

ARTICLE 1100 DESIGN STANDARDS

SEC. 1100.1 GENERAL PROVISIONS

- A. Conformance to the General Plan.** The purpose of this portion of these regulations is to specify the basic and minimum requirements for lots, blocks, streets, and other physical elements in new subdivisions. It also provides a guide for the staff, the Planning Commission and the applicant in the review and preparation of subdivision plats. To ensure the various purposes of the Subdivision Regulations are adhered to, all subdivisions hereinafter established shall conform to the various elements of the General Plan adopted February 20, 2001, by the City of Bentonville and any subsequent amendments or modifications adopted by the City. The various elements of the General Plan, including the location of major thoroughfares and streets, location of parks, playgrounds, schools, and other public sites, and appropriate land uses, shall be designed to conform with minimum zoning and building regulations for the area in which the proposed subdivision is located.
- B. Suitability of Land.** Land subject to flooding or topographically unsuitable for residential occupancy and which the Planning Commission considers unsuitable for subdividing shall not be platted for any use that may increase the danger to health, life, property or aggravate erosion or flood hazard. When such land is in the proposed plat, this land shall be set aside for such land uses as will not be affected by periodic flooding or unsuitable topographic conditions unless adequate corrective measures are formulated by the developer and approved by the Planning Commission.
- C. Provision of Land for Public Purposes.** Where proposed community or public facilities of the General Plan are located in whole or in part in a proposed subdivision, the Planning Commission, City Council, or public board shall require that land for those public facilities be reserved as a condition of preliminary plat approval.

Such reservations shall be referred to the appropriate public board, commission, or body having jurisdiction or financial responsibility to permit the opportunity to acquire said sites either

through purchase, taking an option, or the filing of condemnation proceedings under the power of eminent domain. The contract to acquire the subject public site must be closed within 12 months following the date of approval of the preliminary plat by the Planning Commission or the subdivision process shall continue without regard for the proposed community or public facilities.

- D. Access.** A publicly dedicated street shall serve every subdivision. Every lot or parcel within a subdivision shall have access to a publicly dedicated street, or in the case of a PUD, access to a public street by means of a private street. All lots shall front on public streets except for PUD's where the Planning Commission may approve the private streets.
- E. Fitness for Development.** Based on topographic maps, soil surveys prepared by the Department of Agriculture, drainage information from the General Plan and any special studies made by or for the City or information provided by the developer, the Planning Commission may require that steep grades, unstable soil and floodplains be set aside and not subdivided until corrections are made to protect life, health and property.

SEC. 1100.2 UTILITIES

- A. Coordination.** The sub-divider shall coordinate with the City of Bentonville and other local utilities for the design, supply and installation of all utilities serving subdivisions within the planning jurisdiction of the City of Bentonville.
- B. Specifications.** All utilities shall comply with the City of Bentonville Water Utility Specifications and Electric Specifications.
- C. Placement Underground.** In new residential developments requiring Planning Commission approval and new commercial developments all utility wires, lines, and/or cables in said developments utilized by electric and/or telecommunications companies shall be placed underground. Overhead wires, supporting structures, and associated structures of a temporary nature which provide temporary service are exempt from this requirement. A

single power pole near the exterior boundary of a development shall be allowed to provide connections for underground service.

- D. Structures.** No structures shall be located within a utility easement.

SEC. 1100.3 BLOCKS

The length, width and shape of blocks shall be determined with regard to the following:

- A. Use.** Provision of adequate building sites suitable to the special needs of the type of use proposed.
- B. Zoning.** Zoning requirements as to lot sizes and dimensions.
- C. Access.** Needs for convenient access, circulation, and control and safety of street traffic.
- D. Topography.** Limitations and opportunities of topography.
- E. Size.** Blocks of less than four hundred (400) feet in length or more than one thousand five hundred (1,500) feet in length shall be prohibited. Blocks of over one thousand (1,000) feet in length may require a public crosswalk within a dedicated easement of not less than fifteen (15) feet in width including a paved crosswalk not less than five (5) feet in width to provide pedestrian circulation.
- F. Business and Industrial Use.** Blocks intended for business and industrial uses should be of a width suitable for the intended purpose with due allowance for off-street parking and loading facilities.
- G. Residential Use.** Residential blocks shall be wide enough to provide two tiers of lots of minimum depth except where fronting on freeways, expressways and major thoroughfares or prevented by topographic constraints in which case the Commission may approve a single tier of lots of minimum depth.

