
 - i. General accessory structure
 - ii. Accessory Dwelling Unit (ADU)
 - iii. Carport
 - iv. Deck/Patio
 - v. Drive-thru
 - vi. Garage
 - vii. Model home/subdivision sales office
 - viii. Solar panel/solar water heating system
 - ix. Swimming pool/hot tub/spa
 - x. Windmill/turbine
 - xi. Wireless Community Facility
- j. None of the activities listed above shall take place within the corporate limits of the City until a building permit has been approved by the City Staff as meeting the requirements of this UDO and applicable building and fire codes.
- k. No building permit shall be issued for the construction of any building or structure located on a lot or parcel subdivided or sold in violation of the provisions of this UDO.

6.2.4. Certificate of Occupancy

ADMINISTRATIVE APPROVAL (Section 6.1.1.)

See Appendix D for a copy of the certificate of occupancy application with checklist.

- A. No building erected or structurally altered shall be used or occupied until a certificate of occupancy has been issued by the Building Inspector stating that the building complies with the provisions of this UDO and applicable building and fire codes.
- B. The municipality shall not have any obligation to issue a certificate of occupancy or to extend utility services to any parcel created in violation of this UDO.
- C. It shall be unlawful for any public or private utility to connect permanent utility service to a building erected or structurally altered for which a certificate of occupancy has not been issued and evidence of such issuance delivered to the public or private utility.

6.2.5. Conditional Use Permit

CITY COUNCIL APPROVAL (Section 6.1.3.) – WITH PUBLIC HEARING AT PLANNING COMMISSION

See Appendix E for a copy of the conditional use permit application with checklist.

A Conditional Use Permit (CUP) may be issued for a use that conforms to the intent of the comprehensive plan for a specific area but is not allowable by right. The use may represent

potential problems with respect to its impact on neighboring property or on the City as a whole, or it may dominate the surrounding area by its size or intensity. For these reasons, CUPs require a careful review of their location, design, configuration, and spatial impact to determine the desirability of allowing them on a particular site.

The CUP process does not allow an applicant to secure a conditional use as a means to circumvent the intent of the comprehensive plan or this UDO. Building configurations, footprints, and outlines should be compatible with other uses permitted for the zone. Whether a proposed use is appropriate in a particular location depends upon a careful evaluation by the Planning Commission of potential negative impacts on the neighborhood and the City, and a weighing of conditions and methods proposed by the Commission or the applicant to mitigate those impacts.

- A. The Planning Commission may approve, deny, defer, or modify a CUP request based on findings of fact regarding the standards set forth below. The appropriateness of these standards shall be determined at the discretion of the Planning Commission for each specific conditional use location.
- B. In carrying out the purpose of this section, the Commission's consideration shall include, but will not be limited to, the following development standards and design specifics. The appropriateness of these standards shall be determined at the discretion of the Planning Commission for each specific conditional use location.
 - a. The proposed use is designed, located, and proposed to be operated in a manner that the public health, safety, and welfare will be protected.
 - b. The proposed land use is compatible with and will not adversely affect other property in the area where it is proposed to be located.
 - c. The proposed use conforms to all applicable provisions of this UDO for the zone in which it is to be located, and the use facilitates public convenience at that location.
 - d. The size, shape, and arrangement of the site and proposed structures are in keeping with the intent of the comprehensive plan and this UDO.
 - e. The internal street system, ingress or egress, off-street parking, loading, and pedestrian ways will be efficient and safe.
 - f. Satisfactory safeguards are required including, but not limited to, hours and methods of operation, landscaping, and screening, and controlling noxious or offensive emissions such as light, noise, glare, dust, and odor.
 - g. Landscaping, fencing and open space will be properly maintained by the owner or developer in accordance with the requirements of this UDO.
 - h. Proposed signs will be appropriate for the location and in accordance with the requirements of this UDO.
 - i. Public utilities are, or will be, available and will not be overloaded.
- C. In reviewing CUP applications for wireless communication facilities, the Planning Commission shall consider the following factors in addition to the generally applicable CUP approval considerations in Item B above:
 - a. Compliance with the requirements for wireless communication facilities outlined in [Section 3.3](#) – Special Conditions Applying to Uses.
 - b. Height of the proposed facility.
 - c. Proximity of the facility to residential structures.
 - d. Nature of uses on adjacent and nearby properties.
 - e. Surrounding topography.
 - f. Surrounding tree cover and foliage.
 - g. Design of the facility, with particular attention to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.

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- D. **Amendments** or major changes to a conditional use authorization must follow the same process as the original conditional use; however, the Planning Commission may delegate to City Staff authority to approve minor modifications to the conditions approved, including modifications to an approved development plan. No building permit shall be issued except in conformance with the provisions of this section.
- E. **Status of Conditions.** Once any portion of the conditional use which has been authorized is utilized, all such conditions pertaining to such authorization shall become immediately operative. The violation of any imposed condition shall constitute grounds for revocation of the CUP. Such conditions may include time limits for the exercise of such authorization and must commence within a reasonable time.
- F. **CUP applications and rezoning applications** for the same lot, parcel, or development site may be processed by the City concurrently. However, the conditional use cannot begin operation until the City Council has adopted an ordinance rezoning the property to an appropriate zone that would allow the conditional use, and the adopting ordinance has taken effect.
- G. A CUP shall run with the land upon which the use is located.

6.2.6. Open Display Permit

PLANNING COMMISSION APPROVAL ([Section 6.1.2.](#)) – NO PUBLIC HEARING

See Appendix F for a copy of the open display permit application with checklist.

See [Subsection 3.4.8.](#) for Open Display/Outdoor Storage regulations.

6.2.7. Franchise Permit

ADMINISTRATIVE APPROVAL ([Section 6.1.1.](#))

See Appendix G for a copy of the franchise permit application with checklist.

A franchise permit is required for the commercial use of any public spaces or rights-of-way.

6.2.8. Sign Permit

See Appendix C for a copy of the building permit application with a checklist for sign permits.

See [Section 4.19.](#) for sign regulations.

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Section 6.3. – Site Plan Review

PLANNING COMMISSION APPROVAL (Section 6.1.2.) – NO PUBLIC HEARING

See Appendix H for a copy of the Site Plan Approval Application Form with checklist.

Section 6.4. – Subdivision Review

- A. A developer proposing to make or having made a subdivision within the City's Planning Area shall not proceed with any construction work on the proposed subdivision, including grading, before obtaining construction plat approval; nor shall they attempt to record the plat of the subdivision or any part thereof prior to obtaining Final plat approval from the Planning Commission and acceptance of public dedications by the City Council.
- B. The City Staff shall not issue building permits for any structure on any lot in a subdivision for which the plat has not been approved and recorded in the manner prescribed in this Section.
- C. Exemptions: A building permit may be issued if:
 - a. Configuration of a parcel of property has been established by deed on a date no less than 10 years prior to the date of issuance of the building permit and the parcel meets all criteria for a lot in that zone.
 - b. The lot configuration was established outside the planning jurisdiction.
 - c. The applicant makes a reasonable effort to subdivide or replat the property and, for reasons beyond their control, are unable to do so.
 - d. After examination of relevant deeds to assure that the creation of the parcel did not result in the creation of any substandard parcels that would not have been approved in a subdivision or replat as lots in the zones in which they are located, the Planning Commission votes to allow issuance of the permit.

6.4.1. Construction Plat

PLANNING COMMISSION APPROVAL (Section 6.1.2.) – NO PUBLIC HEARING

ADDITIONAL REVIEW STEPS OUTLINED IN THIS SUBSECTION

A developer proposing to subdivide within the Planning Area Boundary of the City shall not proceed with any construction work on the proposed subdivision, including clearing or grading, before obtaining construction plat approval. The construction plat review process is described below.

6.4.1.1. Pre-Application Conference

The purpose of the pre-application conference is to acquaint the developer with the City's plans and policies in order to facilitate the subsequent preparation and approval of the construction plat. Discussion items will include the proposed layout and type of development, existing conditions within the site and in its vicinity, zoning, utility service, street requirements, and other pertinent factors related to the proposed subdivision.

See Appendix I for a copy of the Pre-Application Conference Checklist with more details.

- A. Before preparing a construction plat, the developer/their agent shall submit to the City Staff a Letter of Intent to Develop along with a sketch plan of the proposed subdivision.
- B. Upon receipt of the required materials, the City Staff shall schedule

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a pre-application conference to be held between the developer/agent and a committee of the Planning Commission/the Planning Commission's designated agents for land planning and engineering. The City Staff and City Staff shall either attend the pre-application conference or provide written feedback on the sketch plan at least one day prior to the conference.

- C. No fees shall be collected for pre-application conference.
- D. Comments and approvals made concerning a sketch plan are not binding on the Planning Commission; however, it is the policy of the City that, having tentatively approved a sketch plan, the Planning Commission shall not unreasonably withhold approval of a construction plat that is substantially identical to the sketch plan.

6.4.1.2. Construction Plat Review Process

See Appendix J for a copy of the Construction Plat Approval Application Form with checklist.

Note: If the proposed subdivision is a portion of a tract which is later to be subdivided in its entirety, then a tentative master plan for the entire subdivision shall be submitted with the construction plat of the current phase to be subdivided. The master plan shall conform in all respects to the requirements of the construction plat.

- A. **Staff Review.** The City Staff, City Staff, and other appropriate City and public agency staff shall review the proposed plat and construction drawings for conformance with this UDO, the City's Flood Hazard ordinance/stormwater drainage needs, the Master Street Plan, and other plans relative to general land development. The City Staff shall review and approve the drawings and notify the developer, City Staff, and Building Inspector of the result of this review.
- B. **Distribution.** The City staff shall distribute copies of the construction plat to other City departments, utility companies, and the County and State agencies as appropriate with the request that their recommendations for either approval or disapproval be provided in writing. Such recommendations shall be forwarded to the Planning Commission along with the staff's own recommendation.
- C. **Planning Commission Action.** The Planning Commission shall review construction plats at its regularly scheduled monthly meeting at which time interested persons may appear and offer evidence in support of or against approval of such construction plat. The Planning Commission shall then approve, conditionally approve, deny, or defer the plat. Notification of decision and reason shall be provided in writing to the developer.
- D. **Approval of the Construction Plat.** When the Planning Commission finds that the construction plat, together with the construction drawings, meets all the requirements of this UDO, it shall approve the plat by placing a stamp of Construction Plat Approval upon the construction plat. The stamp of Construction Plat Approval shall allow the developer to proceed with the installation of streets, water, drainage, sewer, and other required improvements and utilities, the dedication of reservation of public lands, and the preparation of the final plat. Approval of a construction plat shall not constitute automatic approval of the final plat.
- E. **Time Limits.**
 - a. The developer shall have a maximum of 60 days to obtain from the City Staff a signed construction plat incorporating any changes and/or additions as authorized by the Planning Commission. Failure to obtain a properly executed construction plat within the specified time shall invalidate

Construction Plat

The construction plat is designed to show the proposed subdivision in sufficient detail to indicate its workability in all respects.

An approved construction plat allows developers to:

- Clear and grade land
- Install public improvements (streets, drainage)
- Install utilities (water, sewer, cable, broadband, other)
- Dedicate the reservation of public land
- Prepare the final plat

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construction plat approval. An extension beyond the 60 days shall only be granted by the planning commission when the developer can document the cause for failure to perform. Cause shall be deemed to be one of the following: (1) Financial failure; (2) Litigation; (3) Failure of planning staff to respond appropriately. Construction plats approved with conditions shall be permitted an additional 60 days upon request in writing to the City Staff.

- b. A construction plat approved by the Planning Commission shall be effective and binding upon the Commission for a period not to exceed 24 months or as long as work is actively progressing, at the end of which time the final plat application for the subdivision or an extension request must have been submitted to the City Staff. A one-time 12-month extension of the construction plat may be authorized by the Commission. Any plat not receiving final approval or an extension with the period set forth herein or otherwise not conforming to the requirements of this UDO shall be null and void, and the developer shall be required to submit a new plat of the property for construction approval subject to all requirements of this UDO.
- F. **Disapproval of the Construction Plat.** A disapproved construction plat may be resubmitted. The plat shall be submitted to the City Staff using the same process as for the original construction plat submission.
- G. **Expedited Review.** The City Staff may forego certain steps in the review process of a resubmitted plat found to be redundant.
- H. **Disposition of Approved Plats.** At least one copy of the approved construction plat shall be retained in the Planning Commission's files, and one copy, endorsed with the Certificate of Construction Plat Approval, shall be returned to the developer.

6.4.2. Construction and Inspections

- A. No work shall proceed until the Certificate of Construction Plat Approval has been issued.
- B. The developer shall build all public streets and drainage improvements to the specifications of the construction drawings approved as part of the construction plat.
- C. Construction work shall be subject to on-site inspections by the City to verify conformance with the approved construction drawings.
- D. The City Staff shall be given 24 hours' notice prior to placement of storm drainage pipe, subgrade preparation, curb and gutter construction, crushed stone base course placement, or street pavement.
- E. The City Staff or their designated agent shall then inspect facilities, improvements, and installations for conformance with plans and specifications. Inspections shall be made in accordance with all applicable ordinances.
- F. If such inspection reveals that there are any defects or deficiencies in such improvements as installed or that improvements differ from the final engineering plans and specifications accepted by the City and/or applicable utilities, the appropriate City agency shall notify the developer and their engineer in writing of such defects, deficiencies, and deviations. The developer shall, at their expense, correct such defects or deviations prior to expiration of any performance guarantees. When such deficiencies have been corrected, the developer shall notify the City Staff in writing that improvements are again ready, and a final inspection shall be conducted. Additional inspection costs due to deficiencies will be billed to the developer and shall be paid prior to final plat approval.

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6.4.3. Final Plat

CITY COUNCIL APPROVAL ([Section 6.1.3.](#)) – NO PUBLIC HEARING

ADDITIONAL REVIEW STEPS OUTLINED IN THIS SUBSECTION

See Appendix K for a copy of the Final Plat Approval Application Form with checklist.

- A. **Eligibility.** While the Certificate of Construction Plat Approval is in effect and the provisions of this UDO have been complied with, the subdivider may submit to the City Staff an application for final plat approval.
 - a. There shall be a minimum time of 2 months between construction plat approval and final plat review by the Planning Commission and City Council.
 - b. If the Certificate of Construction Plat Approval has expired, the construction plat shall be considered null and void unless the Planning Commission agrees to a time extension.
- B. **Stages.**
 - a. The final plat may constitute only that portion of the approved construction plat that the developer proposes to record and develop at any one time, provided that such portion conforms to the requirements of this UDO.
 - b. For residential plats, each stage shall contain at least 3 lots of the approved construction plat seeking final plat approval.
 - c. In every instance where staging is proposed, the construction plat shall reflect the phases in a logical progression to preclude skipping lots or leaving streets without continuity. A developer shall not omit segments of streets from a phase that would be required to serve adjacent developing areas.
 - d. All streets shall be constructed to the plat boundary as reflected on the approved construction plat.
 - e. The filing of street dedication plats for purposes of scattered lot placement is expressly prohibited.
 - f. The developer shall provide guarantees for all public improvements in an amount commensurate with the stage of the plat being filed and may defer additional guarantee requirements until additional stages of the plat are offered for filing (see Section 6.4.4.).
- C. **Review.**
 - a. The City Staff and City Staff shall review final plats for conformance with construction drawings approved in conjunction with the construction plat and for conformance with survey requirements in this UDO. Comments will be forwarded to the Planning Commission for use in final plat review.
 - b. Copies of all survey calculations and field notes shall be submitted for review when requested. When errors are suspected, the Planning Commission may cause a professional surveyor to check the final plat for correctness.
- D. **Approval.**
 - a. Responsibility for final plat approval shall reside with the City Council, who shall approve or disapprove the final plat within 45 days of its complete submission, unless the developer agrees in writing to deferral.
 - b. No final plat shall be approved until its conformance with the construction plat and the survey requirements in this UDO has been verified and the developer has provided performance guarantees assuring completion and maintenance of all required improvements as specified in Subsection 6.4.4.

Final Plat

An approved final plat allows developers to:

- Record the plat with the County Recorder
- Continue with the installation of public improvements, if needed
- Sell lots
- Apply for building permits
- Dedicate public improvements to the City for on-going maintenance.

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- c. The City Council may vote to execute a Certificate of Final Plat Approval on the plat after the City Staff has determined that the developer has fully complied with the provisions of this UDO.
 - d. Failure of the City Council to approve or disapprove the final plat application within 45 days of receipt, or within a longer timeframe as agreed to by the developer, shall be deemed an approval of the final plat and waives all further plat requirements of this UDO. Such failure to act shall be so noted by the staff on the plat to be filed for record.
 - e. A Certificate of Final Plat Approval, executed by the City Council and signed by the Mayor, shall be deemed acceptance of the public dedications shown on the plat.
- E. Recording.**
- a. The final plat can be recorded only after the plat has received a Certificate of Final Plat Approval from the City.
 - b. Final plat shall be duly recorded within 60 days of final plat approval or the plat shall be declared null and void.
 - c. The owner's representative shall file the plat for record at the county clerk's office and return a certified Mylar to the City within 2 working days unless another time period is mutually agreed to by the owner's agent and the City Staff.
 - d. No building permits may be issued until proof of the recording of the approved final plat has been presented to the City Staff.

6.4.4. Performance Guarantees

The public dedication of streets, drainage, and other public improvements within City limits shall be accepted by the City Council as part of the Certification of Final Plat Approval, subject to the performance guarantees outlined in this section.

The developer shall provide the following performance guarantees, as applicable, to the City Staff at the time of final plat approval application: 1) Certificate of Completion, 2) Guarantee of Installation, and/or 3) Guarantee of Maintenance.

- A. Certificate of Completion.**
- a. The developer shall submit to the City Staff a statement certifying which required improvements to the subdivision have been made, added, or installed, and that said improvements are functioning properly.
 - b. The developer shall identify any improvements that have not yet been installed at the time of final plat approval application. The developer shall provide a guarantee of installation for any incomplete improvements.
- B. Guarantee of Maintenance.**
- a. If a certificate of completion is submitted with the final plat approval application, the developer shall also submit a guarantee of maintenance ensuring the proper maintenance and functioning of the public improvements for one year.
 - b. The guarantee of maintenance period shall extend for at least 365 days from the date the final plat is recorded.
 - c. The guarantee of maintenance shall be in an amount equal to a percentage, as determined in the City's fee ordinance, of the total construction cost of completed improvements. Total cost information shall be provided by

the developer and reviewed and accepted by the City Staff before the guarantee is issued.

- d. Within the guarantee period, if the improvements fail or are not adequately maintained, as determined by the City Staff, the City shall be entitled to withhold all or a portion of the guaranteed amount as needed to perform proper maintenance of the improvement. Any amount not needed for proper maintenance, as determined by the City Staff, shall be returned to the developer at the end of the guarantee period.

C. **Guarantee of Installation.**

- a. If any required improvements have not been installed at the time of final plat approval application, the developer shall provide a guarantee of installation to ensure the remaining improvements are made, added, or installed in accordance with this UDO.
- b. The guarantee shall be in the amount needed to complete the remaining improvements. The cost estimate shall be provided by the developer and reviewed and accepted by the City Staff before the guarantee is issued.
- c. The guarantee of installation period shall extend for no more than 365 days from the date the final plat is recorded.
- d. If any improvements are incomplete at the end of the guarantee period, the City may retain/make demand for payment in the amount needed to complete and guarantee one year's maintenance on said improvements.
- e. The Planning Commission may issue an extension on the installation of improvements if work is actively progressing. In the event of an extension, the guarantee of installation shall be extended for the same time period and the amount updated to reflect any completed improvements and updated cost estimates. The updated cost estimate shall be provided by the developer and reviewed and accepted by the City Staff before the guarantee is extended.

CI. **Accepted Guarantees.** One of the following methods shall be used by the developer to guarantee that improvements required by this UDO have been or will be installed and maintained in accordance with approved construction drawings:

a. **Cash Deposit**

- i. The developer may provide a cashier's check to the City in the amount required for the guarantee of maintenance or installation.
- ii. The cashier's check shall be cashed upon certification of completion of all improvements or one year from the final plat recording if any improvements remain incomplete.
- iii. After the City Staff receives the developer's certificate of completion, a sum in the amount required for the guarantee of maintenance shall be held by the City for a period of one year to ensure proper functioning. Any amount above this sum shall be returned to the provider of the cashier's check.
- iv. During the guarantee of maintenance period, the held sum shall be used by the City to perform any needed maintenance. Any amount not needed for proper maintenance, as determined by the City Staff, shall be returned to the provider of the cashier's check at the end of the guarantee period.

b. **Letter of Credit.**

- i. The developer may provide to the City a letter of credit from a bank in the amount required for the guarantee of maintenance or installation.

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- ii. The letter of credit shall be irrevocable and list the City as the beneficiary.
- iii. The letter of credit shall be in a form approved by the City Attorney.
- iv. The City shall be entitled to payment upon making demand for payment under the terms of the letter of credit in the event the developer fails to install required improvements or improvements are not properly maintained within the guarantee period.
- v. The letter of credit shall include provisions that automatically convert it to an irrevocable maintenance letter of credit upon certification of completion or on the date the installation letter of credit expires, whichever comes first.
- vi. The developer shall not be entitled to any excess monies until both the installation and maintenance guarantees have been fulfilled.

6.4.5. Incidental Subdivisions

PLANNING COMMISSION APPROVAL (Section 6.1.2.) – NO PUBLIC HEARING

See Appendix L for a copy of the Incidental Subdivision Application Form with checklist.

See Subsection 5.2.2. for Incidental Subdivision regulations. Incidental subdivisions include 1) lot splits, 2) minor subdivisions, 3) lot combinations, 4) re-plats of existing lots/lot line adjustments, 5) conversion from metes and bounds description into a plat.