SEC. 1100.4 LOTS

- A. Access.** Every lot shall have access to a public street except where private streets are explicitly approved by the Planning Commission in Planned Unit Developments.

- B. Shape.** The shape of residential lots shall conform to the design of the subdivision. The Planning Commission shall judge lot shapes on the type of development and the use for which the lot is intended.

- C. Dimensions.** Except as provided herein, the minimum lot dimensions shall conform to the requirements of the Zoning Ordinance for the zoning districts within which the subdivision is located. Within the planning area boundary beyond the corporate limits the minimum lot dimensions shall be a width of sixty feet (60') and a depth of one hundred (100) feet.

- D. Setbacks.** The minimum building setback line shall be not less than twenty (20) feet from the right-of-way of the front street, or as required by the Zoning Ordinance. Corner lots shall have a setback of twenty (20) feet from the front lot line and twenty-five (25) from the exterior side lot line, or as required by the Zoning Ordinance. Building lines may be less than twenty-five (25) feet when the average slope of the first fifty (50) feet of a lot is greater than 20% gradient.

- E. Floodways.** A minimum building setback line shall be established on the plat not less than twenty-five (25) feet from any floodway boundary. This shall not affect plats that have been initiated prior to the passage of this ordinance and filed while final plat approval is in effect.

- F. Corner lot size.** Corner lots should be roughly 20% larger than interior lots.

- G. Double frontage lots.** Double frontage lots other than corner lots fronting on two streets shall not be platted except under extreme circumstances, as may be approved by the Planning Commission, in which case building lines shall be established for both front and rear lot lines. Double frontage and reverse frontage lots should be avoided except where they are needed to provide for the separation of residential developments and traffic arteries or to overcome specific topographic or site constraints. Where double frontage exists, a planting screen easement of at least ten feet (10') shall be provided along a portion of the lot abutting the traffic artery or other use where screening is required. In this circumstance, there shall be no right of access across the planting screen easement. At the discretion of

the Planning Commission, the developer may substitute for an easement and a planting screen, a permanent ornamental fence or wall of the height and architectural character which will be appropriate and appropriately screened. Should the ornamental wall or fence be used, there shall still be a restriction upon right of access and such restriction shall clearly be so designated on the plat and within the accompanying Bill of Assurance.

H. Slope and drainage. Every lot must slope to a street or its intended stormwater collection system.

SEC. 1100.5 STREETS

A. Standard Street Specifications. All streets shall be constructed in conformance with the requirements of the City’s current adopted Standard Specifications for Streets.

B. Right-of-way Dedication. Subdivisions and large-scale developments shall dedicate sufficient right-of-way to bring those streets which the Master Street Plan shows to abut or intersect the development into conformance with the right-of-way requirements of the most recently adopted Master Street Plan for said streets; provided the Planning Commission may recommend a lesser dedication in the event of undue hardship or practical difficulties. Such lesser dedication shall be subject to approval by the City Council. The right-of-way requirements for the street classifications are as follows:

Master Street Plan Requirements <i>(Res. No. 05-27-08A, 05-27-08)</i>			
Street Classification	Total Right-of-Way	Right-of-Way from Centerline	BOC to BOC
Expressway	100'	50'	--
Arterial	90'	45'	60'
Collector	70'	35'	38'
Local	52'	26'	30'
Residential	50'	25'	27'

C. Coordination. The street system of a proposed subdivision shall be designed to coordinate with existing, proposed, and planned streets outside of the subdivision as provided in this section.

D. Connectivity. Local and residential streets shall connect with surrounding streets to permit the safe and convenient movement of traffic between residential neighborhoods or facilitate emergency access and evacuation, but such connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through traffic.