The Planning Commission shall review the final plat of the incidental subdivision. If the final plat complies with the objectives of this UDO and all required information is contained thereon, the Planning Commission shall certify its approval of the plat, make proper notation on the original tracing of said plat, and permit the plat's recording in the office of the County Recorder.

6.4.6. Plat Vacations

CITY COUNCIL APPROVAL (Section 6.1.3.) – PUBLIC HEARING

See Appendix M for a copy of the Plat Vacation Application Form with checklist.

- A. Vacation of a plat shall be subject to the approval of the City Council if the plat is located within City limits and subject to the Quorum Court if located outside the corporate limits, but within the City's Planning Area Boundary.
- B. The City Council may disapprove any plat vacation that destroys public rights in any of its public uses, improvements, streets, or alleys.
- C. After the vacation is approved by City Council or Quorum Court, the legal description of the subdivision and a copy of the revised or fully vacated plat shall be filed with the County Recorder.

Section 6.5. – PUD Review

CITY COUNCIL APPROVAL ([Section 6.1.3.](#)) – WITH PUBLIC HEARING AT PLANNING COMMISSION

ADDITIONAL REVIEW STEPS OUTLINED IN THIS SECTION

See *Appendix N* for the PUD Approval Application Form with checklists for each step.

PUD review is a unified review procedure of both zoning and subdivision regulations. As such, the PUD approval shall include the adoption of a specific development plan with its own standards. Once the PUD is approved by City Council ordinance, the PUD's development plan becomes a separate and distinct zone and development shall follow the plan exactly. Minor changes or modifications to the PUD's development plan after its approval by the City Council must follow the procedures outlined below and be approved by the Planning Commission prior to the changes being made.

The procedure for the review and approval of a PUD is as follows:

- A. **Pre-Application Review.** The purpose of the pre-application review is to facilitate the subsequent preparation and approval of the development plan by acquainting the developer with the City's plans and policies and determining whether the proposed PUD would generally meet at least one of the goals for PUDs outlined in [Subsection 4.14.1.1.](#)
 - a. Letter of Intent and Sketch Plan. The developer shall submit to the City Staff a Letter of Intent to Develop along with a sketch plan of the proposed subdivision prior to the pre-application conference. See the PUD application (Appendix N) for details.
 - b. Pre-Application Conference. Upon receipt of the required materials, the City Staff shall schedule a pre-application conference to be held between the developer and a committee of the Planning Commission/the Planning Commission's designated agents for land planning and engineering.
 - i. Discussion items will include the proposed layout and type of development, existing conditions within the site and in its vicinity, utility service, street requirements, and other pertinent factors related to the proposed PUD.
 - ii. The City Staff and City Staff shall either attend the pre-application conference or provide written feedback on the sketch plan at least one day prior to the conference.
 - iii. No fees shall be collected for pre-application conference.
 - iv. Comments and approvals made concerning a sketch plan are not binding on the Planning Commission; however, it is the policy of the City that, having tentatively approved a sketch plan, the Planning Commission shall not unreasonably withhold approval of a development plan that is substantially identical to the sketch plan.
 - c. Public Meeting. Following the pre-application conference, the City Staff shall schedule a public meeting at which time the applicant shall present the PUD proposal to all interested parties, including, though not limited to, neighborhood residents, property owners associations, neighboring business owners, City officials, school districts, and community groups. Notice of the public meeting shall be published on the City's website at least 15 days prior to the meeting. A Public Hearing sign shall be conspicuously posted on the subject property at least 15 days prior to the

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public meeting. The applicant shall use relevant comments gathered at the public meeting to amend the development plan in a manner that is both feasible for the applicant and most satisfactory to the interested parties.

- B. **Application.** Upon completion of all pre-application reviews, the developer may apply for approval of the development plan following the City Council approval procedure outlined in [Subsection 6.1.3](#).
- a. **Development Plan.** The developer shall include a plan specifying the site's features and proposed development standards. See the PUD application (Appendix N) for details.
 - b. **Public Hearing.** Prior to its review of the proposed PUD, the Planning Commission shall conduct a public hearing to receive input on the proposal.
 - c. **Planning Commission and City Council Action following the public hearing** shall follow the procedure outlined in [Section 6.1.3](#). The Planning Commission and/or City Council may apply special conditions to its approval of the development plan as may be required to maintain harmony with neighboring uses and to promote the objectives of the comprehensive plan and this UDO.
- C. **Final Development Plan.** Following City Council approval, the applicant shall submit a final development plan to the City Staff for review and filing. This plan shall incorporate any amendments or additions as approved by the City Council, and shall serve as the binding document that will guide the PUD's development and land use.
- D. **Amendments.** Following City Council approval, the Planning Commission may approve minor revisions to the development plan if:
- a. No changes are made to either access to or egress from the PUD.
 - b. Any changes to internal traffic arteries do not alter overall traffic patterns, size of streets, or functional classification of streets.
 - c. No new streets are proposed for dedication.
 - d. No new private streets are proposed.
 - e. Overall density has not increased.
 - f. Overall drainage patterns are not altered.
 - g. No additional loads are placed on municipal utilities.
 - h. No additional open space is dedicated for public maintenance.
- E. **Platting, Development Review, Building Permits.** Approval of a PUD development plan does not relieve the applicant of subdivision platting, site plan review, or building permit requirements. Following City Council approval and before application for site plan review or the issuance of building permits, a final plat must be submitted and approved. A plat is not required if the property has already been legally platted and is not being further subdivided. Except as specifically provided for in the individual PUD ordinance, all development shall be undertaken in conformance with adopted departmental rules and procedures. Where specific amendments to departmental rules and procedures have been included in the adopted PUD ordinance, all reviews shall be conducted and permits issued in conformance with the provisions of the approved development plan.
- a. **Platting.** Upon approval of the PUD by the City Council, and after the submittal of the final development plan, a plat shall be prepared in the manner prescribed in [Section 6.4](#). – Subdivision Review. A plat is not required if the property has been legally platted and is not being subdivided further. However, dedication of rights-of-way and easements as required by the subdivision standards shall be required.

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- b. Site Plan Review. Upon approval of both the final development plan and the final plat, if applicable, the applicant may apply for site plan review if required per [Subsection 5.2.3](#). If required, the site plan review procedure must be completed before the applicant can apply for or obtain any building permits.
- c. Building Permits. After completion of any required plat and site plan approvals, the applicant may apply for a building permit (see [Subsection 6.2.3](#)).

Section 6.6. – Residential Cluster Development Review

PLANNING COMMISSION APPROVAL ([Section 6.1.2.](#)) – NO PUBLIC HEARING

ADDITIONAL REVIEW STEPS OUTLINED IN THIS SUBSECTION

See Appendix O for the Residential Cluster Development Approval Application Form.

- A. **Subdivision.** If the properties proposed for Residential Cluster Development have not yet been legally platted or are to be further subdivided into separate lots, the development shall follow the subdivision review procedure outlined in [Section 6.4](#).
- B. **Platted Property.** A plat is not required if the properties have already been legally platted and are not being further subdivided. In this case, the Residential Cluster Development shall be considered using the site plan review procedure outlined in [Section 6.3](#). In addition to the general site plan requirements, residential cluster development site plans shall include:
 - a. The maximum number and type of dwelling units proposed.
 - b. The areas of the site on which the dwelling units are to be constructed or are currently located and their size (this may take the form of the footprint of the dwelling unit or a building envelope showing the general area in which the dwelling unit is to be located).
 - c. The areas of the site on which other proposed principal and accessory uses may be located and their size.
 - d. The areas of the site designated for common open space and their size.
 - e. The number of acres that are proposed to be conveyed as common open space.
- C. **Review.** In reviewing a residential cluster development, the Planning Commission shall determine whether the plat or plan satisfies the purpose and design requirements of [Subsection 4.14.2.](#) – Residential Cluster Development. The Planning Commission may apply special conditions to its approval of a residential cluster development as may be required to maintain harmony with neighboring uses and to promote the objectives and purposes of the comprehensive plan and this UDO.

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Section 6.7. – Variances, Appeals, and the BZA

This section is intended to comply with the provisions of [Arkansas Code Annotated 14-56-416](#), as amended.

Applications for variances and appeals of administrative decisions shall be heard by the Board of Zoning Adjustment (BZA).

6.7.1. Board of Zoning Adjustment

- A. The Board of Zoning Adjustment (BZA) shall consist of members appointed by the City. The Planning Commission as a whole shall sit as the Board of Zoning Adjustment.
- B. The Planning Commission's Chairperson, Vice-Chairperson, and Secretary shall serve as the Board of Zoning Adjustment's officers.
- C. The BZA shall establish regular meeting dates, adopt rules for the conduct of its business, establish a quorum and procedure, and keep a public record of all findings and decisions.
- D. Each session of the BZA shall be a public meeting with public notice of said meeting and business to be published in a newspaper of general circulation in the City at least one time, at least 7 days prior to the meeting.

6.7.2. Variances

See *Appendix P for the Variance Application Form.*

- A. The Board of Zoning Adjustment (BZA) shall hear requests for variances from the land development standards ([Articles 4](#) and [5](#)) of this UDO, subject to finding the variance meets ALL FIVE of the following criteria:
 1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land structures or buildings in the same zone.
 2. The special conditions and circumstances do not result from the actions of the applicant.
 3. The literal interpretation of this UDO would deprive the applicant of rights commonly enjoyed by other properties in the same zone under the terms of this UDO.
 4. The granting of the variance on the specific property will not adversely affect the land use pattern as outlined by the City's Land Use Plan and will not adversely affect any other feature of the City's Comprehensive Plan.
 5. That the variance, if granted, will be no material detriment to the public welfare or injury to the use, enjoyment, or value of property in the vicinity.
- B. The BZA shall not decide matters of property use, such as permitting, as a variance, any use in a zone that is not permitted under Article 3 of this UDO.
- C. The BZA may impose conditions in the granting of a variance to ensure compliance and to protect adjacent property.
- D. To request a variance, the applicant shall submit to the City Staff a complete variance application at least 15 days prior to a regularly scheduled meeting of the BZA.

6.7.3. Appeals

- A. Appeals from decisions of the City Staff or the Planning Commission in respect to the enforcement and application of this UDO's development standards ([Article 4](#)) shall be taken to the Board of Zoning Adjustment (BZA).

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- a. Appeals to the BZA may be made in writing by any person or agency affected by the decision of the City Staff within 30 days after said decision. The appeal shall be accompanied by enough data and drawings to describe the grievance and appeal.
 - b. The BZA shall call a meeting on an appeal within 20 days after an appeal has been received by the City Staff.
 - c. The applicant shall submit a fee with the appeal sufficient to pay for the public notice and meeting.
 - d. The BZA may affirm or reverse, in whole or in part, the appealed decision of the City Staff/Planning Commission.
- B. Appeals from decisions of the Planning Commission in respect to a Conditional Use Permit (CUP) shall be taken to the City Council.
- a. The appeal shall be filed in writing with the City Clerk within 10 days after the Planning Commission takes final action on the CUP request.
 - b. The City Council may affirm, modify, or reverse, in whole or in part, the appealed decision of the Planning Commission.
- C. Appeals from decisions of the Board of Zoning Adjustment shall be taken to a court of record having jurisdiction. Appeals shall be filed with the court within 30 days of the BZA's decision.

Section 6.8. – Enforcement and Violations

A. **Enforcement.**

- a. This UDO shall be enforced through denial of building permits, business licenses, certificates of occupancy, and plat approvals.
- b. City code enforcement personnel, planning personnel, building inspections personnel, and police department personnel have full and complete authority to enforce all provisions of this section and to issue citations for violations thereof.

B. **Penalties for Violations.**

- a. Any person or corporation who violates any of the provisions of this UDO or fails to comply with any of the requirements, or who builds or alters any building in violation of the detailed statement of plans submitted and approved hereunder shall be deemed guilty of a misdemeanor and shall be liable to a fine as outlined in the City's fee schedule.
- b. Each day such violation exists shall constitute a separate offense.
- c. The owner or owners of any building or premises or part of a building/ premises, where anything in violation of these regulations shall be placed, or shall exist; and any architect, builder, contractor, agent, engineer, person, or other corporation employed in connection with and who may have assisted in the commission of any such violation, shall be deemed guilty of a separate offense and upon conviction shall be fined.
- d. Any person who fails to give full and correct information when applying for a permit shall be subject to a fine as outlined in the City's fee schedule. The Court, at its discretion, may require that the violation be corrected to comply with this UDO. Any building permit issued upon an incomplete application, regardless of the intent of the applicant, shall be wholly void as though said permit had never been issued, and any construction based upon or resulting from such permit shall be deemed to be construction without a permit.
- e. Whenever a violation of City regulations occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint shall fully state the causes and basis of the complaint and shall be filed with

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the City Staff. (S)he shall record properly such complaint, immediately investigate, and take action thereon as provided by this Section.

C. Revocation of Permits.

- a. Any permit issued by the City shall become void should any other required federal, state, or local permits be suspended or revoked.
- b. A City permit can be revoked if:
 - i. The owner, building, or land fails to comply with the regulations listed in this UDO.
 - ii. The building or use does not comply with the conditions, if any, on the permit.
 - iii. Activities on site cause a nuisance or public disruption as defined in the City Code.
- c. If the City Staff finds that the provisions of these regulations are being violated, they shall notify in writing the person responsible for such violations, indicating the nature of the violation, and ordering the action necessary to correct it.
- d. A 30-day written notice using certified mail shall be addressed to the applicant indicating the nature of the non-compliance and the applicant's right to file an appeal to the Board of Zoning Adjustment. If no appeal is filed within the 30-day period, and the non-compliance has not been corrected within 45 days of receipt of the written notice, the permit shall be revoked. Revocation shall be immediate and shall prevent use of the property in a general manner as specified within the original permit. The property shall revert to its use status prior to issuance of the conditional use permit.
- e. When a permit has been revoked, a new permit will not be issued to the owner at that site for 2 years.
- f. Should the person responsible for such violations fail to take the necessary action to correct it, the City Staff shall notify the City Attorney, and the City Attorney shall within 7 days apply for an injunction, mandamus, or other process to prevent, enjoin, abate, or remove said violation to City regulations.
- g. Each day a use or activity continues after revocation of the permit shall constitute a separate offense and shall be punished as provided herein.

Section 6.9. – Amendment and Rezoning

This section is intended to comply with the provisions of [Arkansas Code Annotated 14-56-422](#), as amended.

6.9.1. Amendments to this UDO

CITY COUNCIL APPROVAL ([Section 6.1.3.](#)) – WITH PUBLIC HEARING AT PLANNING COMMISSION

- A. Changes to this UDO and corresponding maps may be initiated by the City Council, the Planning Commission, or by persons owning an affected property or their authorized agent.
 - a. The City Council may amend this UDO by majority vote of the entire Council. In order to initiate a change in a zone boundary, the City Council shall, by majority vote, direct that the City Attorney file a petition with the Planning Commission. After a public hearing is held and the Planning Commission reviews the petitions, the Council may amend the code by majority vote.

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- b. The Planning Commission, by majority vote of the entire Commission, may initiate a change by preparing a petition signed by the Commission Chairperson and then following the public notice/hearing procedure.
 - c. Persons owning a property, or their authorized agent, may submit a written request for a change to this UDO to the City Staff.
- B. On any proposed amendments to this UDO, the Planning Commission shall hold a public hearing, for which advance notice in a local newspaper of general distribution has been published at least one time 15 days before the hearing.
 - C. Notice by first class mail to the boards of directors of all school districts affected by a proposed plan, ordinance, or regulation shall be provided sufficiently in advance to allow representatives of all affected school districts a reasonable opportunity to submit comments on any proposed plan, ordinance, or regulation.
 - D. The City Council may adopt the amendment, in the form of an ordinance, as recommended by the Planning Commission or as approved by a majority vote of the entire Council.

6.9.2. Rezoning

CITY COUNCIL APPROVAL ([Section 6.1.3.](#)) – WITH PUBLIC HEARING AT PLANNING COMMISSION

See Appendix Q for a copy of the rezoning application with checklist.

- A. **Application.** Rezoning applications shall be accompanied by information indicating that the proposed amendment conforms to the City’s comprehensive plan. If it does not, a concurrent Comprehensive/Land Use Plan amendment may be required.
- B. **Public Hearing.** The Planning Commission shall conduct a public hearing to receive input on the rezoning. Notice of the public hearing shall be advertised in accordance with [Section 6.1.3.](#)
- C. **Denials.** No application for a rezoning may be resubmitted within 12 months from the denial unless the Planning Commission finds that a substantial change in conditions has occurred.

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ARTICLE 7. – DEFINITIONS

Section 7.1. – General Definitions

Abutting or Adjoining

Having zoning district boundaries or lot lines in common.

Access

A way of approaching or entering a property for persons, fire department, and other uses.

Addition

Any walled and roofed expansion to the perimeter and/or height of a building in which the addition is connected by a common load bearing wall. Any walled and roofed addition connected by a fire wall or separated by independent perimeter load bearing walls is new construction. (see also: Expansion)

Alley

A minor public right-of-way used for utility easements, public services, and vehicular access to the back or side of properties abutting a street.

Alteration, Structural

Any change in the supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

Alternative Tower Structure

Structures including, but not limited to, man-made trees, clock towers, bell steeples, light poles and other alternative design mounting structures that camouflage or conceal the visibility of Wireless Communication Facilities.

Annexation

The process as authorized by state law by which land is removed from an unincorporated area and added to a city.

Appeal

A process initiated by an aggrieved party to review a decision made by the City Staff, Planning Commission, or City Council.

Appurtenance

Visible, functional, or ornamental objects accessory to, and part of, buildings or structures such as bay windows, awnings, roof parapets, or flag poles.

Architectural Finish (Exterior)

This UDO addresses exclusively exterior finishes. An architectural finish is defined as a finish branded by a consistently high-quality exterior. Exterior finishes are fixed to the main structural elements of the building's exterior (block walls or stud walls) to complete or enhance its appearance. Acceptable exterior materials include brick, stone, vinyl siding, fiber cement siding, sealed wood siding, and stucco. Precision concrete blocks and metal siding/walls are NOT considered an architectural finish.

Basement

A story partly or wholly underground.

Berm

A mound or embankment of earth typically installed to provide screening or for aesthetic effect.

In this Article

[7.1. General Definitions](#)

[7.2. Use Definitions](#)



An awning is a type of appurtenance structure.

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Block

The aggregate of private lots, passages, rear alleys and rear lanes, the perimeter of which abuts streets.

Board of Zoning Adjustment

A board created by the City Council to render decisions relating to variances and administrative appeals and other matters enumerated in this ordinance and in state law (AR Code §14-56-416).

Buffer/Buffer Yard

Land maintained in either a natural or a landscaped state and used to screen or mitigate the impacts of a certain use or development on surrounding areas, properties, or rights-of-way.

Building

A permanent structure completely enclosed and isolated by solid exterior walls, pierced only by windows and entrance and exit doors, that was designed, constructed, and intended for use on a day-to-day basis for residential occupancy purposes or for purposes of conducting a business, industry or other public/private purpose.

Building, Primary/Principal

A structure in which is conducted the primary use of the site on which it is situated.

Building Articulation

Building articulation refers to the many building design elements, both horizontal and vertical, that give texture to the building surface and help define the public realm as a welcoming place. It includes changes in the depth of the surface of a building face or façade such as:

- Windows and doors
- Variations in roof line/parapet walls
- Attached pillars/columns
- Recessed windows/window bay/entryways
- Decorative cornices and corner treatments
- Special ground-floor design treatments
- Building setbacks for upper stories
- Balconies
- Porches
- Variation in building materials
- Decorative patterns on façade



Examples of building articulation (A) on a multi-family residential building. A variety of horizontal and vertical articulation types should be used to visually break up the building's mass and enhance the buildings visual interest.



Example of building articulation.

Building Height

The vertical distance as measured through the central axis of the building from the elevation of the lowest finished floor level to the highest point of ceiling of the top story in the case of a flat roof; to the deck line of a mansard roof; and to the mean height level between the eaves and ridge of a gable, hip or gambrel roof.

Building Permit

A written permit issued prior to the construction or alteration of a structure. (See [Article 6](#) - Procedures and Enforcement)

Certificate of Zoning Compliance

A written verification issued by the City Staff for a specified parcel of land that certifies that the proposed use and/or development is consistent with the requirements of the zone in which it is to be located.

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Clearing

See definition for [Grading](#).

Clear Sight Triangle

A generally triangular area that defines a zone necessary for the clear view by the driver of a motor vehicle or a bicyclist of an oncoming cross-street motor vehicle, bicycle or pedestrian or of a traffic control device.

City

The City of [city name], Arkansas.

City Staff

A registered professional engineer who is either on the City staff or hired by the City as a consulting engineer.

Cluster or Clustering

A site-planning technique that concentrates buildings and structures in specific areas on a lot, site, or parcel to allow the remaining land to be used for recreation, open space, or preservation of features or structures with environmental, historical, cultural, or other significance. The techniques used to concentrate buildings include, but are not limited to, reduction in lot areas, setback requirements, or bulk requirements, with the resultant open space being devoted by deed restrictions to one or more uses.

Cluster Development, Residential

A land development project in which the site planning technique of clustering dwelling units is employed.

Colonnade

A passage located along the exterior walls of a building and covered by the building's upper stories. A colonnade is open to the street except for supporting columns, piers, or arches. The upper stories overhang the sidewalk or civic space.

Conditional Use

A use that may be permitted by the City Council provided that specified conditions of development are met.

Construction

Includes building, erecting, structurally altering, reconstructing, moving upon, or any physical operations on the premises which are required for construction. Excavation, fill, paving, drainage, and the like shall be considered as part of construction.

Commission

The city's Planning Commission established by the City Council to make recommendations and decisions relating to planning and land use issues as authorized by Arkansas Statutes.