1. Gated Communities. *(Ord. No. 2005-50, 02-08-05)* To ensure public safety with easy access to residential neighborhoods by police, fire and ambulance services and to maintain neighborhood connectivity as described above, gated communities are prohibited.

a. In cases where site conditions do not allow for adequate connectivity, a waiver may be requested in accordance with *Sec. 300.4 Waivers* of the Subdivision Code. The waiver shall be reviewed based on the following criteria:

- i. The development is adjacent to developed land that does not provide locations for connection of the street system.
- ii. The development is adjacent to topography with slopes greater than 17%.
- iii. The property does not include a collector, minor or major arterial shown on the Master Street Plan.

E. Street Stubs. Wherever a proposed development abuts un-platted land or a future development phase of the same development, street stubs shall be provided as deemed necessary by the Planning Commission to provide access to abutting properties or to logically extend the street system into the surrounding area. All street stubs shall be provided with temporary turn-around or cul-de-sacs unless specifically exempted by the Community Development Director or his or her designee(s)/Fire Chief or his/her designee(s) or Planning Commission, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land.

F. Street Intersections. Street intersections shall be designed to ensure safety. Because steep grades at intersections reduce sight distances and hinder vehicle control, street grades shall be flattened out within one-hundred (100) feet of intersections according to AASHTO.

G. Additional Safeguards. These requirements shall be considered minimums, and where deemed necessary by the Community Development Director and/or Planning Commission for the interest of public health, safety, and welfare, additional safeguards may be required.

H. Residential Street Lights.
(Ord. No. 2004-15, 01-13-04)

1. Public Streets. Developers of all new residential subdivisions with public streets shall select either (1) the Standard Street Light Option, or (2) an Upgraded Street Light Option.

(a) Standard Street Light Option.

i. *Description.* The standard streetlight meets IESNA's (Illuminating Engineering Society of North America) definition of "cutoff" and is a light fixture of traditional styling. Specifications for standard street light fixtures, as amended, are on file at the Bentonville Electric Department.

ii. *Developer Responsibility.* The developer shall share the cost of the standard fixture with the City of Bentonville. The developer shall provide the 1 ½" conduit raceway, surface mount foundation and anchor system, as specified by the Electric Department.

iii. *City Responsibility.* The City shall contribute a portion of the cost for a standard street light luminaire and pole on public streets. The City shall pull wire in the provided 1 ½" conduit raceway and install fixtures in conjunction with installation of the electric infrastructure for the subdivision at no cost to the developer. The City shall provide electrical power services and maintain the standard light fixtures at no cost to the developer or property owners association.

(b) Upgraded Street Light Option.

i. *Description.* The decorative street lights are cutoff fixtures of traditional or period styling. Specifications for upgraded street light luminaires and poles, as

amended, are on file at the Bentonville Electric Department.

ii. *Developer Responsibility.* The developer shall contribute the cost difference between the standard street light fixture and the upgraded street light fixture in addition to the cost share of the standard fixture. The developer shall provide the 1½" conduit raceway, surface mount foundation and anchor system, as specified by the Electric Department.

iii. *City Responsibility.* The City shall contribute the cost share portion of a standard street light fixture toward the cost of the upgraded street light fixture. The City shall pull wire in the provided 1 ½" conduit raceway, install luminaires and poles in conjunction with installation of the electric infrastructure for the subdivision. The City shall provide electrical power services and maintain upgraded street lights at no cost to the developer or property owners association.

iv. *Note.* Although the City will select brands and types of luminaires and poles that have stable pricing and will always be available, the cost and availability of luminaires and poles are subject to change without notice.

2. Private streets. The developer of new subdivisions that have private streets shall contribute 100% of the cost for a standard street light fixture, as described in H(1)(a)(i), or upgraded street light fixture as described in H(1)(b)(i). The developer and/or property owners association shall be responsible for the cost of electrical power service and ongoing maintenance and upkeep of the fixtures. The City shall bear no responsibility for street lights located on private streets.

3. Gas street light fixtures. Developers may choose to use a gas operated street light fixture. In such instances, the developer shall supply to the Planning Department a proposal that includes illustrations of the fixtures and data showing that illumination is a minimum of 2700 lumens per fixture. The low lumen values characteristic of gas light fixtures could dictate that more fixtures and closer placements of fixtures are necessary

to assure adequate roadway safety and security as determined by the City. The developer and/or the property owners association shall be responsible for the cost of the gas service and ongoing maintenance and upkeep of the fixtures. The City shall bear no responsibility for gas fixtures.

4. Existing non-standard street light fixtures. Non-standard street light fixtures existing prior to adoption of this Ordinance may continue. If the non-standard street light is damaged, two options are available:

- (a) *Repair.* To use the same fixture, the homeowner's association shall provide the replacement parts to the City and the City shall repair the fixture at no charge.
- (b) *Replacement.* When a property owner's association does not provide the replacement parts, the City shall remove the existing fixture and replace it with a street light fixture that most closely resembles the styling of the replaced street light and that is available in existing inventory.

5. Location and placement. The Bentonville Electric Department shall approve the location and placement of all types of street light fixtures.

I. Commercial Street Lights.

(Ord. No. 2004-201, 10-12-04)

1. Public Streets. Developers of all new commercial subdivisions that contain public streets within the development or that front a public street shall select either (1) the Standard Commercial Street Light Option, or (2) if the subdivision is served by underground electric utilities, the Upgraded Commercial Street Light Option.

(a) Standard Commercial Street Light Option.

- i. *Description.* The standard commercial street light is a 400 Watt, High Pressure Sodium Cobra head style installed on a wood pole. The standard commercial street light is serviced by overhead power lines and shall not be installed for developments where all utilities are located

underground. Specifications for standard commercial street light fixtures, as amended, are on file at the Bentonville Electric Department.

- ii. *Developer Responsibility.* The developer shall bear no responsibility for the standard street light option.
- iii. *City Responsibility.* The City shall contribute all costs and installation of the standard commercial street light fixture. The City shall provide electrical power service and maintain the standard light fixtures at no cost to the developer or property owners association.

(b) Upgraded Commercial Street Light Option.

- i. *Description.* The upgraded commercial street lights are 250 Watt, High Pressure Sodium acorn style fixtures installed on a cast iron/steel pole that meets the IESNA definition of a "cutoff" fixture. The upgraded commercial street light is serviced by underground power lines. This option shall only be an option for developments that (1) front on a street that is identified as a Major Arterial, Minor Arterial, or a Collector Street on the City's current Master Street Plan, with the exception of any such streets located in the Downtown Redevelopment District; and, (2) locate all utilities underground. Specifications for upgraded commercial street light luminaires and poles, as amended, are on file at the Bentonville Electric Department.

- ii. *Developer Responsibility.* The developer shall contribute the cost of the upgraded commercial street light and pole; provide the surface mount foundation and anchor system; and provide the 1 1/2" conduit raceway, as specified by the Electric Department.

- iii. *City Responsibility.* The City shall pull wire in the provided 1 1/2" conduit raceway, install luminaires

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and poles in conjunction with installation of the electric infrastructure for the subdivision or development. The City shall provide electrical power services and maintain upgraded street lights at no cost to the developer or property owners association.

iv. *Note.* Although the City will select brands and types of luminaires and poles that have stable pricing and will always be available, the cost and availability of luminaires and poles are subject to change without notice.

2. **Private streets.** The developer of new commercial developments that have private streets shall contribute 100% of the cost for either the standard commercial street light fixture or the upgraded commercial street light fixture, whichever is selected by the developer. The developer and/or property owners association shall be responsible for the cost of electrical power service and ongoing maintenance and upkeep of the fixtures. The City shall bear no responsibility for street lights located on private streets.
3. **Gas street light fixtures.** Gas operated commercial street light fixtures are prohibited on Major Arterial, Minor Arterial, or Collector Streets as designated on the City's current Master Street Plan.
4. **Location and placement.** The Bentonville Electric Department shall approve the location and placement of all types of street light fixtures.