Common Open Space

The portion of a site set aside in perpetuity as open space. This area may include wetlands, floodplains or flood-hazard areas, stream corridors, prime agricultural lands, habitats of endangered wildlife (as identified on applicable federal or state lists), scenic views, historical or cultural features, archaeological sites, or other elements to be protected from development, as well as easements for public utilities.

Decorative Pattern

Aesthetically pleasing elements to add visual interest to a building's façade. Examples: Decorative brick, tile, or stonework; column patterns; medallions; scales/shingles; wainscoting; ornamentation; and similar features.



Wetland designated as common open space.



Decorative pattern on building's facade.

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Dedication

The donation of land, facilities, or infrastructure to a government for public use and ongoing public maintenance.

Demolition

The dismantling, intentional destruction, or removal, in whole or in part, of public or private structures, sites, surfaces, utilities, or other improvements.

Developer

A general term used to refer to either the owner of a property to be subdivided/developed or the owner's registered agent.

Development

Any construction activity or alteration of the landscape, its terrain contour or vegetation, including the erection or alteration of structures. New development is any construction, or alteration of an existing structure or land use, or establishment of a land use, after the effective date of this UDO.

Development Agreement

A contract between a developer and a municipality that describes the obligations of both parties regarding a private development project.

Development Standard

A site or construction requirement that applies to all development pursuant to any ordinance, general plan element, specific plan, charter amendment, or other local condition, law, policy, resolution, or regulation.

Dormer

A window that projects vertically from a sloping roof.

Dwelling Unit

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Easement

A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation, or another person or entity.

Egress

The action of going out of or leaving a place.

Encroachment

The construction in, over, or under any public right-of-way, easement, setback, and/or sidewalk, including the airspace above them, any structures permanent in nature, including, but not limited to, building extension, marquee, fence, or retaining wall.

Entrance, Building

The area of access to the interior of the building including the design, location, and materials of all porches, stairs, doors, transoms, and sidelights.

Expansion

Any walled and roofed addition to the perimeter and/or height of a building in which the expansion is connected by a common load bearing wall. Any walled and roofed expansion connected by a fire wall or separated by independent perimeter load bearing walls is new construction.

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Façade, Building

A building's exterior wall, or "face".

Farm Products

Fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock food products (including meat, milk, cheese and other dairy products), and fish.

Forecourt

An open area that is enclosed on three sides by the building's walls and is located between the streetscape and the central portion of the building.

Frontage

The length shared by a building's front and the street, inclusive of the structure's built and planted components.

Gallery

A covered walkway attached to a building and supported on at least one side by columns with no enclosed building space above.

Garden Wall

A low wall, usually about 18-36 inches in height, that lines a landscape feature. The garden wall acts as a division between the installed feature and the rest of the landscape. Garden walls are not meant to withstand the weight pressure of heavy, packed earth. Topsoil is relatively light and can be supported by a garden wall.

Glazing

The glass components of building's façade, typically windows and glass doors.

Grading

Any mechanical excavating, clearing, filling, or combination thereof. For the purposes of this UDO, an activity is considered grading if it does any one of the following:

- removes more than 7 trees with at least 6-inch diameter at base height
- clears more than 1 acre of vegetation
- disturbs more than 1,000 cubic yards of material
- occurs on a slope greater than 25 percent grade
- creates a filled area for the support of a structure
- adversely changes any existing drainage
- occurs in a FEMA-mapped 100-year floodplain
- affects a site with known archaeological or historical resources

Infrastructure

The facilities and services needed to sustain residential, commercial, industrial, institutional, and other activities.

Ingress

The action of going in or entering a place.

Land Development Project

A project in which one or more lots, tracts, or parcels of land are to be developed or redeveloped as a coordinated site for a complex of uses, units, or structures. Examples: planned unit development and residential cluster development.

Land Dedication

The donation of land to a government for a public purpose.



Farm products.



Garden wall. Photo: NextLuxury.com.

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Example of a landscape plan. Source: facebook.com/cityofconway

Land Reservation

A tract of land that is withdrawn by the government from sale or settlement and appropriated to specific public uses, such as parks or schools.

Landscaping Plan

A drawing of a subject property that shows existing and/or proposed landscaping elements and other features as required by this UDO. Depending on the nature of the development, the content of a landscaping plan can be shown on a site plan.

(see [Site Plan](#))

Lightwell

An open shaft adjacent to a building, which is enclosed on four sides, open at the top, and allows light into a below-grade level of a building.

Liner Building

A building that is placed between a public right-of-way and off-street parking to frame the street, maintain an active street frontage, and screen the parking lot from view.

Loading Space

An area available for the stopping of one motor vehicle for the act of moving, or allowing to be moved, people or materials to or from the interior or cargo space of the vehicle. Loading occurs only during such period of time that is necessary for the vehicle to be loaded and unloaded.

Lot

The basic development unit for determination of area, depth, and other dimensional variations; or, a parcel of land whose boundaries have been established by some legal instrument, such as a recorded deed or recorded map and recognized as a separate legal entity for purposes of this UDO. The terms “lot” and “parcel” are interchangeable for purposes of this ordinance.

Lot, Pipe Stem

A panhandle or flag shaped lot with its widest portion set back from the street at the rear of another lot and having a small strip of land connecting to the street to provide access and street frontage.

Lot Line

A line dividing one parcel of land from another.

Maintenance

The servicing, cleaning, repairing, or replacing of any premises, structure, finishes, or equipment to perpetuate the purpose, size, and scope for which such premises, structure, finishes, or equipment was previously intended and approved.

Metal siding/walls

Exterior siding or walls created out of metal. For the purposes of this UDO, metal siding/walls are not considered architectural finishes, but may be used as accent materials. All metal siding/walls shall have concealed fasteners.

Non-Conforming Use

A use that is not allowed in the use table for the zone but was already in place when this UDO was adopted (i.e. “grandfathered in”).

Non-Conforming Structure

A structure that does not meet the current development standards for the zone but was already in place when this UDO was adopted (i.e. “grandfathered in”).



Playgrounds, trails, and natural areas are all examples of open space.

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Open Space

An outdoor gathering, recreational, or uncultivated space accessible to the public. This use includes parks, greens, plazas, squares, playgrounds, trails, and natural areas, as well as any accessory structures consistent with the recreational or public use.

Parking Space

An area available for the parking of one motor vehicle. See [Section 4.17](#).

Patio

See definition for [Deck/Patio](#).

Permitted

A use or development that meets the requirements of this UDO and can be authorized by the City without the need for a conditional use permit or variance.

Planned Unit Development

One or more lots, tracts, or parcels of land to be developed as a single entity, the plan for which may propose density or intensity transfers, density or intensity increases, mixing of land uses, or any combination thereof, and which may not correspond in lot size, bulk, or type of dwelling or building, use, density, intensity, lot coverage, parking, required common open space, or other measures to the development standards that are otherwise applicable to the area in which it is located.

City Staff

The city official or employee given the responsibility of administering this UDO.

Planning Area

The Planning Area is the area both within the City and outside the City limits for which the City will prepare and enforce plans, ordinances, and regulations. The Planning Area is designated by the Planning Commission pursuant to [Arkansas Code Annotated § 14-56-413](#).

Plat

A map or drawing and accompanying material indicating the layout and design of a proposed subdivision or lot-split prepared by a developer for consideration and approval by the Planning Commission. Plats may take the form of a sketch plan, construction plat, or final plat. See [Section 6.4](#) - Subdivision Review for more details.

Plat, Construction

The plat which, upon Planning Commission approval, allows the developer to begin grading land and installing public improvements and utilities. See [Section 6.4](#) for regulations.

Plat, Final

The plat which, upon City Council approval, is recorded with the County Recorder and allows lots to be sold and built upon. The approval of the final plat also indicates the City's acceptance of the public dedications shown on the plat. See [Section 6.4](#) for regulations.

Porch

A floored and roofed structure not more than 75 percent enclosed by walls and attached to the main building for the purpose of sheltering from sun, rain, and weather either persons or inanimate objects (but not motor vehicles). Porches are considered part of the building for setback and lot coverage purposes.

Portico

A covered entrance to a building that is supported by columns.



Porches.

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Producer

A person or entity that raises or produces farm products on land that the person or entity farms and owns, rents, or leases.

Project

Any proposal for new or changed use, or for new construction, alteration, or enlargement of any structure, that is subject to the provisions of this UDO.

Property Line Coverage

The requirement that building façades be located within a specified setback range for a minimum percentage of the lot width (and depth, in the case of corner lots) to bring buildings closer to the street and promote an active frontage. See [Section 4.15](#) for more details.

Public Notice

The means that a governmental body uses, or is required to use, to formally notify people and other interested entities of a pending governmental hearing or proposed action.

Remodel

Any improvement to the exterior or interior of a building that requires an electrical, plumbing, or HVAC permit but is not a structural alteration, addition, or new construction.

Repair

See definition for [Maintenance](#).

Retaining Wall

A wall which does not support any habitable structure and is erected between lands of different elevations to prevent erosion and/or slope failure.

Setback

The required separation between a lot line (and/or right-of-way line) and a building or structure.

Shrub

A woody plant which is smaller than a tree and has several main stems arising at or near the ground. See Appendix A for a Native Tree and Plantings Guide.

Sidewalk

A portion of a street between the curb line and the adjacent property line intended for pedestrian use.

Sign

Any attention gathering device, structure, balloon, festoon, fixture or placard using imagery, graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods or services.

Sign, Address

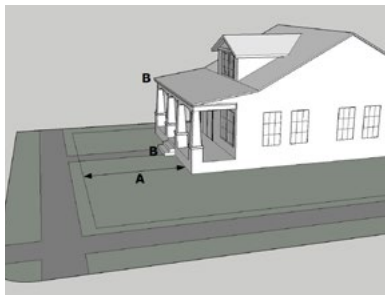
A sign depicting no other information except for the street number, street name, owner's name, and/or common name of the property on which the sign is located. See [Section 4.19](#) for sign regulations.

Sign, Awning

A projecting sign made of material such as heavy canvas, plastic, or metal and supported by a framework that is attached to a building's façade. The awning sign extends outward from the building and so provides shaded cover and protection from weather for customers and pedestrians. An awning sign will have lettering and/or graphics painted or screen printed on its exterior surface. See [Section 4.19](#) for sign regulations.



A retaining wall.



Setback.



An awning sign.

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Sign, Banner

A sign intended to be hung, with or without framing, and possessing characters, letters, symbols, emblems, trademarks, illustrations, or ornamentation applied to cloth, fabric, paper, flexible plastic or similar flexible material. [Section 4.19](#). for sign regulations.

Sign, Billboard

An off-premise outdoor advertising sign on which space is leased or rented. See definition for [Sign, Off Premise](#). See [Section 4.19](#). for sign regulations.

Sign, Blade

A rigid projecting or suspended sign that is mounted perpendicular to the building façade. See [Section 4.19](#). for sign regulations.

Sign, Construction

A sign used to identify the architects, engineers, contractors, lender, or other individuals or firms involved with the construction of a building and announce the character of the building or the purpose for which the building is intended. See [Section 4.19](#). for sign regulations.

Sign, Digital Display/Electronic Message Board

A sign or changing display, copy or message board, composed of a series of lights that may be changed automatically and/or remotely through electronic means. See [Section 4.19](#). for sign regulations.

Sign, Directory

A sign which displays exclusively the names, logos and/or locations of occupants or uses of a building or complex. See [Section 4.19](#). for sign regulations.

Sign, For Sale/Lease

A sign indicating that the property or premises whereon the sign is affixed are for sale, for lease, or to be auctioned. See [Section 4.19](#). for sign regulations.

Sign, Gas Station Canopy

A sign similar to a wall sign that is affixed to the roof-like structure that functions as a shelter for fuel pumps at gas stations. See [Section 4.19](#). for sign regulations.

Sign, Ground Mounted/Monument

A permanently attached sign in which the entire bottom of the sign is in contact with or within 18 inches of the ground and is independent of any other structure. See [Section 4.19](#). for sign regulations.

Sign, Neon

Neon lighting used to draw attention to a business or building in any manner, including (but not limited to) neon sign graphics, logos, or outlining of a building's architectural features. See [Section 4.19](#). for sign regulations.

Sign, Off-Premise

An outdoor sign displaying messaging that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located. See [Section 4.19](#). for sign regulations. [hyperlink]

Sign, Pole

A sign mounted on one or more freestanding poles or similar supports. See [Section 4.19](#). for sign regulations. [hyperlink]



A billboard.



A construction sign.



A neon sign.



A pole sign.

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Sign, Pole Banner

A banner which is attached to an existing permanent support, typically a light or utility pole. See [Section 4.19](#) for sign regulations. [hyperlink]

Sign, Political

A sign advertising a candidate or candidates for public elective office, a political party, or urging a particular vote on a public issue. See [Section 4.19](#) for sign regulations.

Sign, Post and Arm

A wooden post with a perpendicular protruding arm from which to hang a sign. See [Section 4.19](#) for sign regulations.

Sign, Sidewalk/A-Frame/Sandwich Board

A freestanding temporary sign, not affixed to the ground, advertising a business, service, or product and placed on a sidewalk. See [Section 4.19](#) for sign regulations.

Sign, Wall

A sign with a face generally parallel with and affixed to or painted on an exterior wall of a building. See [Section 4.19](#) for sign regulations.

Sign, Window

A sign posted, painted, placed, or affixed in or on a window or door so as to be visible outside the structure. See [Section 4.19](#) for sign regulations.



A window sign.

Sign, Yard Sale/Estate Sale/Open House

A sign indicating the date, time, and location of 1) a sale of personal property such as a yard sale, garage sale, moving sale, estate sale, or similar event involving the occasional sale of used or handmade goods on residential property, or 2) a public viewing of a dwelling that is for sale or lease. See [Section 4.19](#) for sign regulations.

Single-Family

One or more persons occupying a single dwelling unit, as a single housekeeping unit, provided that unless all members are related by blood, marriage, adoption, guardianship, or duly authorized custodial relationship, no such family shall contain over 6 persons, including any roomers, boarders, and/or domestic servants. A home for independent living with support personnel that provides room and board, personal care, and habilitation services in a family environment as a single housekeeping unit for not more than 6 resident elderly or disabled persons (mentally and/or physically impaired) with at least one, but not more than two resident staff persons shall be considered a family. This term does not include transitional housing or more than 6 unrelated persons living in the same dwelling unit.

Site-Built

A structure built or assembled primarily at the location where it will be permanently located. For the purposes of this code, modular homes are considered site-built because components are assembled at the building site.

Site Plan

A scaled drawing that shows the development of lots, tracts, or parcels, whether or not such development constitutes a subdivision or resubdivision of the site. A site plan may include elevations, sections, and other architectural, landscape, and engineering drawings as may be necessary to explain elements of the development subject to the requirements of this UDO.

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Sketch Plan

A simple drawing of a proposed development with the approximate layout of streets, lots, and/or other features and their relationship to the surrounding development patterns.

Stoop

A small landing or set of steps at the front entrance of a house.

Story

That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. A floor is counted as a story when more than one-half of its height is above the average level of the front adjoining ground.

Story, Half

A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use.

Street, Private

A local roadway serving only abutting lots, not publicly dedicated or maintained by a governmental entity but meeting specific municipal improvement standards and providing access for service and emergency vehicles.

Street, Public

All public property reserved or dedicated for street traffic.

Structure

Anything constructed or erected, the use of which requires a fixed location on the ground or attached to something having a fixed location on the ground.

Subdivider

A general term used to refer to either the owner of a property to be subdivided or the owner's registered agent.

Subdivision

The process by which land is divided into two or more lots, lot access is provided, utilities are extended, and/or public street or right-of-way is constructed and dedicated.

Terrace

A relatively level paved or planted area adjoining a building; an occupiable flat roof or open platform.

Transit Stations or Terminals

Facilities for loading, unloading, and transferring passengers, baggage, and incidental freight between modes of transportation. These uses include bus terminals, railroad stations, and public transit stations.

Tree, Canopy

Any self-supporting woody plant usually with one well-defined trunk, which normally grows to a mature height of 30 feet or more with a minimum mature crown width of 30 feet. See Appendix A for a Native Tree and Plantings Guide.

Tree, Street

Any self-supporting woody plant with a mature height of 10 feet or more that is planted or extends over the public right-of-way between the curb and public sidewalk, or between the curbs of a median strip, or in the equivalent location with respect to future



Example of a half story residence.



A transit terminal.

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A side corner yard.

curb, sidewalk, or median strips where such curbs or sidewalk are not yet installed. See Appendix A for a Native Tree and Plantings Guide.

Tree, Understory

Any self-supporting woody plant usually with one well-defined trunk and a mature height between 10 and 30 feet, inferior in size to surrounding canopy trees. See Appendix A for a Native Tree and Plantings Guide.

Use

A use is any activity, occupation, business, or operation conducted in a building or on a tract of land.

Value-added Farm Product

Any product processed by a producer from a farm product, such as baked goods, jams, and jellies.

Variance

A variance is a discretionary action by the Board of Zoning Adjustment which grants relief from the development standards of this UDO to the extent necessary to permit a reasonable or practical use of the land. A variance may be granted, after a public hearing, when unique conditions on a specific parcel of land would cause the property owner practical difficulty and undue hardship if it were developed pursuant to applicable provisions.

Yard, Front

The open space extending the full width of the lot between the front lot line and the front façade of the principal building. If unclear on the plat which is the front lot line, the lot line facing the street frontage the building is addressed from shall be the front lot line.

Yard, Side Interior

The open space between the principal building and a side lot line abutting a neighboring lot. The interior side yard extends from the front yard to the rear yard.

Yard, Side Corner/Side Street

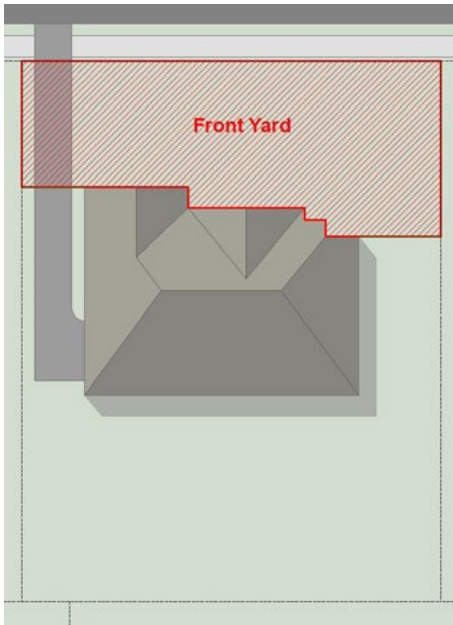
The open space, excluding the portion defined as the front yard, that runs along the full depth of the side of the building abutting a public street.

Yard, Rear

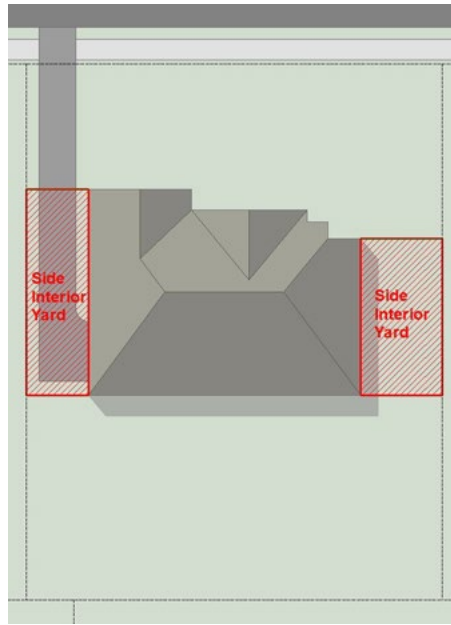
The open space extending the full width of the lot between the rear lot line and the rear façade of the principal building.

Zone or Zoning District

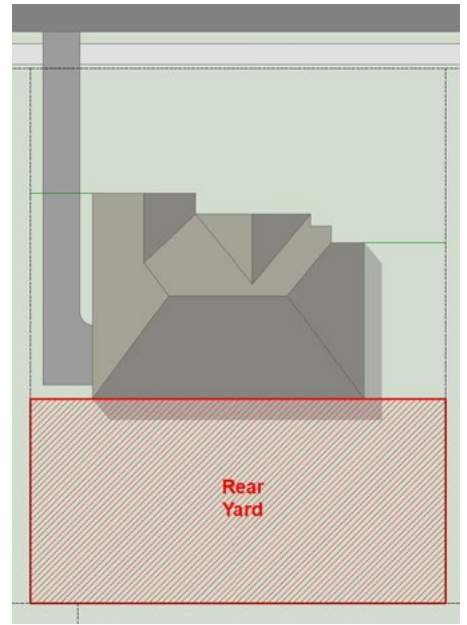
A section of the city established by the UDO in which regulations for the use of land, site planning and development standards are prescribed.



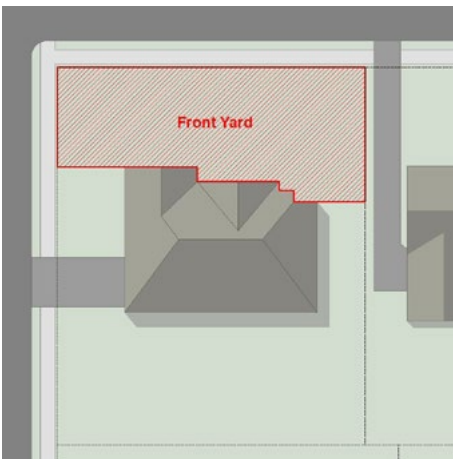
A front yard on an interior lot.



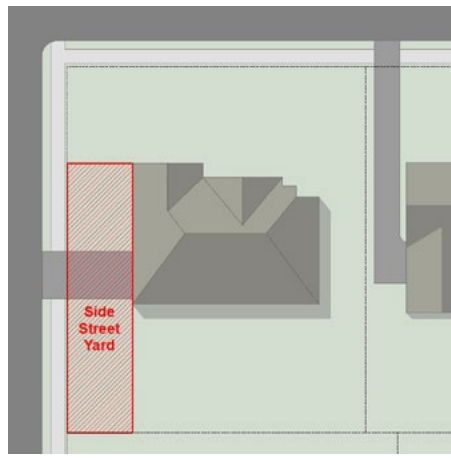
Side interior yards on an interior lot.