J. **Cul-de-sacs.** Cul-de-sacs shall be no longer than 660'. (Ord. No. 2004-63, 03-23-04)

K. **Traffic Calming.** The following regulations apply to all new residential and local streets. (Ord. No. 2006-179, 11-14-06)

1. **Purpose.** The purpose of traffic calming regulations is to design new residential and local streets in a manner that improves road safety through speed and volume reduction; which in turn can improve neighborhood livability and provide opportunities for landscaping and aesthetic improvements.

2. **Design Speed.** Local and residential streets shall be designed to encourage and maintain 85th percentile speeds in the 25 to 30 mph range.

3. **Speed Control Points.** The maximum road length between speed control points shall be 660 ft. Speed control points are considered any one of the following:

- a) *Warranted stop sign.* A stop sign shall be warranted at the intersection of a local or residential street and a collector or arterial street. A stop sign is not warranted at intersections between local and/or residential streets.
- b) *Horizontal curve.* Curves serving as speed control points shall have a centerline radius between 90 and 120 ft.
- c) *Traffic calming device.* A traffic calming device is a physical element of the street design that compels drivers to slow down. Recommended traffic calming devices include traffic circles, chicanes, center island narrowing, speed tables, intersection bulb-outs, and mid-block chokers.

4. **Preferred Methods.** The following traffic reducing techniques are encouraged when designing streets for the established design speed:

- a) *Curvilinear street form, while maintaining a grid pattern.*
- b) *T-streets or 3-way intersections.*
- c) *Entry treatments.*
- d) *Short block lengths.*
- e) *Tree-lined streets.* Street trees spaced at a distance of 25 to 35 feet apart are encouraged.

SEC. 1100.6 SIDEWALKS

All sidewalks shall be constructed as set forth in the current adopted Standard Street Specifications for the City of Bentonville.

SEC. 1100.7 GRADING AND DRAINAGE

A. Stormwater Drainage Control Standards. All grading and drainage shall be designed and developed in conformance with the requirements of the City's current adopted Stormwater Drainage Control Standards.

B. Notice of Intent. If the site to be disturbed is greater than one (1) acre, then a "Notice of Intent" (NOI) shall be filed with the Arkansas Department of Environmental Quality in accordance with state law. A copy of the submitted NOI will be required to be received by the City prior to or at the latest at the preconstruction conference for the project before the project will be approved to begin construction. When a request is made to begin grading on a project prior to a preconstruction conference, the grading plan, erosion control plan and a copy of the submitted Notice of Intent will be required by the city for review for approval prior to grading commencing. Under state law, the Notice of Intent is a requirement of the contractor(s) who are working on the project. It is the sole responsibility of the contractor(s) to be fully informed of the requirements of the State law in this regard.

C. Detention and Retention Ponds.

(Ord. No. 2005-101, 05-10-2005)

1. Ownership and maintenance.

(a) Residential Subdivisions. Stormwater detention and retention ponds deeded to the city by September 10, 2005 shall be owned and maintained by the City. After September 10, 2005, stormwater detention and retention ponds in new residential subdivisions shall remain under the ownership and maintenance of the property owner during development. Stormwater detention and retention ponds shall be deeded to the property owner's association upon filing of the final plat. Maintenance of the facilities shall be the responsibility of the property owner's association.

(b) Non-residential Development. Ownership of stormwater detention and retention ponds in new non-residential development shall be vested in the property owner. Maintenance of the facilities shall be the responsibility of the property owner.

2. Platting. All new detention and retention ponds shall be shown on a final plat as a lot number and drainage easement to allow for inspection and maintenance of the outfall structure by the City. Access to the detention or retention pond shall be shown with a minimum of 18' wide unobstructed drainage access easement between a public street and the pond.

D. Grading Permits.

(Ord. No. 2007-85, 07-24-07)

1. Applicability. Grading permits shall be required for grading, filling, excavation or land alteration of any kind on any site one acre or more in size during the entire construction process, where such activity is not part of an approved preliminary plat or large scale development.