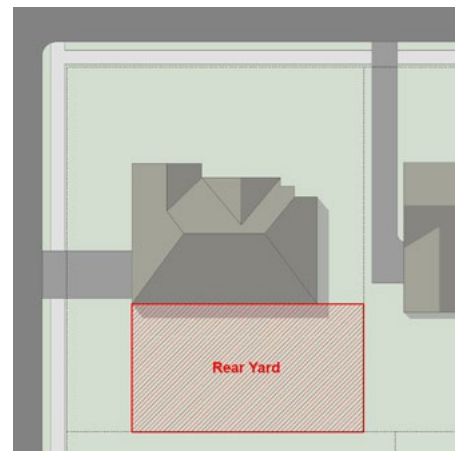
A rear yard on an interior lot.



A front yard on a corner lot.



A side street yard on a corner lot.



A rear yard on a corner lot.

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A condominium.



A duplex.

Section 7.2. – Use Definitions

7.2.1. Residential Uses

Child Care Family Home

In a child care family home, children are cared for in a caregiver’s own primary residence, and for which payment or fee is made. This use includes any home caring for six (6) or more children from more than one family. A licensed home can have a maximum capacity of sixteen (16) children provided there is sufficient usable indoor space available to the children, as determined by the State of Arkansas. See [Section 3.3.](#) for regulations.

Condominium

A building or group of buildings in which units are owned individually while the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis. Condominium buildings are considered multi-family residences for the purposes of this UDO.

Duplex

A site-built structure containing two dwelling units attached on at least one side.

Home Occupation

A non-residential use carried on within a dwelling which is clearly subordinate to the residential use and which does not outwardly change the residential character of the use, lot, or structure. See [Section 3.3.](#) for regulations.

Live/Work Unit

A commercial space with a dwelling unit located in the same structure or on the same lot to house the owners/operators of the commercial space. See [Section 3.3.](#) for regulations.

Manufactured Home

A dwelling unit constructed in a factory in accordance with the federal standards and meeting the definitions set forth in the federal standards and under Arkansas Code Annotated Section 20-25-102, the same being a structure, transportable in one (1) or more sections, which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty square feet (320 sq. ft.) or more and is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

Manufactured Home Park

A parcel of land upon which two or more manufactured homes are situated either free of charge or for revenue and shall include any building, structure, tent, vehicle, or enclosure used or intended for use as a part of the site. See [Section 3.3.](#) for regulations.

Modular Home

A factory-built structure produced in accordance with state or local construction codes or standards and designed to be used as a dwelling unit with a foundation when connected to the required utilities. (Also see Site-Built)

Multi-Family Residence

A structure containing two or more residential dwelling units on a single parcel of land, exclusive of accessory dwelling units. For the purposes of the Use Table, multi-family residences are divided into small multi-family residences with 2-4 units (duplexes, triplexes, quadplexes), medium multi-family residences with 5-24 units, and large multi-



A multi-family residence.

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family residences with 25 or more units. Condominium buildings are considered multi-family residences for the purposes of this UDO. See [Section 3.3](#), for regulations.

Nursing Home/Assisted Living Facility

A facility which houses multiple residents for any length of time and which provides nursing care, rehabilitation care, housekeeping, and/or food service for residents. This definition shall also include an independent living facility which also provides nursing care and/or assisted living care. Facilities treating residents for substance abuse, providing housing for parolees, treating psychiatric problems, or housing juveniles are not considered as a nursing home/assisted living use.



Assisted living facility. Photo: parkwayvillage.com.

Quadplex

A site-built structure containing four dwelling units attached to one another.

Short-term Rental

A residential dwelling unit that contains guest rooms where lodging, with or without meals, is provided for compensation. See [Section 3.3](#), for regulations.

This use includes:

- Airbnbs, VRBOs, and similar vacation rentals
- Bed & breakfasts
- Boarding houses
- BUT NOT: group homes, halfway houses, parolee housing or homeless shelters

Single-family, attached unit

Residential construction consisting of two or more dwelling units which physically adjoin one another on at least one side but are each built on separately owned lots.



Single-family attached units.

Single-family, detached unit

Residential construction consisting of a free-standing single-family housing unit. A detached dwelling unit may not adjoin any other dwelling unit unless one unit qualifies as an accessory dwelling unit.

Transitional Housing

A residential facility which houses individuals transitionally or semi-permanently. Transitional housing may be a group home housing children in the foster care system or physically, mentally, or emotionally disabled adults for varying periods of time with trained caregivers. It could also be a licensed home for inmates on release from or in lieu of more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently. Such placement is pursuant to the authority of the State of Arkansas.

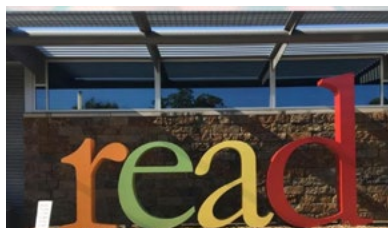
Triplex

A site-built structure containing three dwelling units attached to one another.

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A fire station.



A library. Photo: Facebook.com/CentralArkansasLibrarySystem



A college campus.

7.2.2. Public, Civic, and Institutional Uses

Civic Facility

An institution or function serving a public governmental purpose, such as a:

- city hall
- courthouse
- fire station
- police station
- public utility structure – small
- outdoor venue
- park/playground
- other publicly owned or governmental office or function

Community/Cultural Facility

A facility that acts primarily as either a public community gathering/activity space or a space that makes culture and/or knowledge accessible to the public, such as a library, museum, or community center.

Community Garden

The use of land by multiple users primarily for the cultivation of fruits, vegetables, plants, flowers, honey and herbs along with accessory and appurtenance structures. The focus of community gardens is on food production for personal consumption but sales on premises may be permitted as a secondary use. See [Section 3.3](#) for regulations.

Higher Education Institution

Any facility that provides post-secondary education and/or training of individuals or groups. This use includes:

- post-secondary education and/or training
- public and private colleges, universities, medical schools, and law schools
- vocational and technical colleges offering skills training for specialized jobs or career fields

Hospital/Rehabilitation Facility

An institution providing health services primarily for human inpatient or medical or surgical care for the sick or injured, including related facilities such as laboratories, outpatient departments, training.

School - Primary/Secondary

A public or private facility that provides a curriculum of academic instruction to students in kindergarten through twelfth (12th) grade, or a portion of those grades. This use includes accessory uses for the purposes of education.

7.2.3. Commercial Uses

Adult Day Care

A facility maintained and conducted for the care and protection of four or more adults during the day, away from the clients' and caregivers' places of residence. See [Section 3.3.](#) for regulations.

Animal Day Care/Kennel

An establishment wherein any person, business, or organization engages in the practice of boarding, breeding, buying, grooming, letting for hire, training for a fee, or selling dogs or other animals.

Automobile Repair/Service

This use includes automobile repair and service such as the types listed below. This use does not allow the overnight outside storage of vehicles for more than 5 days. This use does not permit the permanent (24-hour) outdoor display of merchandise, equipment, or products. This use does not involve hazardous materials other than flammable petroleum type products; materials needed for auto body repair, and/or propane refills.

See [Section 3.3.](#) for regulations.

- automobile repair
- auto body repair
- car wash/cleaning
- service shop
- fuel sales
- overnight outside storage of vehicles for less than 5 days

Bar, Tavern, and Night Club

An establishment, the primary activity of which is the sale and consumption on the premises of beer, wine or other liquors, and where food service, if any, is secondary to the sale of alcoholic beverages. This use may include a dance club or discotheque, BUT NOT a strip club or adult cabaret.

Bank/Credit Union

A completely enclosed facility of which the primary use is the custody, loan, exchange or issue of money, the extension of credit, and the transmission of funds.

Business/Professional Association, Club/Lodge; Social Organization

A structure used for the assembly of persons affiliated with a group or organization for non-profit purposes. This use may include:

- structure used for the assembly of persons affiliated with a group or organization for non-profit purposes
- neighborhood clubhouse
- BUT NOT: fraternity house where members reside

Campground (RV/Tent/Cabin)

A parcel of land in which two or more campsites are designated primarily for temporary occupancy by recreational vehicles and/or tents for recreational or vacation uses.

Campgrounds may also include sites for temporary cabin rentals for recreational or vacation uses.

Campsite

A plot of ground within a campground intended for the accommodation of either a recreational vehicle, tent, or other individual camping unit on a temporary basis.



Doggie day care. Photo: Facebook.com/wagsandwhiskers.



A bank.

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A church entrance.

Cemetery

Land used for the burial and/or housing of human remains. This use includes mausoleums and columbariums. The use may include a chapel or meeting place intended for the purposes of performing funerals.

Child Care Center

A center maintained and conducted for the care and protection of children during the day, away from the client's and caregiver's place of residence. See [Section 3.3](#), for regulations.

Church/Place of Worship

An institution that people regularly attend to participate in religious services, meetings, and other faith-based non-profit activities, including accessory housing. This use may include temples, seminaries, retreats, monasteries, and similar uses.

Convenience Store

A retail commercial establishment supplying a limited range of food items, magazines, toiletries, and other products to meet the day-to-day needs of residents in the immediate neighborhood.

Day Care Center, Child/Adult

See [Adult Day Care](#) and [Child Care Center](#)

Farmers' Market/Flea Market

A publicly or privately operated, open-air establishment open to the public where products are sold. See [Section 3.3](#), for regulations.

Food Truck

A large motorized vehicle (such as a van) or trailer which is equipped to cook, prepare, serve, and/or sell food and which has gained a permit to park in a designated area on a public street or private property. See [Section 3.3](#), for regulations.

Food Truck Park

A parcel of land upon which two or more food trucks are situated either free of charge or for revenue and shall include any building, structure, tent, vehicle, or enclosure used or intended for use as a part of the site. See [Section 3.3](#), for regulations.

Funeral Home

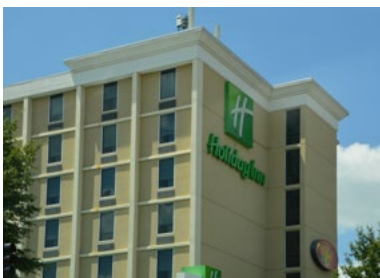
A facility used for the preparation of the dead for display and/or burial/cremation. A funeral home may include a funeral chapel and facilities for visitation.

Gas Station

An establishment selling fuel for vehicles. See [Section 3.3](#), for regulations.

Hotel/Motel

An overnight lodging building intended for stays in which lodgers are charged daily, weekly, or monthly rates. A hotel/motel must have a staffed lobby.



A hotel.

Ice Cream Truck

A truck or van designed primarily for the sale of pre-packaged ice cream, frozen confections and other similar pre-packaged frozen desserts. See [Section 3.3](#), for regulations.

Medical Facility (outpatient)

A facility providing medical or dental examination and treatment, including:

- outpatient medical or dental care
- medical and dental laboratories
- medical marijuana dispensaries

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- medical appliance fitting & sales (may also be permitted as a Retail use)
- plasma centers
- pharmacies licensed by the Arkansas State Board of Pharmacy in which drugs, chemicals, prescriptions, and poisons are compounded, dispensed, or sold at retail.

Microbrewery, Microdistillery, and Microwinery

A facility licensed by the State of Arkansas as a microbrewery, microwinery, or microdistillery for the production and packaging of liquors, malt beverages and/or wines for distribution, retail, or wholesale, on or off premise. A tap room is a use associated with and allowed on the same premises as a microbrewery, a microdistillery, or a microwinery facility which sells and serves alcohol beverages for consumption on the licensed premises, sells beverages produced in its own facility in sealed containers for consumption off the premises, or both.



A medical marijuana dispensary.

Microfulfillment Center/Small Warehouse

A facility with a total footprint of no more than 10,000 square feet where goods or products are stored on-site temporarily for the purpose of delivery to a retailer or final destination. Such facilities may include automated systems, office space, and a pick and pack area to be used by employees for sorting and packaging goods and products for delivery from available, on-site inventory.

Mixed-Use Building

A pedestrian-friendly development that blends two or more residential, commercial, cultural, institutional, and/or light industrial uses.

Mobile Vendor

Businesses that operate out of temporary stands, stalls, motor vehicles, or other non-fixed structures and operate independently from or as a part of a farmers’ market, flea market, or food truck park. See [Section 3.3](#) for regulations. Such temporary structures or vehicles are utilized for the display and sales of products and/or prepared foods, including:

- Food truck
- Produce stand
- Christmas tree sales
- Snow cone stand



A food truck. Photo: Facebook.com/TheRailYard

Multi-Purpose Venue

A facility for showing motion pictures and/or performances (theatrical, musical, and/or dance) to an audience and/or for hosting special events including, but not limited to, social gatherings, weddings, anniversaries, conferences, corporate functions, and concerts. The facility may have a catering kitchen and a stage or event area. See [Section 3.3](#) for regulations.



A band performing on stage.

Office/Professional Service

An office is a place of work in which business, clerical, or professional activities are conducted. Professional services include:

- administrative office for any business
- accountant
- architect
- engineer
- lawyer

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- insurance agent
- real estate agent/broker
- financial advisor/broker
- broadcasting station
- bail bondsman
- contractor w/ no outside storage

Parking, Surface

An off-street, ground level parking facility, not located in a multi-level parking structure, which includes parking spaces and drives and aisles for maneuvering and provides access for entrance and exit developed in a way to accommodate the parking of vehicles. See [Section 3.3](#) for regulations.

Parking, Structured

An off-street parking facility that includes above-ground parking spaces, such as a parking deck or parking garage. The facility includes parking spaces and drives and aisles for maneuvering and provides access for entrance and exit developed in a way to accommodate the parking of vehicles. See [Section 3.3](#) for regulations.

Recreation Facility, Indoor

A building or portion of a building designed and equipped for the indoor conduct of sports, exercise, health-promoting or leisure-time activities, or other customary recreational activities, operated for profit or not-for-profit and which can be open only to members and guests of the organization or open to the public for a fee. Typical uses include fitness centers, spas, bowling alleys, laser tag, skating rinks, and organized sports courts.

Recreation Facility, Outdoor

Participant or spectator uses conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf, swimming pools, organized sports courts/fields, motorized cart and motorcycle tracks, and paintball.

Recreational Vehicle

A vehicular unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailers, truck campers, and motor homes.

Recreational Vehicle Park

See [Campground \(RV/Tent/Cabin\)](#).

Restaurant/Eating Establishment

An establishment whose principal business is the selling of prepared food to the customer in a ready-to-consume state, in individual servings, where the customer consumes these foods while seated at tables or counters located on the premises. Such operations may also prepare food for consumption off-site via delivery or take-out. These establishments may include:

- cafes
- cafeterias
- delicatessens
- restaurants



A parking deck.



Patrons enjoying a restaurant's outdoor patio.

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Retail and Service

A business engaging in the sale of goods or commodities and/or providing repair services or personal services such as:

- repair services (non-automotive)
- grocery store
- convenience store
- liquor store
- beauty & barber shop
- tailor
- clothing store
- laundromat & dry cleaning
- home improvement/hardware store
- rental store
- self-service ice vending machine
- tattoo parlor
- furniture store
- antique shop
- bakery/confectionary shop
- specialty store
- BUT NOT: auto-oriented uses or any service handling hazardous materials or causing external environmental impacts such as those described under the “Industrial – Heavy” use.



A confectionary shop.

Self-Storage Facility (no outdoor access or storage)

A facility providing individual private storage spaces of varying sizes leased on individual leases for varying periods of time within a completely enclosed building or buildings, without any outdoor access to individual units or outdoor storage yards.

Self-Storage Facility (with outdoor access and/or storage)

A building or buildings providing individual private storage spaces of varying sizes leased on individual leases for varying periods of time with outdoor access to individual units and/or outdoor storage yards for large items, equipment, or vehicles.

Social Service/Philanthropic Organization

A not-for-profit institution providing assistance or resources to individuals in need.

Studio/Specialized School

An indoor space used for the practice of music, art, sculpture, dance, drama, gymnastics, martial arts, photography, sound recording, video recording, television broadcasting, and/or radio broadcasting and similar activities. This use allows for the instruction of students in the activity pursued within the studio. It also allows for a gallery, incidental to the principal use, for the sale of works produced in the studio.



A dance studio.

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An urban farm. Photo: iStockphoto.com.

Urban Farm

See [Section 3.3](#) for regulations.

Land and facilities dedicated to the cultivation of agricultural products for the purpose of resale or donation, including:

- apiaries
- aquaponics, aquaculture
- farming; all legal plants and permitted animals; indoor, outdoor, vertical
- forestry; growing, harvesting, preserving trees, forest products
- hydroponics
- plant nursery
- public stable
- retail sales of products raised on premises
- rooftop farms
- truck gardens
- wholesaling, warehousing of farm products



A vet clinic. Photo: iStockphoto.com.

Veterinary Clinic (no outdoor facilities)

A service for the qualified and authorized treatment of diseases and injuries in animals. This use is limited to services provided entirely within an enclosed, heated and cooled structure and does not allow outdoor runs, play yards, pens, or training areas.

Veterinary Clinic (with outdoor facilities)

A service for the qualified and authorized treatment of diseases and injuries in animals. This use includes outdoor facilities such as outdoor runs, play yards, pens, or training areas.

Wireless Communication Facility

Any unstaffed facility for the transmission or reception of radio frequency signals and/or wireless telecommunications services, usually consisting of an antenna array, connection cables, an equipment facility, and a support structure to achieve the necessary elevation. Arrays may be attached to an existing building or structure such as (but not limited to) utility poles, signs, and water towers. See [Sections 3.3](#) and [3.4](#) for regulations.

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7.2.4. Industrial Uses

Industrial – Heavy

An establishment engaged in manufacturing, assembly, production, packaging, or other industrial processing of raw or extracted materials or the provision of industrial services, where there is potential for external effects such as noise, dust, glare, odors, or vibration that would be objectionable to residential or commercial areas. This use includes:

Manufacturing of:

- air conditioning, heating equipment
- ammunition
- apparel, other textile products
- beverages, non-alcoholic
- bricks, tiles, clay, ceramics
- cement, concrete, mortar, plaster
- chemicals
- electronic equipment
- food products
- glass, glass products
- instruments, meters
- mattresses
- monuments
- motor vehicles
- orthopedic, medical supplies
- paper products; envelopes, stationery, wallpaper
- rubber products; natural or synthetic
- steel products
- blinds, window shades, awnings

Other uses:

- contract sorting, grading, packing of fruits and vegetables for grower
- corn shelling, hay baling, threshing
- cotton ginning, compressing
- crematorium
- dry-cleaning, dyeing plant
- fruit and vegetable processing, canning
- packing and processing of meats, poultry
- freight terminal, depot; railroad or truck
- freight forwarding service
- livestock assembly, auction, breeding, feeding, sales, sales barn, shipment, and pens
- public utility structure – large
- railroad equipment storage, maintenance
- recycling
- scrap or waste materials handling
- scrap steel cutting
- sign painting
- vending machine sales, rental, repair, manufacturing
- warehousing; indoor, outdoor

See Sections [3.3](#) and [3.4](#) for regulations.



A welder.



A steel pipe manufacturing facility.

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Industrial – Light

Clean, quiet manufacturing, assembly, or production industries on landscaped sites with sufficient room for parking and loading. Light industrial sites produce minimal noise, odor, gas, smoke, vibrations, dust, dirt, or other emissions detectable at surrounding property lines. This use includes makerspaces and innovation hubs operation for educational or economic development purposes, insofar as their operations do not exceed the light industrial specifications. Light industrial uses are compatible neighbors to commercial, residential and institutional areas. This use includes:

- baked goods, candy, bread, dairy, ice cream manufacturing
- book bindery
- bottling works, all beverages
- carpentry, woodworking, furniture making
- compounding of cosmetics, toiletries, drugs, pharmaceutical products
- electrical equipment assembly
- ice plant; dry or natural
- jewelry manufacturing
- leather goods fabrication
- optical goods manufacturing
- outdoor advertising plant
- manufacturing, processing that by reason of operation is not a nuisance in respect to odor, noise, dust, vibration, etc.
- warehousing; indoor
- wood, lumber; processing, distribution



A cosmetics manufacturing facility.

Junk Yard, Salvage Yard, Automobile Wrecking and/or Hazardous Materials Use or Storage

Any establishment maintained, used, or operated for the storing, keeping, dismantling, salvaging, buying or selling of:

- scraps or discarded pieces of metal, paper, cloth, wood, tires, bottles and other materials,
- inoperable, wrecked, scrapped, ruined or discarded automobiles, automobile parts, machinery or appliances, and/or
- materials which are poisonous, noxious, and otherwise are hazardous to public health.

The facility may be used to store such things as acids, oils, chemicals, etc. prior to use or may be a permanent storage area for waste chemicals, etc. These uses include but are not limited to petroleum products storage. A junk or hazardous materials yard shall not include premises on which such uses are conducted entirely within a completely enclosed building, nor shall a junk or hazardous materials yard include premises used primarily for the sale or storage of operable automobiles or for the overhaul or full repair thereof, so long as no inoperable junk or wrecked automobile remains outside more than thirty days. Any premises on which there remains outside more than thirty days an inoperable, partially dismantled, wrecked, or junked automobile, shall be deemed a junk yard. See [Section 3.3.](#) for regulations.

Medical Marijuana Cultivation Facility

A facility that has been licensed by the Medical Marijuana Commission and operated in compliance with all State rules that cultivates, prepares, manufactures, processes, packages, sells to, and delivers usable marijuana to a dispensary.

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Mining, Excavation, and Material Storage

A tract of land where various minerals, ore, etc. are extracted from under the earth. May also include a distribution area for truck/rail loading of ore and materials. Uses include but are not limited to: Exploration for minerals, mining of coal, metal ores and non-metallic minerals other than fuels, extraction of sand, gravel, clay, quarrying of rock.