2. Exemptions. Grading permits shall not be required for the following:

(a) Excavation below Finish Grade.

Excavations below finish grade for basements, footings, swimming pools, hot tubs, septic systems, and like structures authorized by a valid building permit or retaining walls with an approved retaining wall permit.

(b) Cemetery Graves. Cemetery graves.

(c) Refuse Disposal. Refuse disposal sites controlled by other regulations.

3. Application. A separate permit shall be required for each site; it may cover both excavations and fills. Grading permits may be issued jointly for parcels of land that are contiguous, so long as erosion control measures are in place until project completion.

(a) Application Form. Completed and signed application form.

(b) Fee. Payment of fee as indicated on the application.

(c) Grading Plan. A grading plan in accordance with the specifications identified in the application and in conformance with all applicable regulations, including but not limited to,

the currently adopted stormwater regulations as established by United State Environmental Protection Agency, Region VI published in the Federal Register; the city's currently adopted Stormwater Pollution Prevention and Erosion Control Standards; and the city's currently adopted Stormwater Drainage Control Standards.

- (d) **Warranty Deed.** A copy of the warranty deed showing ownership of property.
- (e) **Recorded Plat.** A copy of the recorded plat of the property, if applicable.
- (f) **Stormwater Pollution Prevention Plan (SWP3).** The Stormwater Pollution Prevention Plan (SWP3) in accordance with the specifications identified in the currently adopted Stormwater Pollution Prevention and Erosion Control Standards.
- (g) **Small Site Notice (less than five acres).** A copy of Arkansas Department of Environmental Quality's (ADEQ) small site notice where construction on a site will disturb soil or remove vegetation on less than five acres during the life of the construction project.
- (h) **NOI (five or more acres).** A copy of the Notice of Intent (NOI) submitted to ADEQ is required at the time of application where construction on a site will disturb soil or remove vegetation on five or more acres. The ADEQ approved National Pollutant Discharge Elimination System (NPDES) permit shall be submitted prior to approval of the grading permit.

4. Review and Approval.

- (a) **Evaluation.** Grading plans shall be evaluated by the City Engineer for conformance with the requirements of all applicable regulations, including but not limited to, the currently adopted stormwater regulations as established by United State Environmental Protection Agency, Region VI published in the Federal Register; the city's currently adopted Stormwater Pollution Prevention and Erosion

Control Standards; and the city's currently adopted Stormwater Drainage Control Standards.

(b) Variations in Requirements.

Requirements may be varied by the City Engineer with the approval of the Planning Commission. The extent to which variations may be made will depend on the soil types encountered, planned slopes, planned vegetation, and investigative engineering reports. In no case shall the City Engineer waive or modify any of the minimum erosion control requirements.

- (c) **Approval.** No grading permit shall be issued until the grading plan, endorsed by a registered architect, landscape architect, engineer, or similar design professional, is approved in writing by the City Engineer.

(d) One-Time Approvals.

- i. **Utilities.** Public and private utility organizations may obtain a one-time approval from the City Engineer for all routine underground electric, water, sewer, natural gas, telephone, or cable facilities. The approval will include a utility organization and its contractors, agents, or assigns and will be permanent in nature as long as the original approved procedures are followed.
- ii. **Stockpiling Materials.** One-time approval may be obtained by public or private entities for the stockpiling of fill material, rock, sand, gravel, aggregate, or clay at particular locations, subject to the Zoning Code.

- 5. **Permit Posted.** A copy of the grading permit cover page shall be posted at or near the street right-of-way line and shall be clearly visible from the street.

E. Retaining Walls

(Ord. No. 2007-42, 4-10-07)

1. Applicability. The requirements of this section shall apply to the construction, installation, extension and replacement of all retaining walls, as defined in Article 200, of more than four (4) feet in height, measured from the final grade at lower-side of wall to the top of the wall, in all zoning districts, except as exempted in 2. Exemptions below.

2. Exemptions. Retaining walls that meet the following requirements shall be exempt from these requirements:

- (a) Retaining walls less than four (4) feet in height.
- (b) Retaining walls designed as part of the primary structure.
- (c) Retaining walls shown on an approved large scale development plan or preliminary plat.
- (d) Retaining walls designed as part of a public capital improvement project.

3. Permit Required. A retaining wall permit shall be obtained prior to beginning construction, extension or replacement of all applicable retaining walls.

- (a) *Application.* To obtain a retaining wall permit, a completed application form and a plot plan (site plan) must be submitted to the Community Development Office. The plot plan shall show:
- (i) Location of all property lines;
 - (ii) Location of all existing and proposed structures;
 - (iii) Location of existing retaining walls on or adjacent to the property that is to remain in place, if applicable;
 - (iv) Portions of existing retaining wall that will be replaced, if applicable;
 - (v) Location of new retaining wall;
 - (vi) Location of utilities and utility easements; drainage easements and drainageways

- (vii) Construction details to include, but not limited to, dimensions, cross-section, and footing design;
- (viii) Elevations above and below the retaining wall;
- (ix) A note indicating the height of the proposed retaining wall and the material;
- (x) Engineer's certification, if required; and
- (xi) Additional information may be requested from staff after initial review.

(b) *Review and Approval.* Once all the required information is submitted, it shall be reviewed by Community Development for compliance. If the application is approved, the applicant shall pay the permit fee and the retaining wall permit will be issued.

(c) *Compliance.* All retaining walls shall be installed in compliance with the retaining wall regulations and with the information shown on the approved plot plan and retaining wall permit application form.

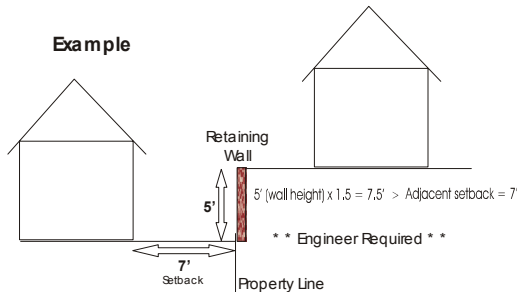
(d) *Inspection Required.* The applicant shall contact Building Inspections to request a final inspection upon completion of the retaining walls. If the building inspector determines that the retaining wall is constructed in accordance with the ordinance requirements and the approved retaining wall permit, a Certificate of Compliance will be issued. If the retaining wall does not pass the inspection, the building inspector shall prepare an inspection report detailing the deficiencies.

4. Engineer Certification Required. An engineer's design, certification and construction observation shall be required in the instances listed below. All engineering services shall be performed under the supervision of a Professional Engineer registered in the State of Arkansas.

- (a) Any retaining wall over four (4) feet in height where 1.5 times the height of the wall is either (1) greater than or equal

to the building setback of an adjacent lot, or (2) such distance encroaches on any structure.

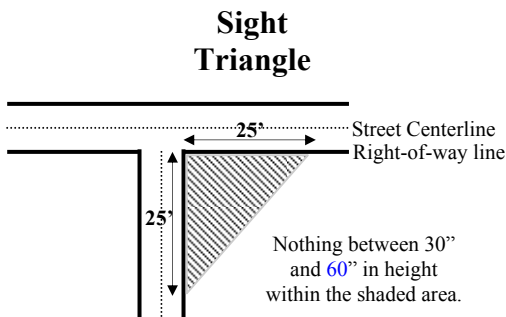
Height of wall X 1.5 ≥ Adjacent Setback



(b) Any retaining walls over four (4) feet in height located adjacent to a public right-of-way.

5. Private Property. All retaining walls shall be located on private property and shall be built with the consent of the property owner. The retaining wall installer and/or property owner shall be responsible to correctly locate property boundaries. Retaining walls shall not encroach neighboring property lines.

6. Sight Triangle. Retaining walls over 30" constructed near street intersections shall not be located in the "sight distance triangle", shown below, in order to provide a reasonable degree of traffic visibility.



7. Easements.