Utility Equipment or Contractor Parking/Storage Yard

An open storage yard for supplies and operational equipment, but not constituting a junk or salvage yard.

Warehouse/Fulfillment Center

A facility with a total footprint of more than 10,000 square feet where goods or products are stored on-site for the purpose of delivery to a retailer or final destination. Such facilities may include automated systems, office space, and a pick and pack area to be used by employees for sorting and packaging goods and products for delivery from available, on-site inventory.

7.2.5. Accessory Uses

Accessory Building, Structure, or Use

A subordinate building, structure, or use that is clearly incidental to, or customarily found in connection with, and on the same lot as the principal use of the premises.

See [Section 3.4.](#) for regulations.

Accessory Dwelling Unit

A smaller, secondary site-built dwelling unit on the same lot as an existing single-family dwelling. The unit includes its own independent living facilities with provisions for sleeping, cooking, and sanitation, designed for residential occupancy independent of the primary dwelling unit. See [Section 3.4.](#) for regulations.

Carport

A roofed structure providing shelter for motor vehicles that is supported on posts and enclosed on not more than two (2) sides. See [Section 3.4.](#) for regulations.

Deck/Patio

A roofless, floored structure, with or without a railing. This use also includes structures such as detached patio covers, gazebos, arbors, and similar structures.

See [Section 3.4.](#) for regulations.

Drive-Thru

A facility where one can be served without leaving one's motor vehicle.

See [Section 3.4.](#) for regulations.

Garage

A detached structure or portion of a main building used for the storage of vehicles or other property. See [Section 3.4.](#) for regulations.

Model Home/Subdivision Sales Office

A home or office located in a subdivision which is owned by or held in trust with the developer for the purposes of demonstrating and selling lots or homes in the development. See [Section 3.4.](#) for regulations.



Examples of ADUs.



A carport.

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Open Display/Outdoor Storage

See [Section 3.4.](#) for regulations.

Open Display: Uses that have merchandise on display outside during business hours, but that remove the merchandise from outside after business hours for storage. Examples:

- gift shop
- hardware store
- specialty store
- clothing store
- indoor flea market

Outdoor Storage: Uses with permanent (24-hour) outdoor storage or display of merchandise, products, or equipment. Examples:

- automobile sales, leasing, or rental
- recreational/large vehicle/boat sales, leasing or rental
- manufactured home sales
- monument sales
- contractor office
- home improvement store w/ permanent outside storage
- repairs incidental to the primary use

Solar Panel

A photovoltaic panel for the collection of energy from the sun and conversion into electricity or heat. Photovoltaic shingles, siding, or other non-glare, unobtrusive components are also included in this use.



Roof mounted solar panels.

Wind Mill/Turbine

An electricity generating device that converts the kinetic energy of wind into electricity. It includes a tower, generator, and electric conversion equipment, nacelle (an enclosure housing the generating equipment), rotor with blades, and other related equipment. Also known as a Distributed Wind Energy System, this type of wind energy generating system is intended for local or on-site electric use.

Wireless Communication Facility

See definition in [Section 7.2.3.](#) – Commercial Uses.

APPENDICES

- A. Native Tree and Plantings Guide for Central Arkansas
(Cannot be enforced) Only for reference
- B. Business License Application
- C. Building Permit Application
- D. Certificate of Occupancy
- E. Conditional Use Permit Application
- F. Open Display Permit Application
- G. Franchise Permit Application
- H. Site Plan Approval Application
- I. Subdivision Review: Pre-Application Conference Checklist
- J. Subdivision Review: Construction Plat Approval Application
- K. Subdivision Review: Final Plat Approval Application
- L. Incidental Subdivision Approval Application
- M. Plat Vacation Approval Application
- N. Planned Unit Development (PUD) Approval Application
- O. Residential Cluster Development Approval Application
- P. Variance Application
- Q. Rezoning Application
- R. Review Checklists for Official Use

NATIVE TREE AND PLANTINGS GUIDE FOR CENTRAL ARKANSAS (This section is not enforced only to be used as reference)

A compilation of resources (referenced at end of document)

Common Name	Botanical Name	Street Tree	Canopy Tree	Notes
Large Trees with mature heights over 50'				
Red Maple	<i>Acer rubrum</i>		•	Height 50-60'. Grows poorly in compacted soil. Not good street tree. Needs ample moisture, especially when young.
Sugar Maple	<i>Acer saccharum</i>		•	Height 70'. Great fall color, a good shade tree for large lawn. Grows poorly in compacted soil.
Ohio Buckeye	<i>Aesculus glabra</i>		•	Height 50-60'. Prefers moist fertile shade. Needs room for taproot. Produces Buckeyes (nuts), which could litter ground and cause dents in cars.
Bitternut Hickory	<i>Carya cordiformis</i>		•	Height 70'. Leaf buds are yellow, bright yellow fall color, bitter nuts are not favored by wildlife. Produces nuts, which could litter ground and cause dents in cars.
Pecan	<i>Carya illinoensis</i>		•	Height 80'. Graceful trunk lines, good for shade. Produces nuts, which could litter ground and cause dents in cars.
Shagbark Hickory	<i>Carya ovata</i>		•	Height 80'. Gray, shaggy, lined patches of bark cover the trunk of older trees, large leaves, good fall color. Nuts litter the ground.
Mockernut Hickory	<i>Carya tomentosa</i>		•	Height 80'. Nice fall color. Produces nuts, which could litter ground and cause dents in cars.
Northern Catalpa	<i>Catalpa speciosa</i>		•	Height 60'. Large white flower clusters in spring, huge leaves, long seed pods. Pods litter the ground.
Sugarberry	<i>Celtis laevigata</i>	•	•	Height 60'-80'.
Hackberry	<i>Celtis occidentalis</i>	•	•	Height 60'. Good for difficult sites, leaves disintegrate in fall.
American Beech	<i>Fagus grandifolia</i>		•	Height 50-80'. Intolerant of poorly drained soil. Needs ample moisture.
Kentucky Coffeetree	<i>Gymnocladus dioica</i>	•	•	Height 75'. Drought and pollution tolerant. Use male trees close to street.
Black Walnut	<i>Juglans nigra</i>		•	Height 70'. Broadly branching, good shade tree, long narrow leaves, valuable nuts. Nuts can litter ground and cause dents in cars. Can suppress nearby plants.
Sweetgum	<i>Liquidambar styraciflua</i>		•	Height 80'. Good fall color, ball-shaped pods litter the ground.
Fruitless Sweetgum	<i>Liquidambar styraciflua</i> 'Rotundiloba'	•	•	Height 80'. Narrow form. Good fall color. Sterile - no gum balls.
Tulip Tree	<i>Liriodendron tulipifera</i>	•	•	Height 90'. Fast-growing, yellow flowers. Needs ample moisture.
Cucumber Magnolia	<i>Magnolia acuminata</i>		•	Height 70'. Large greenish flowers, green finger-sized fruits, turn purple-red as they mature.
Black Tupelo	<i>Nyssa sylvatica</i>	•		Height 60-80'. Mature spread less than 25'.
Shortleaf Pine	<i>Pinus echinata</i>		•	Height 75-100'. Evergreen. Needs room for taproot.
Loblolly Pine	<i>Pinus taeda</i>		•	Height 90'. Blue-green needles.
Sycamore	<i>Platanus occidentalis</i>		•	Height 75-100'. Fast growing, showy bark, tolerant of wet soil. Sticks and seed balls can be messy.
White Oak	<i>Quercus alba</i>		•	Height 100'. Acorns for wildlife.
Swamp White Oak	<i>Quercus bicolor</i>	•	•	Height 50-60'.
Southern Red Oak	<i>Quercus falcata</i>	•	•	Height 80-95'.
Cherrybark Oak	<i>Quercus falcata</i> var. <i>pagodifolia</i>		•	Height 80'. Good form, red fall color, attractive bark.
Shingle Oak	<i>Quercus imbricaria</i>		•	Height 65'.
Bur Oak	<i>Quercus macrocarpa</i>		•	Height 80'. Largest acorn of Arkansas native oaks (up to 2" in diameter).
Chinquapin Oak	<i>Quercus muehlenbergii</i>	•	•	Height 40-60'.

Common Name	Botanical Name	Street Tree	Canopy Tree	Notes
Large Trees with mature heights over 50'				
Water Oak	<i>Quercus nigra</i>		•	Height 100'.
Willow Oak	<i>Quercus phellos</i>	•	•	Height 60'. Tolerates poorly-drained soils, acorns for wildlife.
Northern Red Oak	<i>Quercus rubra</i>	•	•	Height 75'. Pollution and compacted soils tolerant, acorns for wildlife.
Shumard Oak	<i>Quercus shumardii</i>	•	•	Height 60'. Fall color, acorns for wildlife, best oak for fall color.
Black Oak	<i>Quercus velutina</i>	•	•	Height 50-60'.
Black Locust	<i>Robinia pseudoacacia</i>	•	•	Height 80'. Fragrant, showy flowers in spring. Has thorns.
Baldcypress	<i>Taxodium distichum</i>	•	•	Height 70'. Tolerant of drought and wet soil.
American Linden/Basswood	<i>Tilia americana</i>		•	Height 80'. Relative of Little Leaf Linden. Prefers sun and is heat tolerant. Needs moist, fertile, well drained soil.
Jefferson Elm	<i>Ulmus americana</i> 'Jefferson'	•	•	Height 60-80'.
Lewis & Clark Elm	<i>Ulmus americana</i> 'Lewis & Clark'	•	•	Height 60-80'.
New Harmony Elm	<i>Ulmus americana</i> 'New Harmony'	•	•	Height 60-80'.
Princeton Elm	<i>Ulmus americana</i> 'Princeton'	•	•	Height 60-80'.
Valley Forge Elm	<i>Ulmus americana</i> 'Valley Forge'	•	•	Height 60-80'.

Medium Trees with mature heights 30' – 50'				
Paw Paw	<i>Asimina triloba</i>		•	Height 40'. Fruit for wildlife.
Fastigate European Hornbeam	<i>Carpinus betulus</i> 'Fastigiata'	•		Height 35'. Narrow form. Mature spread of 15'.
Hornbeam or Musclewood	<i>Carpinus caroliniana</i>	•	•	Height 30'. Prefers shade to part shade.
American Yellowwood	<i>Cladrastis kentukea</i>	•	•	Height 50'. Large flowers hang in showy clusters in spring. Deep roots. Good replacement for Bradford Pears.
Smoke Tree	<i>Cotinus obovatus</i>	•		Height 20-40'. Stringy reddish flowers look like tufts of smoke, bright red to orange fall color. Drought tolerant. Good replacement for Bradford Pears.
Persimmon	<i>Diospyros virginiana</i>		•	Height 50'. Pale orange fruit sweeten after frost, mostly black bark, good fall color, fruit messy in the fall.
Carolina Silverbell	<i>Halesia carolina</i>	•	•	Height 40'. Outstanding white, bell shaped flowers in spring, bark is showy in winter.
American Holly	<i>Ilex opaca</i>	•		Height 35'. Evergreen, red berries.
Red Cedar	<i>Juniperus virginiana</i>		•	Height 50'. Blue berries.
Columnar Sweetgum	<i>Liquidambar styraciflua</i> 'Slender Silhouette'	•		Height 40-50'. Very narrow form. Mature spread of 5'. Good burgundy fall color. Relatively few sweetgum balls.
Osage Orange	<i>Maclura pomifera</i>	•		Height 30-50'. Large fruits on females that litter the ground.
Blackgum	<i>Nyssa sylvatica</i>	•	•	Height 50'. Fall color, fruit for birds.
American Hornbeam	<i>Ostrya virginiana</i>	•	•	Height 40'. Intolerant of extended dry or wet soil.
Wingleaf Soapberry	<i>Sapindus saponaria</i>	•	•	Height 30-40'.
Sassafras	<i>Sassafras albidum</i>	•	•	Height 50'. All parts aromatic, lobed leaves are yellow-orange in fall, blue berries. Will colonize.

Common Name	Botanical Name	Street Tree	Canopy Tree	Notes
Small Trees with mature heights under 30'				
Red Buckeye	<i>Aesculus pavia</i>	•		Height 20'. Red flowers, hummingbirds attracted to flowers, likes afternoon shade. Good replacement for Bradford Pears.
Serviceberry	<i>Amelanchier arborea</i>	•		Height 15-25'. White spring flowers, light shade, drops leaves when dry. Good replacement for Bradford Pears.
Eastern Redbud	<i>Cercis canadensis</i>	•		Height 30'. Pink spring flowers. Good replacement for Bradford Pears.
White Fringe Tree/Gracy Gray Beard	<i>Chionanthus virginicus</i>	•		Height 15'. Wide spreading, yellow fall color, fragrant flowers form a white cloud in spring, prefers full sun. Good replacement for Bradford Pears.
Alternate Leaved Dogwood	<i>Cornus alternifolia</i>	•		Height 15-20'. Likes afternoon shade.
Flowering Dogwood	<i>Cornus florida</i>	•		Height 15'. Spring flowers, likes afternoon shade.
Hazelnut	<i>Corylus americana</i>	•		Height 8-16'. Thicket forming.
Hawthorn	<i>Crataegus sp.</i>	•		Height 15-30'. White flowers, red berries. Select thornless varieties. Good replacement for Bradford Pears.
Ozark Witch Hazel	<i>Hamamelis vernalis</i>			Height 6-10'. Needs a wet location.
Common Witch Hazel	<i>Hamamelis virginiana</i>			Height 15-20'.
Possum Haw	<i>Ilex decidua</i>			Height 20'. Bright red berries.
Yaupon Holly	<i>Ilex vomitoria</i>	•		Height 20'. Evergreen, native to southern half of Arkansas.
Sweet Bay Magnolia	<i>Magnolia virginiana</i>	•		Height 10-15'. Evergreen. Good replacement for Bradford Pears.
Carolina Buckthorn	<i>Rhamnus caroliniana</i>			Height 10-15'.
Snowbell	<i>Styrax americanus</i>	•		Height 10-20'. White flowers in spring, high rounded shrub. Good replacement for Bradford Pears.
Blackhaw Viburnum	<i>Viburnum prunifolium</i>	•		Height 12-15'.
Rusty Blackhaw	<i>Viburnum rufidulum</i>	•		Height 25'.

Shrubs				
Red Chokeberry	<i>Aronia arbutifolia</i>			Height 4-8'.
American Beautyberry	<i>Callicarpa americana</i>			Height 5'.
Buttonbush	<i>Cephalanthus occidentalis</i>			Height 6-12'. Prefers medium to wet soil.
Wild Hydrangea	<i>Hydrangea arborescens</i>			Height 3-5'. Suckers. Needs moist soil. Avoid cultivars with "mop heads" whose "flowers" are nothing more than sepals that look like petals and contain no nectar or pollen.
St. John's Wort	<i>Hypericum prolificum</i>			Height 2-4'.
Deciduous Holly	<i>Ilex decidua</i>			Height 10-12'.
Dwarf Yaupon Holly	<i>Ilex vomitoria</i> (dwarf)			Height 3-4'. Evergreen mounded shrub.
Virginia Sweetspire	<i>Itea virginica</i>			Height 3-5'. Fragrant flowers in late May.
Spicebush	<i>Lindera benzoin</i>			Height 6-8'. Prefers medium shade and moist soil.
Ninebark	<i>Physocarpus opulifolius</i>			Height 3-10'.
Dwarf Sumac	<i>Rhus aromatica</i>			Height 2-4'. Cultivar 'Gro-Low' spreads like a ground cover. Often mistaken for poison ivy.
Golden Current	<i>Ribes aureum</i>			Height 3-7'. Fragrant flowers in early spring.
American Elderberry	<i>Sambucus canadensis</i>			Height 5-12'. Large flower heads in summer followed by berries.
Arrowwood	<i>Viburnum dentatum</i>			Height 4-6'.
Smooth Witherod	<i>Viburnum nudum</i>			Height 4-5'. Ornamental berries.
Arkansas Yucca	<i>Yucca arkansana</i>			Height 2'.

Common Name	Botanical Name	Street Tree	Canopy Tree	Notes
Grasses				
Big Bluestem	<i>Andropogon gerardii</i>			Height 6'.
Split Beard Bluestem	<i>Andropogon ternarius</i>			Height 3-4'.
Side Oats Grama	<i>Bouteloua curtipendula</i>			Height 2.5'.
Inland Sea-Oats	<i>Chasmanthium latifolium</i>			Height 3'.
Pink Muhly Grass	<i>Muhlenbergia capillaris</i>			Height 3'. Takes the whole growing season to reach 3'.
Switchgrass	<i>Panicum virgatum</i>			Height 6'.
Little Bluestem	<i>Schizachyrium scoparium</i>			Height 3'.
Indian Grass	<i>Sorghastrum nutans</i>			Height 6'.
Prairie Dropseed	<i>Sporobolus heterolepsis</i>			Height 3'.

Vines				
Dutchman's Pipe Vine	<i>Aristolochia tomentosa</i>			
Crossvine	<i>Bignonia capreolata</i>			Evergreen.
Carolina Jasmine	<i>Gelsemium sempervirens</i>			Evergreen.
Coral Honeysuckle	<i>Lonicera sempervirens</i>			Not to be confused with Japanese or Bush Honeysuckle, which are invasive.
Virginia Creeper	<i>Parthenocissus quinquefolia</i>			

Invasive Species - DO NOT PLANT!			What to plant instead	
<i>Many of the following plants are offered commercially but are considered invasive in Arkansas.</i>				
Trident Maple	<i>Acer buergerianum</i>			
Amur Maple	<i>Acer ginnala</i>			
Norway Maple	<i>Acer platanoides</i>			
Tatarium Maple	<i>Acer tataricum</i>			
Tree-of-Heaven	<i>Ailanthus altissima</i>			Plant instead: Kentucky Coffeetree (<i>Gymnocladus dioica</i>)
Mimosa/Silk Tree	<i>Albizia julibrissin</i>			Plant instead: Fringetree (<i>Chionanthus virginicus</i>)
Amur Peppervine	<i>Ampelopsis glandulosa</i>			
Leatherleaf Mahonia	<i>Berberis bealei</i>			
Japanese Barberry	<i>Berberis thunbergii</i>			
Chinese/Asian Bittersweet Vine	<i>Celastrus orbiculatus</i>			
Sweet Autumn Clematis/Virgin's Bower	<i>Clematis terniflora</i>			
Autumn Olive	<i>Elaeagnus pungens</i>			
Thorny-Olive	<i>Elaeagnus umbellata</i>			
Burning Bush	<i>Euonymus alatus</i>			Plant instead: Fragrant Sumac (<i>Rhus aromatica</i>)
Creeping Euonymus	<i>Euonymus fortunei</i>			Plant instead: Carolina Jessamine (<i>Gelsemium sempervirens</i>)
Pearlbush	<i>Exochorda racemosa</i>			
Chinese Parasol Tree	<i>Firmiana simplex</i>			
English Ivy	<i>Hedera helix</i>			Plant instead: Virginia Creeper (<i>Parthenocissus quinquefolia</i>)
Rose of Sharon	<i>Hibiscus syriacus</i>			
Chinese Holly	<i>Ilex cornuta</i>			
Golden Rain Tree	<i>Koelreuteria paniculata</i>			
Shrubby Lespedeza	<i>Lespedeza bicolor</i>			Plant instead: Blue Wild Indigo (<i>Baptisia australis</i>)
Sericea Lespedeza	<i>Lespedeza cuneata</i>			Plant instead: Spider Milkweed (<i>Asclepias viridis</i>)

Common Name	Botanical Name	Street Tree	Canopy Tree	Notes
<i>Invasive Species - DO NOT PLANT!</i>				<i>What to plant instead</i>
Privet species	<i>Ligustrum</i> spp.			Plant instead: Blackhaw Viburnum (<i>Viburnum prunifolium/rufidulum</i>)
Fragrant Bush Honeysuckle	<i>Lonicera fragrantissima</i>			Plant instead: Carolina Buckthorn (<i>Rhamnus caroliniana</i>)
Japanese Honeysuckle	<i>Lonicera japonica</i>			Plant instead: Coral Honeysuckle (<i>Lonicera sempervirens</i>)
Amur Bush Honeysuckle	<i>Lonicera maackii</i>			
Morrow's Bush Honeysuckle	<i>Lonicera morrowii</i>			
Chinaberry Tree	<i>Melia azedarach</i>			
White Mulberry	<i>Morus alba</i>			
Heavenly Bamboo	<i>Nandina domestica</i>			Plant instead: Virginia Sweetspire (<i>Itea virginica</i>)
Empress Tree	<i>Paulownia tomentosa</i>			
Red-Tipped Photinia	<i>Photinia serratifolia</i>			
White Poplar	<i>Populus alba</i>			
Mahaleb Cherry/St. Lucie Cherry	<i>Prunus mahaleb</i>			
Kudzu	<i>Pueraria montana var. lobata</i>			Plant instead: Virginia Creeper (<i>Parthenocissus quinquefolia</i>)
Bamboo species	<i>Phyllostachys</i> spp.			Plant instead: River Cane (<i>Arundinaria gigantea</i>)
Bradford Pear/Flowering Pear	<i>Pyrus calleryana</i>			Plant instead: Yellow - Wood (<i>Cladrastis kentukea</i>)
Sawtooth Oak	<i>Quercus acutissima</i>			
Common Buckthorn	<i>Rhamnus cathartica</i>			
Dahurian Buckthorn	<i>Rhamnus davurica</i>			
Jetbead/Jetberry Bush/White Kerria	<i>Rhodotypos scandens</i>			
Multiflora Rose	<i>Rosa multiflora</i>			Plant instead: Summersweet (<i>Clethra alnifolia</i>)
Chinese Tallow Tree	<i>Triadica sebifera</i>			
Chinese/Lacebark Elm	<i>Ulmus parvifolia</i> (Allee, Athena)			Plant instead: Any American Elm species (<i>Ulmus americana</i>)
Siberian Elm	<i>Ulmus pumila</i>			Plant instead: Any American Elm species (<i>Ulmus americana</i>)
Bigleaf Periwinkle	<i>Vinca major</i>			Plant instead: Wild Ginger (<i>Asarum canadense</i>)
Littleleaf Periwinkle	<i>Vinca minor</i>			Plant instead: Wild Ginger (<i>Asarum canadense</i>)
Japanese Wisteria	<i>Wisteria floribunda</i>			
Chinese Wisteria	<i>Wisteria sinensis</i>			Plant instead: American Wisteria (<i>Wisteria frutescens</i>)

Sources and Acknowledgments

Information for this document was compiled from the following sources. Metroplan would like to thank the individuals listed for lending their resources and expertise to this guide.

- **Arkansas Native Plant Society** www.anps.org

"Commercially Available Invasive Plants"

"A Case for Native Trees and Shrubs"

- **Kristine Kimbro and Harold Fisher, Arkansas Department of Agriculture - Forestry Division**

www.agriculture.arkansas.gov/forestry/urban-community-forestry/tree-recommendations

- **City of Fayetteville**

"Invasive Species and Native Alternatives" www.fayetteville-ar.gov/DocumentCenter/View/8500

"Wildscaping with Ozark Native Plants - Native Wildflowers and Grasses" www.fayetteville-ar.gov/DocumentCenter/View/1094/Wildscaping-with-Ozark-Native-Plants---Native-Wildflowers-and-Grasses-PDF

"Ozark-Friendly Landscape - Native Trees and Shrubs" www.fayetteville-ar.gov/DocumentCenter/View/1093/Ozark-Friendly-Landscape---Native-Trees-and-Shrubs-PDF

- **Paul Shell, Arkansas State Plant Board**

- **U of A Division of Agriculture Cooperative Extension Service - Yard & Garden Resource Library**

www.uaex.uada.edu/yard-garden/resource-library

- **Environmental Management Inc. (EMI)**

"How to select the best trees for City Street plantings?" www.landscapepros.com/select-best-trees-city-street-plantings

Compiled by Metroplan as a resource for local governments and developers.

Metroplan acts as a voice of regionalism and has worked as the council of local governments and Metropolitan Planning Organization for central Arkansas since 1955.

www.metroplan.org

BUSINESS LICENSE APPLICATION

Application Form

Applicant Name: _____ Phone: _____

Email: _____

Business Name: _____ Tax ID: _____

Exact Business Location: _____

Business Mailing Address (if different from business location): _____

Business Phone: _____

Business Email or Web Address: _____

Primary Function: _____ Date Business Opened at Current Facility: _____

Owner/Highest Officer's Name: _____ Phone: _____

Home Address: _____ Email: _____

Co-Owner/2nd Highest Officer's Name: _____ Phone: _____

Home Address: _____ Email: _____

Is this business an out of state/city contractor? Yes No

Does this business sell any type of prepared food or beverage? Yes No

Does this business sell any type of alcoholic beverage? Yes No

Is this business going to be operated out of your home? Yes No

Has the owner/co-owner/etc. operated a business in this city before? Yes No

Business property owned or leased?

If leased, please provide the property owner's information:

Name: _____ Phone: _____

Statement

I hereby certify that the information submitted on or with this application is true and accurate to the best of my knowledge and belief. I understand that a false statement or misrepresentation may make the license null and void and constitute forfeiture of paid fees.

By signing the application, permission is granted for City Staff, Planning Commissioners, and City Councilmembers to enter the subject property at reasonable times to evaluate this application and/or to determine compliance with any resulting permit coverage.

Applicant Signature & Date: _____

For Official Use Only

Date Received: _____

Notes/dates for completeness determination, corrections required, resubmissions:

Certificate of Zoning Compliance

Zone of Business Location: _____

Use: Permitted Permitted with Conditions Conditional

If Permitted with Conditions, include checklist, signed by the business owner, verifying that applicable conditions have been or will be met. Include proof that any required inspections have been passed.

If Conditional Use, include the applicable City ordinance listing conditions of approval.

CZC Issued By: _____

Fire Inspection

Date: _____ Passed: Yes No

Inspector's Signature: _____

Business License

Fee Paid: _____

Received By: _____ Receipt No.: _____

Issued By: _____ Date: _____

BUILDING PERMIT APPLICATION

Application Form (Only the Property Owner or Contractor hired by the owner may apply for a permit)

Property Owner's Name: _____ Phone: _____

Address: _____ Email: _____

Applicant's Name: _____ Phone: _____

Address: _____ Email: _____

Address or legal description of construction site: _____

Contractor's Name: _____ Phone: _____

Address: _____ Email: _____

License #: _____

Please indicate if property owner or contractor: **(Circle One)**

Note: State law requires that:

- All work on a single-family residence, including materials and labor, over \$2,000 be performed by a licensed contractor unless the homeowner is completing the work themselves. ([AR Code § 17-25-513](#))
- All commercial contractors working on any project that is not a single-family residence where the total contract value is \$50,000 or more, including materials and labor, must have a license. ([AR Code § 17-25-101](#))

Type of Activity

See UDO Article 7 for detailed definitions.

- Construction/Reconstruction (includes excavation, fill, paving, drainage, and similar activities)
- Addition (construction that increases the size of a building in terms of site coverage, height, length, width, or finished floor area)
- Structural Alteration (any change in the supporting members of a building, such as bearing walls)
- Remodel (improvement to the exterior or interior of a building that requires an electrical, plumbing, or HVAC permit but is not a structural alteration, addition, or new construction)
- Demolition/Removal
- Roofing **(Currently not enforced) Documentation Only**
- Accessory Structure (see UDO Article 3 for regulations)
- Fence/Retaining Wall (see UDO Article 4 for regulations)
- Sign (see UDO Article 4 for regulations)



Building Materials

Check all that apply. If mixed materials, indicate percentage.

Foundation

- Concrete _____
- Brick _____
- Stone _____
- Concrete Blocks _____
- Other _____

Building Façade

- Brick _____
- Stone _____
- Concrete Blocks _____
- EIFS _____
- Vinyl Siding _____
- Fiber Cement Siding _____
- Wood Siding _____
- Metal Siding _____
- Other _____

Inside Walls

- Wood _____
- Sheetrock _____
- Plaster _____
- Other _____

Floor

- Hardwood _____
- Vinyl _____
- Tile _____
- Concrete _____
- Other _____

Roof

- Wood Shingle _____
- Asphalt Shingle _____
- Metal _____
- Tile _____
- Single Ply _____
- Coating _____
- Composition _____

Utilities

Plumbing

- Water source: _____
- Number of water connections needed: _____
- Water meter size required: _____
- Sprinkler meter required? When? _____
- Sewage disposal method: _____
- Number of sewer connections needed: _____

Contractor's Name: _____ **Phone:** _____
Address: _____ **Email:** _____
License #: _____

Plumber's Name: _____ **Phone:** _____
Address: _____ **Email:** _____
License #: _____

Electric

• Source: _____

Contractor's Name: _____ **Phone:** _____

Address: _____ **Email:** _____

License #: _____

Electrician's Name: _____ **Phone:** _____

Address: _____ **Email:** _____

License #: _____

Heat/Air

• Source: _____ **Number of gas connections needed:** _____

Contractor's Name: _____ **Phone:** _____

Address: _____ **Email:** _____

License #: _____

Installer's Name: _____ **Phone:** _____

Address: _____ **Email:** _____

License #: _____

Total price of project/contract: _____

By signing the application, permission is granted for City Staff, Planning Commissioners, and City Councilmembers to enter the subject property at reasonable times to evaluate this application and/or to determine compliance with any resulting permit coverage.

Name & signature of applicant: _____

Application Attachments

Please submit all required attachments in PDF format, along with 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. More copies may be required at the City's discretion. All plans submitted shall be drawn to scale, complete, and legible to show the scope and nature of the work involved.

- **Construction/Reconstruction or Addition**

- Survey, plat, or document showing property lines and easements
- Site plan including footing and foundation plans, floor plans, and elevations
- Wall sections, cross-sections, and construction details
- Plumbing riser diagrams and plumbing details
- Electrical riser diagrams, load calculations and electrical details
- Mechanical plans and details
- Review letter from Local or State Fire Marshall
- Other information as necessary to demonstrate compliance with the City's Unified Development Ordinance, building and fire codes

- **Structural Alteration or Remodel**

- Floor plans, if changing
- Plumbing riser diagrams and plumbing details, if applicable
- Electrical riser diagrams, load calculations, and electrical details, if applicable
- Mechanical plans and details, if applicable
- Other information as necessary to demonstrate compliance with building and fire codes

- **Demolition/Removal** (including accessory structures)

- Survey, plat, or document showing property lines and easements
- Conceptual site plan indicating structures to be demolished/removed
- Review letter from Arkansas Division of Environmental Quality (stormwater discharge, asbestos)
- Sewer seal from wastewater utility

- **Accessory Structure**

- Survey, plat, or document showing property lines and easements
- Conceptual site plan, drawn to scale, showing structure type, location, height, materials, and access
- Other information as necessary to demonstrate compliance with the City's Unified Development Ordinance, building and fire codes

- **Fence/Retaining Wall**

- Survey, plat, or document showing property lines and easements
- Conceptual site plan, drawn to scale, showing fence location, height, materials, and gates

- **Sign**

- Survey, plat, or document showing property lines and easements
- Conceptual site plan, drawn to scale, showing sign type and location (including setbacks from buildings, public rights-of-way, and adjacent properties)
- Design rendering showing the sign:
 - Size
 - Height
 - Base height
 - Design
 - Message area
 - Lettering size
 - Building/window coverage percentage
 - Illumination
- Electrical specifications, if applicable.
- Approval letter from ARDOT if sign located along interstate or state highways.

For Official Use Only

Date Received: _____

Application Fee

Amount Paid: _____

Received By: _____ Receipt No.: _____

Notes/dates for completeness determination, corrections required, resubmissions:

Certificate of Zoning Compliance (CZC)

Property Zoned: _____

Proposed Use: _____

Proposed Use: Permitted Permitted with Conditions Conditional

If Permitted with Conditions, include checklist, signed by the business owner, verifying that applicable conditions have been or will be met. Include proof that any required inspections have been passed.

If Conditional Use, include the applicable City ordinance listing conditions of approval.

Proposed development meets the development standards of the City's UDO (see Review Checklist):

Yes No

CZC Issued By: _____ Date: _____

Approval

Building Permit Issued By: _____ Date: _____

CERTIFICATE OF OCCUPANCY

Property Owner Information

Name: _____ Phone: _____

Property Address: _____

Compliance with Building Codes

- | | |
|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> Footing | <input type="checkbox"/> Electrical |
| <input type="checkbox"/> Foundation | <input type="checkbox"/> Gas |
| <input type="checkbox"/> Framing | <input type="checkbox"/> Mechanical |
| <input type="checkbox"/> Plumbing | |

Compliance with Arkansas Fire Prevention Code

- | | |
|-------------------------------------------|-----------------------------------|
| <input type="checkbox"/> Emergency access | <input type="checkbox"/> FDC |
| <input type="checkbox"/> Sprinklers | <input type="checkbox"/> Hydrants |

Compliance with Approved Site Plan

- | | |
|-----------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Building elevations | <input type="checkbox"/> Glazing |
| <input type="checkbox"/> Building length | <input type="checkbox"/> Sidewalk buffer/landscape strip |
| <input type="checkbox"/> Building width | <input type="checkbox"/> Sidewalk clear width |
| <input type="checkbox"/> Total floor area | <input type="checkbox"/> Encroachments over sidewalks |
| <input type="checkbox"/> Building setbacks | <input type="checkbox"/> Driveways |
| <input type="checkbox"/> Property line coverage | <input type="checkbox"/> Parking and loading |
| <input type="checkbox"/> Building frontage type | <input type="checkbox"/> Drive-thrus |
| <input type="checkbox"/> Building entrance location | <input type="checkbox"/> Driveway sharing and cross access |
| <input type="checkbox"/> Building façade | <input type="checkbox"/> Street trees |
| <input type="checkbox"/> Articulation | <input type="checkbox"/> Landscaping and screening |
| <input type="checkbox"/> Materials | |

Construction meets or exceeds current building and fire codes and complies with city ordinances.

Building Inspector's Signature: _____

Date: _____

CONDITIONAL USE PERMIT APPLICATION

Application Form

Applicant Name: _____ Phone: _____

Mailing Address: _____ Email: _____

Business Name (if applicable): _____

Property Address: _____

Description of the proposed use, including all applicable items below:

- Building size in square feet; existing and proposed
- Elevations of all exterior sides of the structure
- Number of off-street parking spaces to be provided
- Hours of operation
- Number of employees
- Anticipated number of patrons, clients, children, customers, etc. (average per day/peak hours)
- Outdoor lighting
- Noise
- Screening or buffering from adjacent properties
- Trash and refuse service (with particular reference to visibility from the street and adjacent properties)
- Ingress and egress to the property; traffic impacts
- A response discussing the general compatibility of the proposed use with adjacent properties and other property in the neighborhood

By signing the application, permission is granted for City Staff, Planning Commissioners, and City Councilmembers to enter the subject property at reasonable times to evaluate this application and/or to determine compliance with any resulting permit coverage.

The undersigned property owner designates the following agent or attorney to represent the applicant at meetings and hearings:

Agent Name

Mailing Address

Agent Phone

Email

Property Owner Signature

Property Owner Mailing Address

Phone

Email

Application Attachments

Please submit all required attachments in PDF format, along with 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. More copies may be required at the City's discretion.

- Legal Description** of property (found on deed or survey)

- Conceptual Site Plan** drawn to scale, showing:
 - Building footprint
 - Building entrances and exits
 - Driveways and parking
 - Pedestrian access
 - Landscaping
 - Location of trash/refuse receptacles
 - Proposed signs
 - Proposed lighting

- Vicinity map** to scale showing:
 - The property in question clearly outlined in the center of a circle with a radius of 200 feet
 - Zoning of adjacent properties

Public Notice Requirements

Please submit proof of each type of public notice listed below to the City Staff at least 7 days prior to the public hearing.

- Publication of public hearing in a newspaper of general circulation at least 15 days prior to the hearing.

- Photograph of the sign, provided by the City, posted on the property involved at least 15 days prior to the hearing.

- Written confirmation that notification of the public hearing was mailed first class to all the landowners and residents with separate addresses within 200 feet of the property's boundaries. The mailing shall be made at least 15 days prior to the public hearing. The confirmation shall include an alphabetical list of the landowners and residents receiving letters and the name and signature of the individual who completed the mailing.

For Official Use Only

Date Received: _____

Application and Public Notice Fees – Amount Paid: _____

Received By: _____ Receipt No.: _____

OPEN DISPLAY PERMIT APPLICATION

Application Form

Applicant Name: _____ Phone: _____

Mailing Address: _____ Email: _____

Business Name (if applicable): _____

Address of Property: _____

Applicant name and signature:

Application Attachments

Please submit all required attachments in PDF format, along with 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. More copies may be required at the City's discretion.

- Description of the proposed open display/outside storage, including all applicable items below:
 - Type and quantity of items proposed for open display/outdoor storage
 - Location on the property/sidewalk
 - Timeframe, such as daily display hours or maximum storage time for individual items
 - Screening between storage areas and adjacent properties/public rights-of-way

- Basic site plan, drawn to scale, showing (if applicable):
 - Type, quantity, and location of open display/outdoor storage items
 - Screening
 - Sidewalk clear width (5' min)

- Photographs/renderings of items to be displayed/stored

For Official Use Only

Date Received: _____

Application Fee – Amount Paid: _____

Received By: _____ Receipt No.: _____

Notes/dates for completeness determination, corrections required, resubmissions:

FRANCHISE PERMIT APPLICATION

Application Form

Applicant Name: _____ Phone: _____

Mailing Address: _____ Email: _____

Business Name (if applicable): _____

Address of Property: _____

Reason for Request: New franchise Renewal/amendment of franchise Transfer of franchise

Application Attachments

Please submit all required attachments in PDF format, along with 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. More copies may be required at the City's discretion.

- Description of requested franchise:
 - Specific services that the applicant expects to provide within the City including whether the services will be provided to the general public, to commercial and/or residential customers or to other utilities and service providers.
 - General description of the facilities to be located in the right-of-way including, but not limited to, wireline facilities, cable service, telecommunications service facilities, conduits, pipelines, and other facilities appropriate to the specific utility or service providers' utilization of the right-of-way.
 - Where appropriate, information relating to pole attachment or lease agreements with the owners of other facilities located in the right-of-way.
 - Information relating to utility taxes including a description of the services provided and any state and local taxes which may apply.
 - The service area for which the franchise is requested, including a map of the area to be covered by the franchise and specific locations of the initial build out and, if known, proposed future build out locations including which proposed facilities will be underground, ground based and/or aerial.
 - List of all cities or towns in the State of Arkansas in which the applicant holds a franchise.
 - Other information as the City Staff, at their discretion, shall deem appropriate.

- No more than legal size or digital (PDF) land survey showing the exact location of the franchise item.

- Blueprints and other related drawings, if applicable.

- Photographs/renderings of items included in franchise permit.

- Any licenses, certificates, or authorizations required from the Federal Communications Commission, Arkansas Public Service Commission, Arkansas Department of Transportation, and any other federal or state agency with jurisdiction over the proposed activities to be conducted in the right-of-way.

Applicant Statement

Should this permit be granted, it is understood that the City assumes no responsibility to maintain the installation or to replace any installation damaged or destroyed by Utility or City crews in their routine maintenance work. Also, the City assumes no responsibility should injury be inflicted on any one as a result of the presence or installation of the displayed item.

Applicant name and signature

For Official Use Only

Date Received: _____

Application Fee

Amount Paid: _____

Received By: _____ Receipt No.: _____

Notes/dates for completeness determination, corrections required, resubmissions:

SITE PLAN APPROVAL APPLICATION

Application Form

Applicant Name: _____ Phone: _____

Address: _____ Email: _____

Address of construction site: _____

Name of development: _____

Type of activity the site plan is supporting:

- New development (*detached single-family homes and duplexes are exempt*)
- New parking lot
- Provision of new points of access to a lot
- Expansion of existing development that will:
 - Add 10,000 square feet or more impervious surface to a lot.
 - Aggregate or span over property that is 2 acres or more in size combined.
 - Create the need to change the development's access.
 - Require new site analysis due to changes on adjacent properties.
- PUD or Residential Cluster Development to be developed on one single lot.
- Building or business designed or intended for the sale of petroleum or other flammable products or any commercial or industrial use with accompanying hazards.

Proposed use (*see the City's UDO, Article 3, for regulations*): _____

By signing the application, permission is granted for City Staff, Planning Commissioners, and City Councilmembers to enter the subject property at reasonable times to evaluate this application and/or to determine compliance with any resulting permit coverage.

The undersigned property owner designates the following agent or attorney to represent the applicant at meetings and hearings:

 Agent Name Mailing Address

 Agent Phone Email

 Property Owner Signature

 Property Owner Mailing Address Phone Email

Application Attachments

- Digital copies of all attachments in PDF.
 - 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. Extra-large site plans may be submitted on more than one conforming sheet. Each of the sets of prints are to be individually folded to a size not larger than 10x12 inches. More copies may be required at the City's discretion.
1. **Proof of ownership**, typically the deed of record, including a legal description of the property to be subdivided.
 2. **Site plan**, drawn to scale. The site plan shall include:
 - Name of development
 - Name and address of owner(s)
 - Current zone
 - Survey information, prepared by a professional surveyor (P.S.): The property's legal boundaries (incl. bearings and distances), ownership, easements, and public rights-of-way.
 - Drainage, street, and/or utility improvements/calculations, prepared by a registered professional engineer (P.E.).
 - The stamps of the individuals responsible for the various elements of the plan.
 - Topographic contours at 2-foot intervals.
 - Existing vegetation, floodplains, marshes, and watercourses.
 - Street names, street classification per the Master Street Plan, street centerlines, alleys, and any other public rights-of-way bordering or traversing the property.
 - All easements, existing or proposed, bordering or traversing the property, with standard easement notes stating the type and purpose of the easement along with a list of prohibited uses/activities within the easement.
 - Location of all existing and proposed private and public utilities lines and meters.
 - Lot size.
 - Building outline.
 - Front, side, and rear building setbacks.
 - Number of dwelling units, if applicable (both current and proposed).
 - Proposed driveways, drive-thrus, parking, and striping.
 - Proposed cross access and/or driveway sharing.
 - Proposed curbs and curb cuts.
 - Existing curb cuts of adjacent properties, including those across the street, and street intersections.
 - Percentage of lot covered by buildings and structures.
 - Percentage of lot covered by all impervious surfaces, including driveways, parking lots, paved areas, buildings and structures.
 - Signage location, type, and size.
 - Exterior lighting quantity, height, direction, and pattern.
 - Exterior speaker location(s) and direction(s).
 - Landscaping/screening plan.
 - Identification of all adjoining property by zone, activity, and business name.
 - Multi-modal plan detailing sidewalks and paths, both on-site and connecting to adjacent properties and/or rights-of-way such as external sidewalks, paths, or streets.

- Vicinity map** showing the site's location and acreage as well as names of adjoining landowners and platted subdivisions.

- Drainage plan**, including:
 - Drainage improvements
 - Post-development stormwater runoff quantities (cubic feet per second)
 - Points of entry and exit for the development
 - Flood hazard areas
 - (see the City's UDO, Section 5.7.5., for regulations)*

- Utility plan**, including:
 - Improvement plans for all specified utilities.
 - Letters from the respective utilities stating the status of water and sewer service.
 - Arkansas Department of Health approval of the water supply and/or wastewater treatment system if the requirement of the subdivision is to be met by any other means than by connection to the public water supply or sewer system.
 - Approval by the Arkansas Department of Environmental Quality for clearing/grading and any proposed wastewater treatment facilities.

- Local or State Fire Marshall** review letter.

For Official Use Only

Date Received: _____

Application Fee

Amount Paid: _____ Received By: _____ Receipt No.: _____

Notes/dates for completeness determination, corrections required, resubmissions:

Certificate of Zoning Compliance (CZC)

Property Zoned: _____

Proposed Use: Permitted Permitted with Conditions Conditional

Site plan meets the development standards of the City's UDO
(see Review Checklist). Yes No

CZC Issued By: _____ Date: _____

Approval

Site Plan Approved by Planning Commission.

Signature of Chairperson _____ Date: _____

SUBDIVISION REVIEW: CONSTRUCTION PLAT PRE-APPLICATION CONFERENCE CHECKLIST

Pre-Application Materials – submit before scheduling pre-application conference

Please submit all required attachments in PDF format, along with 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. More copies may be required at the City's discretion.

Extra-large plans may be submitted on more than one conforming sheet. Each of the sets of prints are to be individually folded to a size not larger than 10x12 inches.

- Letter of Intent to Develop**, including the following information:
 - The property owner's name and address
 - The owner's agent's name and address (if applicable)
 - The location and size of the tract
 - Area allocated to each land use
 - Cultural and natural features of the site
 - Anticipated subdivision characteristics including the approximate number of lots, average lot size, location of street rights-of-way and easements, and proposed infrastructure improvements.
 - The proposed time schedule.
 - The date on which the developer proposes to submit their construction plat for Planning Commission review.
 - Planned requests for any rezoning or variances from the regulations in this UDO. Requests for variances shall comply with the provisions of Subsection 6.7.2. - Variances.
 - Sketch plan conveying the intentions of the developer for the proposed layout and type of development.
 - Data concerning existing conditions within the site and in its vicinity.
 - Other information that the developer deems important to the Planning Commission.

- A vicinity map** covering a radius of one-half mile of the proposed plat at a scale of 1" = 2000' and locating arterial streets and highways, section lines, railroads, schools, parks, and other significant community facilities. Where possible, the north direction of the vicinity map should correspond to the north direction of the plat.

- A sketch plan**, on a current topographic survey, showing in simple sketch form the proposed layout of streets, lots, and other features and their relationship to the surrounding development patterns.

- Notification from public water and sewer utilities** that water and sewer capacity is sufficient to serve the proposed development, or documentation supporting alternative sources of water and wastewater treatment.

For Official Use Only

Date Letter of Intent and Sketch Plan Received: _____

Notes/dates for completeness determination, corrections required, resubmissions:

Certificate of Zoning Compliance (CZC)

Property Zoned: _____

Proposed Use(s): Permitted Permitted with Conditions Conditional

Proposed subdivision meets the standards of the City's UDO (*see Staff Checklist below*)

Yes No

CZC Issued By/Date _____

Sketch Plan Reviewed at Pre-Application Conference

Date: _____

Attendees: _____

Notes:

SUBDIVISION REVIEW: CONSTRUCTION PLAT APPROVAL APPLICATION

Application Form

Applicant Name: _____ Phone: _____

Address: _____ Email: _____

Subdivision Name: _____

Short description of subdivision, including proposed use(s) *(see UDO Article 3 for regulations)*

Variances and/or zoning amendments to be requested: _____

By signing the application, permission is granted for City Staff, Planning Commissioners, and City Councilmembers to enter the subject property at reasonable times to evaluate this application and/or to determine compliance with any resulting permit coverage.

The undersigned property owner designates the following agent or attorney to represent the applicant at meetings and hearings:

Agent Name Mailing Address

Agent Phone Email

Property Owner Signature

Property Owner Mailing Address Phone Email

Application Attachments

- Digital copies of all attachments in PDF and the plat in PDF and AutoCAD format (geo-referenced in NAD83 Arkansas State Plane Coordinates, North Zone).
 - 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. Extra-large plats may be submitted on more than one conforming sheet. Each of the sets of prints are to be individually folded to a size not larger than 10x12 inches. More copies may be required at the City's discretion.
1. **Proof of ownership**, typically the deed of record, including a legal description of the property to be subdivided.
 2. **Construction plat**, drawn clearly and legibly at a scale not smaller than 100 feet to the inch, and including:
 - Subdivision name
 - Name and address of owner(s)
 - Current zone
 - Survey information, prepared by a professional surveyor (P.S.): The property's legal boundaries (by bearing and distances), ownership, easements, and public rights-of-way.
 - Drainage, street, or utility improvements/calculations, prepared by a registered professional engineer (P.E.).
 - The stamps/Certificates of Accuracy of the individuals responsible for the various elements of the plan (see below for templates).
 - Certificate of Owner (see below for template).
 - North point, graphic scale, and date.
 - Topographic contours at 2-foot intervals.
 - Existing vegetation, marshes, and watercourses. On all watercourses leaving the property, the direction of flow shall be indicated, and for all watercourses entering the property, the drainage area above the point of entry shall be noted.
 - Existing street names, street classification per the Master Street Plan, street centerlines, alleys, and any other public rights-of-way bordering or traversing the property.
 - Proposed streets and alleys with proposed street names.
 - All easements, existing and proposed, bordering or traversing the property, with standard easement notes stating the type and purpose of the easement along with a list of prohibited uses/activities within the easement.
 - Location of all existing and proposed private and public utilities lines and meters.
 - Land to be reserved or dedicated for public use.
 - Land to be used for purposes other than residential.
 - Block numbers and/or lot numbers.
 - Lot lines with appropriate dimensions.
 - Minimum building front yard setback lines.
 - Multi-modal plan detailing sidewalks and paths, both on-site and connecting to adjacent properties and/or rights-of-way such as external sidewalks, paths, or streets.
 - Drainage improvements and post-development stormwater runoff quantities (cubic feet per second), prepared by a professional engineer, with points of entry and exit for the development and showing any federally designated flood hazard areas.

3. **Vicinity map** showing location and acreage of subdivision and names of adjoining landowners and platted subdivisions.
4. **Utility plan**, including:
 - Improvement plans for all specified utilities.
 - Letters from the respective utilities stating the status of water and sewer service.
 - Arkansas Department of Health approval of the water supply and/or sewer system if the requirement of the subdivision is to be met by any other means than by connection to the public water supply or sewer system.
 - Approval by the Arkansas Department of Environmental Quality for any proposed wastewater treatment facilities.
 - Local or State Fire Marshall review letter.
5. **Master plan**. If the proposed subdivision is a portion of a tract which is later to be subdivided in its entirety, then a tentative master plan for the entire subdivision shall be submitted with the construction plat of the portion first to be subdivided and the anticipated boundaries of each future phase. The master plan shall conform in all respects to the requirements of the plat, except that it may be on a scale of not more than 1" = 400', and all dimensions may be scaled.
6. ~~**Bill of Assurance** draft, if proposed for the subdivision, generally describing proposed covenants, restrictions, and conditions applicable to the property included in the plat.~~
7. **Engineering analysis**, if required, completed by a professional engineer, including:
 - Street profiles shall be included showing existing and proposed elevations along center lines of all roads drawn at a horizontal scale of 20' to 50' to the inch and a vertical scale of 2' to 5' to the inch, or as otherwise allowed by the City Staff.
 - At the option of the City Staff, street cross sections of all proposed streets shall be included at a minimum of 50-foot stations as follows: On a line at right angles to the centerline of the street, said elevation points shall be at least at the centerline of the street, at each property line and at points 25 feet inside each property line.
 - Soil test to determine design of pavement and base thickness for any street construction. Soil tests shall be performed in a matrix testing pattern as developed or approved by the City Staff.
 - A flood plain analysis shall be required where a portion of a plat is suspected to be flood prone and the U.S. Army Corps of Engineers information is not available. Such analysis shall determine to the best of the engineer's ability a safe building line and shall be clearly and legibly drawn on the construction plat.
8. **Construction Drawings** shall include detail drawings and specifications for:
 - Streets, including typical cross sections
 - Stormwater drainage
 - Water
 - Sewer
 - Utility easements

CERTIFICATE OF OWNER

We, the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided, and do hereby lay off, plat, and subdivide said real estate in accordance with this plat.

Owner Signature

Owner Signature

Date of Execution: _____

Owner Name(s): _____

Address: _____

Source of Title: D. R. _____ Page _____

Instrument No. _____

CERTIFICATE OF SURVEYING ACCURACY

I, _____, hereby certify that this plat correctly represents a boundary survey made by me. All monuments shown hereon actually exist and their location, size, type, and material are correctly shown, and all surveying requirements of the City's Unified Development Ordinance have been complied with.

Date of Execution: _____

Signature of Registered Land Surveyor

State of Arkansas Registration No. _____

CERTIFICATE OF ENGINEERING ACCURACY

I, _____, hereby certify that this plat correctly represents a plan prepared under my direction, and that the engineering requirements of the City's Unified Development Ordinance have been complied with.

Date of Execution: _____

Signature of Registered Professional Engineer

State of Arkansas Registration No. _____

CERTIFICATE OF CONSTRUCTION PLAT APPROVAL

This plat has been given construction plat approval only and has not been approved for recording as a public record.

This Certificate shall expire on _____.

Date of Execution: _____

Signature of Planning Commission Chairperson

For Official Use Only

Date Received: _____

Application Fee

Amount Paid: _____

Received By: _____ Receipt No.: _____

Notes/dates for completeness determination, corrections required, resubmissions:

Certificate of Zoning Compliance (CZC)

Property Zoned: _____

Proposed Use: Permitted Permitted with Conditions Conditional

Proposed subdivision meets the development standards of the City's UDO (*see Review Checklist*).

Yes No

CZC Issued By: _____ Date: _____

Approval

Construction Plat Approved by Planning Commission. Date: _____

Certificate of Approval signed by Planning Commission Chairperson and affixed to construction plat.

SUBDIVISION REVIEW: FINAL PLAT APPROVAL APPLICATION

Application Form

Applicant Name: _____ Phone: _____

Address: _____ Email: _____

Subdivision Name: _____

Short description of subdivision, including proposed use(s) *(see UDO Article 3 for regulations)*

By signing the application, permission is granted for City Staff, Planning Commissioners, and City Councilmembers to enter the subject property at reasonable times to evaluate this application and/or to determine compliance with any resulting permit coverage.

The undersigned property owner designates the following agent or attorney to represent the applicant at meetings and hearings:

Agent Name Mailing Address

Agent Phone Email

Property Owner Signature

Property Owner Mailing Address Phone Email

Attachments

- ❑ Digital copies of all attachments in PDF and the plat in PDF and AutoCAD format (geo-referenced in NAD83 Arkansas State Plane Coordinates, North Zone).
 - ❑ 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. Extra-large plats may be submitted on more than one conforming sheet. Each of the sets of prints are to be individually folded to a size not larger than 10x12 inches. More copies may be required at the City's discretion.
1. **Final plat**, drawn clearly and legibly at a scale not smaller than 100 feet to the inch. All necessary dimensions including linear, angular, and curvilinear dimensions shall be shown in feet and decimals of a foot. The angular dimension shall be shown by true bearings in degrees, minutes, and seconds. The length of all straight lines, deflection angles, radii, tangents, central angles or curves, and chords and arcs of curves shall be shown. All curve information shall be shown for the center line of the street based on arc dimensions. Dimensions shall be shown from all angle points of curve of lot lines. All lots on curves shall be shown with curve length dimensions based on arc dimensions. The plat shall include:
- Title: "Final Plat".
 - Subdivision name and total acreage.
 - Name and address of owner(s).
 - Current zone.
 - Survey information, prepared by a professional surveyor (P.S.): The property's legal boundaries (by bearing and distances), ownership, easements, and public rights-of-way.
 - Drainage, street, or utility improvements/calculations, prepared by a registered professional engineer (P.E.).
 - The stamps/Certificates of Accuracy of the individuals responsible for the various elements of the plan (see below for templates).
 - Certificate of Owner (see below for template).
 - North point, graphic scale, and date.
 - Topographic contours at 2-foot intervals.
 - The locations of all survey monuments including all lot corner markers.
 - Streets with names, street classification per the Master Street Plan, street centerlines, alleys, and any other public rights-of-way bordering or traversing the property.
 - All easements bordering or traversing the property, with standard easement notes stating the type and purpose of the easement along with a list of prohibited uses/activities within the easement.
 - Location of all existing and proposed private and public utilities lines and meters.
 - Land reserved or dedicated for public use.
 - Land to be used for purposes other than residential.
 - Lot and block numbers.
 - Lot lines with appropriate dimensions and area in acres on each lot.
 - Minimum building front yard setback lines.
 - Multi-modal plan detailing sidewalks and paths, both on-site and connecting to adjacent properties and/or rights-of-way such as external sidewalks, paths, or streets.
 - Vegetation, marshes, and watercourses. On all watercourses leaving the property, the direction of flow shall be indicated, and for all watercourses entering the property, the drainage area above the point of entry shall be noted.
 - Drainage improvements and post-development stormwater runoff quantities (cubic feet per second), prepared by a professional engineer, with points of entry and exit for the development and showing any federally designated flood hazard areas.

- FEMA Panel Number with 100-year elevation
 - Fire flow/water pressure
 - Municipal, County or Section lines (if applicable)
 - Floor Elevations. Where minimum finished floor elevations are required to be placed on the final plat, the source of the information by which the elevation was obtained shall be shown on both the plat. The minimum elevation shall be compared to the 1 in 100-year flood elevation shown on the flood insurance study or, if not available, an engineering analysis in which the 1 in 100-year flood elevation is depicted.
2. **Vicinity map** showing location and acreage of subdivision and names of adjoining landowners and platted subdivisions.
 3. **Master plan.** If the proposed subdivision is a portion of a tract which is later to be subdivided in its entirety, then a tentative master plan for the entire subdivision shall be submitted with the construction plat of the portion first to be subdivided and the anticipated boundaries of each future phase. The master plan shall conform in all respects to the requirements of the plat, except that it may be on a scale of not more than 1" = 400', and all dimensions may be scaled.
 4. ~~**Copy of Bill of Assurance.** Such document shall incorporate the same provisions as those filed with the construction plat, including but not necessarily limited to the following: offering dedications of streets and alleys, parks, and other public lands; establishing easements, setting forth privileges and conditions pertaining thereto, and setting forth the restrictions and covenants of the subdivision; setting forth procedures by which amendments to the Bill of Assurance can be made. Said Bill of Assurance shall contain reference to the approval of the final plat.~~
 5. **Certification** that all taxes and fees have been paid.
 6. **Performance guarantees** for required public improvements (*see UDO Section 6.4.4.*)

CERTIFICATE OF OWNER

We, the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided, and do hereby lay off, plat, and subdivide said real estate in accordance with this plat.

Owner Signature Owner Signature

Date of Execution: _____

Owner Name(s): _____

Address: _____

Source of Title: D. R. _____ Page _____

Instrument No. _____

CERTIFICATE OF SURVEYING ACCURACY

I, _____, hereby certify that this plat correctly represents a boundary survey made by me. All monuments shown hereon actually exist and their location, size, type, and material are correctly shown, and all surveying requirements of the City's Unified Development Ordinance have been complied with.

Date of Execution: _____

Signature of Registered Land Surveyor

State of Arkansas Registration No. _____

CERTIFICATE OF ENGINEERING ACCURACY

I, _____, hereby certify that this plat correctly represents a plan prepared under my direction, and that the engineering requirements of the City's Unified Development Ordinance have been complied with.

Date of Execution: _____

Signature of Registered Professional Engineer

State of Arkansas Registration No. _____

CERTIFICATE OF FINAL PLAT APPROVAL

Pursuant to the City’s Unified Development Ordinance, and all of the conditions of approval having been completed, this document is hereby accepted. This certificate is hereby executed under the authority of said rules and regulations.

Date of Execution: _____

Signature of Mayor

CERTIFICATE OF RECORDING

This document, number _____ filed for record _____, 20____,

in Plat Book _____, Page _____.

Signed

_____ Date: _____
Clerk

CERTIFICATE OF ACCEPTANCE OF PUBLIC DEDICATION AND FILING OF PLAT AUTHORIZED BY ACTION OF CITY COUNCIL BY ORDINANCE NO. _____.

Mayor

(City Seal)

Date: _____

For Official Use Only

Date Received: _____

Application Fee

Amount Paid: _____

Received By: _____ Receipt No.: _____

Notes/dates for completeness determination, corrections required, resubmissions:

Certificate of Zoning Compliance (CZC)

Property Zoned: _____

Proposed Use: Permitted Permitted with Conditions Conditional

Final subdivision meets the development standards of the City's UDO (*see Review Checklist*).

Yes No

CZC Issued By: _____ Date: _____

Approval

Final Plat Approved by Planning Commission. Date: _____

Certificate of Approval signed by Planning Commission Chairperson and affixed to final plat.

INCIDENTAL SUBDIVISION APPROVAL APPLICATION

Application Form

Applicant Name: _____ Phone: _____

Address: _____ Email: _____

Property Address: _____

Subdivision Name: _____

Type of incidental subdivision:

- Lot split
- Minor subdivision
- Lot combination
- Replat/lot line adjustment
- Conversion from metes and bounds to plat

By signing the application, permission is granted for City Staff, Planning Commissioners, and City Councilmembers to enter the subject property at reasonable times to evaluate this application and/or to determine compliance with any resulting permit coverage.

The undersigned property owner designates the following agent or attorney to represent the applicant at all meetings and hearings:

Agent Name

Mailing Address

Agent Phone

Email

Property Owner Signature

Property Owner Mailing Address

Phone

Email

Application Attachments

- Digital copies of all attachments in PDF and the proposed plat in PDF and AutoCAD format (geo-referenced in NAD83 Arkansas State Plane Coordinates, North Zone).
 - 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. Extra-large plats may be submitted on more than one conforming sheet. Each of the sets of prints are to be individually folded to a size not larger than 10x12 inches. More copies may be required at the City's discretion.
1. **Proof of ownership**, typically the deed of record, including a legal description of the property/properties to be altered.
 2. **Proposed plat**, drawn clearly and legibly at a scale not smaller than 100 feet to the inch, and including:
 - Subdivision name and total acreage.
 - Legal description(s) of lot(s) that will result from the incidental subdivision.
 - Name and address of owner(s).
 - Current zone.
 - Survey information, prepared by a professional surveyor (P.S.): The property's legal boundaries (by bearing and distances), ownership, easements, and public rights-of-way.
 - The stamps/Certificates of Accuracy of the individuals responsible for the various elements of the plan (see below for templates).
 - Certificates (see below for templates).
 - North point, graphic scale, and date.
 - Topographic contours at 2-foot intervals.
 - The locations of all survey monuments including all lot corner markers.
 - Streets with names, street classification per the Master Street Plan, street centerlines, alleys, and any other public rights-of-way bordering or traversing the property.
 - All easements bordering or traversing the property, with standard easement notes stating the type and purpose of the easement along with a list of prohibited uses/activities within the easement.
 - Location of all existing private and public utilities lines and meters.
 - Land reserved or dedicated for public use.
 - Land to be used for purposes other than residential.
 - Lot and block numbers.
 - Lot lines with appropriate dimensions and area in acres on each lot.
 - Minimum building front yard setback lines.
 - Vegetation, marshes, and watercourses. On all watercourses leaving the property, the direction of flow shall be indicated, and for all watercourses entering the property, the drainage area above the point of entry shall be noted.
 - Drainage improvements and stormwater runoff quantities (cubic feet per second), if required, prepared by a professional engineer, with points of entry and exit for the development and showing any federally designated flood hazard areas.
 - FEMA Panel Number with 100-year flood elevations.
 - Municipal, County or Section lines (if applicable)

Certificate Templates

CERTIFICATE OF OWNER

We, the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided, and do hereby lay off, plat, and subdivide said real estate in accordance with this plat.

Owner Signature

Owner Signature

Date of Execution: _____

Owner Name(s): _____

Address: _____

Source of Title: D. R. _____ Page _____

Instrument No. _____

CERTIFICATE OF SURVEYING ACCURACY

I, _____, hereby certify that this plat correctly represents a boundary survey made by me. All monuments shown hereon actually exist and their location, size, type, and material are correctly shown, and all surveying requirements of the City's Unified Development Ordinance have been complied with.

Date of Execution: _____

Signature of Registered Land Surveyor

State of Arkansas Registration No. _____

CERTIFICATE OF ENGINEERING ACCURACY

I, _____, hereby certify that this plat correctly represents a plan prepared under my direction, and that the engineering requirements of the City's Unified Development Ordinance have been complied with.

Date of Execution: _____

Signature of Registered Professional Engineer

State of Arkansas Registration No. _____

CERTIFICATE OF PLAT APPROVAL

Pursuant to the City’s Unified Development Ordinance, and all of the conditions of approval having been completed, this document is hereby accepted and authorized for filing. This certificate is hereby executed under the authority of said rules and regulations.

Date of Execution: _____

Signature of Planning Commission Chairperson

CERTIFICATE OF RECORDING

This document, number _____ filed for record _____, 20_____,
in Plat Book _____, Page _____.

Signed

Clerk

For Official Use Only

Date Received: _____

Application Fee

Amount Paid: _____

Received By: _____ Receipt No.: _____

Notes/dates for completeness determination, corrections required, resubmissions:

Certificate of Zoning Compliance (CZC)

Property Zoned: _____

Proposed Use(s):

Permitted Permitted with Conditions Conditional

Final subdivision meets the standards of the City's UDO Yes No

CZC Issued By: _____ Date: _____

Approval

Plat Approved by Planning Commission. Date: _____

Certificate of Approval signed by Planning Commission Chairperson and affixed to plat.

Review Checklist – for Official Use

- Does the incidental subdivision involve the dedicating, vacating, widening, narrowing, or change of alignment of any thoroughfare, street, or alley; the vacating, narrowing or change of alignment of any easement; or the construction of any public streets or utilities?
____ No (*proceed*)
____ Yes (*if Yes, plat must go through construction plat review or plat vacation process*)
- Does the new plat meet the applicable development and lot standards for its zone? If no, note required corrections. (*see the City's UDO, Articles 4 and 5, for regulations*)

PLAT VACATION APPLICATION

Application Form

Applicant Name: _____ Phone: _____

Address: _____ Email: _____

Subdivision Name: _____

Address(es) of lots to be vacated: _____

Subdivision name: _____

By signing the application, permission is granted for City Staff, Planning Commissioners, and City Councilmembers to enter the subject property at reasonable times to evaluate this application and/or to determine compliance with any resulting permit coverage.

The undersigned property owner designates the following agent or attorney to represent the applicant at meetings and hearings:

Agent Name Mailing Address

Agent Phone Email

Property Owner Signature

Property Owner Mailing Address Phone Email

Application Attachments

- Digital copies of all attachments in PDF and the plat in PDF and AutoCAD format (geo-referenced in NAD83 Arkansas State Plane Coordinates, North Zone).
- 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. Extra-large plats may be submitted on more than one conforming sheet. Each of the sets of prints are to be individually folded to a size not larger than 10x12 inches. More copies may be required at the City's discretion.
 1. Letter, signed by all required owners, detailing the scope and purpose of the plat vacation.
 2. Proof of ownership (deeds of record) with legal descriptions of all lots to be vacated.
 3. The current plat indicating which portions of the plat are included in or reserved from the vacation.
 4. The proposed revised plat in the case of a partial plat vacation.

For Official Use Only

Date Received: _____

Application Fees

Amount Paid: _____

Received By: _____ Receipt No.: _____

Notes/dates for completeness determination, corrections required, resubmissions:

Approval

- Plat Vacation Approved by City Council. Date: _____
- Certificate of Approval signed by Mayor and affixed to new plat.

PLANNED UNIT DEVELOPMENT (PUD) APPROVAL PROCEDURE

Pre-Application Review

1. **DRAFT PROPOSAL.** Prior to scheduling a pre-application conference, developers shall provide the following to the City Staff (PDF version and 2 paper copies, more if requested by the City):
 - A. **Letter of Intent to Develop**
 - The property owner's name and address.
 - The owner's agent's name and address (if applicable).
 - Proof of ownership (deed of record).
 - Legal description of property.
 - The location and size of the tract.
 - Why a PUD is necessary to develop.
 - Which of the goals of a PUD are met through the development (City's UDO Subsection 4.14.1.1.).
 - Area allocated to each land use.
 - Cultural and natural features of the site.
 - Anticipated subdivision characteristics including the approximate number of lots, average lot size, location of street rights-of-way and easements, and proposed infrastructure improvements.
 - The proposed schedule for application and construction.
 - Data concerning existing conditions within the site and in its vicinity.
 - Other information that the developer deems important to the City.
 - B. **Sketch Plan**, on a current topographic survey, showing in simple sketch form the proposed layout of streets, lots, buildings, open space, and other features and their relationship to the surrounding development patterns.
 - C. **Vicinity map** covering a radius of one-half mile of the proposed PUD at a scale of 1" = 2000' and locating arterial streets and highways, section lines, railroads, schools, parks, and other significant community facilities. Where possible, the north direction of the vicinity map should correspond to the north direction of the plat.
 - D. **Notification from public water and sewer utilities** that water and sewer capacity is sufficient to serve the proposed development, or documentation supporting alternative sources of water and wastewater treatment.
2. **PRE-APPLICATION CONFERENCE.** The following information and data will be considered:
 1. The components and merits of the Letter of Intent to Develop and the Sketch Plan.
 2. Goals of a PUD met through the development.
 3. Whether plans meet the PUD design regulations (see UDO Subsection 4.14.1.2.) with regards to:
 - Site size (1 acre minimum)
 - Mix of uses (residential, commercial, etc.)
 - Open space reservation (minimum 25% of site)
 - Open space maintenance (through POA or similar)
 - Preservation plan
 - Vehicular, bicycle, and pedestrian transportation network
 - City's subdivision regulations

4. The boundaries of the property.
 5. Existing easements affecting the property.
 6. Physical characteristics such as drainage, topography, vegetation, and existing structures.
 7. Development characteristics such as surrounding land uses, existing streets/paths, and availability of utilities.
 8. Elements of the proposed layout such as land uses, open spaces, community facilities, densities, traffic flow, and estimated impact on traffic and adjacent land uses.
3. **PUBLIC MEETING.** Following the pre-application conference, the City Staff shall schedule a public meeting at which time the applicant shall present the PUD proposal to all interested parties, including, though not limited to, neighborhood residents, property owners associations, neighboring business owners, City officials, school district officials, and community groups. Notice of the public meeting shall be published on the City's website at least 15 days prior to the meeting. A Public Hearing sign shall be conspicuously posted on the subject property at least 15 days prior to the public meeting. The applicant shall use relevant comments gathered at the public meeting to amend the development plan in a manner that is both feasible for the applicant and most satisfactory to the interested parties.

Application

1. **DEVELOPMENT PLAN.** The developer shall submit to the City Staff a plan specifying the site's features and proposed development standards.
The submission shall include a digital copy of all attachments in PDF and the plat/site plan in PDF and AutoCAD format (geo-referenced in NAD83 Arkansas State Plane Coordinates, North Zone), along with 2 paper copies, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. Extra-large plats may be submitted on more than one conforming sheet. Each of the sets of prints are to be individually folded to a size not larger than 10x12 inches. More copies may be required at the City's discretion.
The PUD development plan shall include:
 - a. Clarification of the purpose and intent of the PUD.
 - b. Description of existing conditions.
 - c. A detailed description of the PUD's proposed development standards.
 - d. List of allowable land uses.
 - e. Building footprints, heights, and size of individual buildings to be included in the PUD.
 - f. Site improvement drawings as necessary to support the proposals outlined in the development plan.
 - g. Open space and any community facilities proposed as part of the PUD.
 - h. Development phasing and construction schedule.
 - i. Covenants and restrictions.
 - j. If the PUD is to be constructed in multiple phases, the applicant shall clearly indicate the boundaries of each proposed phase on the plan.
2. **PUBLIC HEARING.** Public hearings shall be advertised and conducted in accordance with UDO Subsection 6.9.2. and the Rezoning application (Appendix P).
3. **ACTION.** Planning Commission and City Council Action following the public hearing shall follow the procedure outlined in UDO Subection 6.1.3. The Planning Commission and/or City Council may apply special conditions to its approval of the development plan as may be required to maintain harmony with neighboring uses and to promote the objectives of the comprehensive plan and this UDO.

After PUD Approval

1. **FINAL DEVELOPMENT PLAN.** Following City Council approval, the applicant shall submit a final development plan to the City Staff for review and filing (in PDF, AutoCAD as appropriate, and 2 paper copies). This plan shall incorporate any amendments or additions as approved by the City Council and shall serve as the binding document that will guide the PUD's development and land use.
2. **AMENDMENTS.** Following City Council approval, the Planning Commission may approve minor revisions to the development plan if:
 - a. No changes are made to either access to or egress from the PUD.
 - b. Any changes to internal traffic arteries do not alter overall traffic patterns, size of streets, or functional classification of streets.
 - c. No new streets are proposed for dedication.
 - d. No new private streets are proposed.
 - e. Overall density has not increased.
 - f. Overall drainage patterns are not altered.
 - g. No additional loads are placed on municipal utilities.
 - h. No additional open space is dedicated for public maintenance.
3. **PLATTING, SITE PLAN REVIEW, AND BUILDING PERMITS.** Approval of a PUD development plan does not relieve the applicant of subdivision platting, site plan review, or building permit requirements. Following City Council approval and before application for site plan review or the issuance of building permits, a final plat must be submitted and approved. A plat is not required if the property has already been legally platted and is not being further subdivided. Except as specifically provided for in the individual PUD ordinance, all development shall be undertaken in conformance with adopted departmental rules and procedures. Where specific amendments to departmental rules and procedures have been included in the adopted PUD ordinance, all reviews shall be conducted and permits issued in conformance with the provisions of the approved development plan.
 - a. **Platting.** Upon approval of the PUD by the City Council, and after the submittal of the final development plan, a plat shall be prepared in the manner prescribed in UDO Section 6.4 - Subdivision Review. A plat is not required if the property has been legally platted and is not being subdivided further. However, dedication of rights-of-way and easements as required by the subdivision standards shall be required.
 - b. **Site Plan Review.** Upon approval of both the final development plan and the final plat, if applicable, the applicant may apply for site plan review if required per UDO Subsection 5.2.3. If required, the site plan review procedure must be completed before the applicant can apply for or obtain any building permits.
 - c. **Building Permits.** After completion of any required plat and site plan approvals, the applicant may apply for a building permit (see UDO Subsection 6.2.3.).

RESIDENTIAL CLUSTER DEVELOPMENT (RCD) APPROVAL CHECKLIST

Approval Process

- A. **Subdivision.** If the properties proposed for Residential Cluster Development have not yet been legally platted or are to be further subdivided into separate lots, the development shall follow the subdivision review procedure outlined in UDO Section 6.4.
- B. **Platted Property.** A plat is not required if the properties have already been legally platted and are not being further subdivided. In this case, the Residential Cluster Development shall be considered using the site plan review procedure outlined in UDO Section 6.3. In addition to the general site plan requirements, residential cluster development site plans shall include:
- The maximum number and type of dwelling units proposed.
 - The areas of the site on which the dwelling units are to be constructed or are currently located and their size (this may take the form of the footprint of the dwelling unit or a building envelope showing the general area in which the dwelling unit is to be located).
 - The areas of the site on which other proposed principal and accessory uses may be located and their size.
 - The areas of the site designated for common open space and their size.
 - The number of acres and percentage of the property proposed to be conveyed as common open space.
- C. **Review.** In reviewing a Residential Cluster Development, the Planning Commission shall determine whether the plat or plan satisfies the purpose and design requirements of UDO Subsection 4.14.2. (see “Requirements for Approval” below). The Planning Commission may apply special conditions to its approval as may be required to maintain harmony with neighboring uses and to promote the objectives and purposes of the comprehensive plan and the City’s UDO.

Requirements for Approval

- Meet the purpose and intent of RCDs (see UDO Subsection 4.14.2.1.)
- All proposed principal and accessory uses are allowed in the underlying residential zone.
- The area of the cluster development is 1 acre or larger.
- A minimum separation of 10 feet is provided between all principal buildings and structures.
- A minimum yard or common open space of at least 15 feet in depth is provided, as measured from all public streets and from the side and rear lot lines of the entire cluster development.
- Each lot has access to a public street. Such access may be shared with other lots.
- Buildings and structures are adequately grouped so at least 25 percent of the total area of the site is set aside as common open space according to the following requirements:
 - To the greatest degree practicable, common open space shall be designated as a single block and not divided into unconnected small parcels located in various parts of the development.
 - Pedestrians shall be able to easily access common open space.
 - The site plan shall establish, where applicable, an upland buffer of vegetation of at least 50 feet in depth adjacent to wetlands and surface waters, including creeks, streams, springs, lakes, and ponds.
 - Individual lots, buildings, structures, streets, and parking areas shall be situated to minimize the alteration of natural features, natural vegetation, and topography.
 - Existing scenic views or vistas shall remain unobstructed, especially from public streets.
 - The site design shall accommodate and preserve any features of historic, cultural, or archaeological value.
 - Floodplains, wetlands, and areas with slopes more than 25 percent shall be protected from development.
 - Where the site contains floodplains or wetlands, at least 50 percent of such floodplains or wetlands shall be included in calculating the common open space.

Special Allowances for RCDs

- No minimum lot width or depth shall apply.
- Maximum lot coverage, building height, and parking requirements for the underlying zone must be met in the proposed RCD. However, these requirements are applied to the entire site rather than to any individual lot.
- Lots' access to the public street may be shared with other lots.
- More than one principal building or structure may be placed on a lot.

VARIANCE APPLICATION

Application Form

Applicant Name: _____ Phone: _____

Address: _____ Email: _____

Address of development: _____

Proposed use: _____

Variance(s) requested: _____

Please respond to each of the following five eligibility criteria. All criteria must be met for a variance to be considered.

1. Which special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land structures or buildings in the same zone?
2. Explain how these special conditions and circumstances do not result from the actions of the applicant.
3. How would the literal interpretation of this UDO deprive the applicant of rights commonly enjoyed by other properties in the same zone under the terms of this UDO?
4. Explain how granting of the variance on the specific property will not adversely affect the land use pattern as outlined by the City's Land Use Plan and will not adversely affect any other feature of the City's Comprehensive Plan.
5. Explain how the variance, if granted, will be no material detriment to the public welfare or injury to the use, enjoyment, or value of property in the vicinity.

By signing the application, permission is granted for City Staff, Planning Commissioners, and City Councilmembers to enter the subject property at reasonable times to evaluate this application and/or to determine compliance with any resulting permit coverage.

The undersigned property owner designates the following agent or attorney to represent the applicant at meetings and hearings:

Agent Name

Mailing Address

Agent Phone

Email

Property Owner Signature

Property Owner Mailing Address

Phone

Email

Application Attachments

- Digital copies of all attachments in PDF.
 - 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. Extra-large site plans may be submitted on more than one conforming sheet. Each of the sets of prints are to be individually folded to a size not larger than 10x12 inches. More copies may be required at the City's discretion.
1. **Proof of ownership**, typically the deed of record, including a legal description of the property to be developed.
 2. **Sketch plan**, on a current topographic survey, showing in simple sketch form the proposed layout of buildings, streets, lots, and other features and their relationship to the surrounding development patterns.
 3. If a full **site plan or construction plat** has already been prepared by a registered professional engineer, please submit it instead of a sketch plan.

For Official Use Only

Date Received: _____

Application Fee

Amount Paid: _____ Received By: _____ Receipt No.: _____

Notes/dates for completeness determination, corrections required, resubmissions:

Certificate of Zoning Compliance (CZC)

Property Zoned: _____

Proposed Use: Permitted Permitted with Conditions Conditional

CZC Issued By: _____ Date: _____

Approval

Variance Approved by Board of Zoning Adjustment.

Signature of Chairperson _____ Date: _____

REZONING APPLICATION

Application Form

Applicant Name: _____ Phone: _____

Address: _____ Email: _____

Property Address: _____

Description of the proposed use of the property if rezoned: _____

By signing the application, permission is granted for City Staff, Planning Commissioners, and City Councilmembers to enter the subject property at reasonable times to evaluate this application and/or to determine compliance with any resulting permit coverage.

The undersigned property owner designates the following agent or attorney to represent the applicant at meetings and hearings:

Agent Name Mailing Address

Agent Phone Email

Property Owner Signature

Property Owner Mailing Address Phone Email

Application Attachments

Please submit all required attachments in PDF format, along with 2 paper copies of each of the following, submitted on white paper no larger than 24x36 inches and no smaller than 8.5x11 inches. More copies may be required at the City's discretion.

- Proof of Ownership (deed of record) with legal description of property.

- 10 copies of a map of the subject property, drawn to scale and submitted on white paper no larger than 24 inches by 36 inches and no smaller than 8½ inches by 11 inches. Extra-large maps may be submitted on more than one conforming sheet. Each of the sets of prints are to be individually folded to a size not larger than 10 inches by 12 inches. The map shall include:
 - Property dimensions
 - Approximate location of buildings with appropriate dimensions
 - Land uses of adjacent properties
 - Vicinity map of sufficient clarity to allow location of the property proposed for rezoning

Public Notice Requirements

Please submit proof of each type of public notice listed below to the City Staff at least 7 days prior to the public hearing.

- Publication of public hearing in a newspaper of general circulation at least 15 days prior to the hearing.
- Photograph of the sign, provided by the City, posted on the property involved at least 15 days prior to the hearing.
- Written confirmation that notification of the public hearing was mailed by first-class mail to all the landowners and residents with separate addresses within 200 feet of the property's boundaries and to the boards of directors of all school districts affected by the proposed rezoning. The mailing shall be made at least 15 days prior to the public hearing. The confirmation shall include an alphabetical list of the individuals receiving letters and the name and signature of the individual who completed the mailing.

For Official Use Only

Date Received: _____ Application Fees – Amount Paid: _____

Received By: _____ Receipt No.: _____

Notes/dates for completeness determination, corrections required, resubmissions:

REVIEW CHECKLISTS

for official use

Does the proposed development meet the applicable standards for its zone, building, and fire codes?
If YES, check box. If NO, note required corrections. If NOT APPLICABLE, strike through.

Development standards

- Building coverage _____
- Impervious surface coverage (if constructing or adding 10,000 sq. ft. or more impervious surface or spanning 2 or more acres, site plan approval needed – see UDO Section 5.2.3.) _____
- Building setback – front _____
- Building setback – side interior _____
- Building setback – side street _____
- Building setback – rear _____
- Property line coverage _____
- Stories/height _____
- Building frontage type _____
- Building entrance location _____
- Building façade _____
 - Articulation _____
 - Materials _____
- Glazing _____
- Street trees _____
- Landscaping and screening _____
- Signs _____

Access standards

- Number of access routes _____
- Distance between access routes _____
- Parking and loading _____
- Driveways, driveway sharing, drive-thrus _____
- Cross access _____

Lot and block standards

- Lot sizes _____
- Lot widths _____
- Lot depths _____
- Side lot lines at right angles to street lines or radial to curving street lines _____
- Front lot line radii concentric with the curb in the case of curved streets _____
- Pipe stem lots _____
- Block standards _____
- Block length _____
- Block perimeter _____
- Cul-de-sac length _____
- Mid-block/end of cul-de-sac passages (easement width, construction width, materials) _____

Connectivity

- Connections to abutting boundary streets/paths _____
- Connections to adjacent stub-outs _____
- Connectivity index (street network only) _____
- Connectivity index (streets, alleys, trails, paths, and passages combined) _____

Pedestrian access

- Pedestrian plan _____
- Sidewalks _____
- Shared use paths _____
- Easements for connections outside development _____

Street design standards

- ROW dedication per Master Street Plan _____
- Cross sections per Master Street Plan _____
- Engineering analysis _____
- Street grades _____
- Street names and signs _____

Sidewalk/side path design standards

- Location _____
- Clear width _____

- Buffer/landscape strip _____
- Cross slope _____
- ArDOT Standard Specifications _____
- ADA compliance _____
- Encroachments over sidewalks _____

Shared use path design standards

- ROW dedication _____
- Width _____
- Materials _____
- ADA compliance _____

Lighting standards

- Lighting plan with all required lights along rights-of-way and paths _____
- Design (hooded/shielded/pointed downward) _____
- Type _____
- Color temperature _____
- Spacing _____
- Placement _____
- Maintenance _____

Utility standards

- Fire hydrants (spacing, GPM, PSI) _____
- Water (source, capacity, water mains, service lines, meter boxes) _____
- Sewer (source, capacity, design, service lines) _____

Drainage standards

- Property in designated floodway? Yes No
- Easements _____
- Runoff computations after development _____
- On-site stormwater capture _____
- Detention/retention facilities, with maintenance plan _____
- Size and capacity of storm drainage systems receiving the storm water discharge downstream of the subdivision _____
- Drainage overflow path/easement accommodating a 100-year storm _____

Final Plat Review Checklist

- Construction plat is still valid. _____
- Requested variances and/or zoning amendments have been approved. _____
- Final plat reflects the specifications approved in the construction plat. _____
- Final subdivision meets the applicable development standards for its zone (*see above*). _____
- Developer has submitted required performance guarantees for required public improvements (*see UDO Section 6.4.4.*). _____

Conditional Use Permit Review Checklist

- Public notice: Has the applicant provided proof that all required notices have been given at least 15 days prior to the public hearing?
 - Newspaper publication Yes No
 - Sign on property Yes No
 - Letter to property owners within 200 feet Yes No
 - Letter to school board Yes No

- Does the site meet all the development standards of its zone? Yes No
 - *If yes, move on to next step.*
 - *If no, applicant must apply for a variance before a conditional use can be considered.*

- Is the proposed use similar in appearance and activity to uses permitted in the zone? Yes No
 - *If yes, consider approval.*
 - *If no, either deny the application or impose conditions to make the use more compatible with the zone/surrounding area.*

- What conditions, if any, should be required to make the use more compatible with the surrounding area?

- **GUIDANCE FOR REVIEWERS:** Consider the public purpose of the UDO (listed below). Review this list point by point, noting questions and comments. When applied, this list will give you a good idea of how the proposed conditional use fits or does not fit into the surrounding area. Consider the proposed use in terms of its exact location and its relationship to surrounding land uses. Does the proposed use support:
 - The general welfare of the City.
 - Efficiency and economy in the process of development.
 - The appropriate and best use of land.
 - Conservation and stabilization of property values.
 - Convenience and safety of traffic and circulation of people and goods.
 - Safety from fire, flood, and other dangers.
 - Adequate light and air in the use and occupancy of buildings.
 - Healthful and convenient distribution of population.
 - Good civic design and arrangement.

- Adequate public utilities and facilities.
- Quality and livability of public spaces and future land development.
- Protection of natural resources.
- Adequate capacity of community facilities.
- Adequacy of streets, utilities, drainage, and means of vehicular and non-vehicular ingress (entering the development) and egress (leaving the development).
- Accommodation of bicycles and pedestrians as well as automobiles.
- Mobility for citizens lacking access to automobiles.

Rezoning Review Checklist

- Does the proposed rezoning meet the intent of the City's comprehensive plan? Yes No
Comments:

- Public notice: Has the applicant provided proof that all required notices have been given at least 15 days prior to the public hearing?
 - Newspaper publication. Yes No
 - Sign on property. Yes No
 - Letter to property owners within 200 feet. Yes No
 - Letter to school board. Yes No

- Has the property been denied rezoning in the past 12 months?
 Yes No

If yes, please comment on any substantial change in conditions that could cause the application to be reconsidered: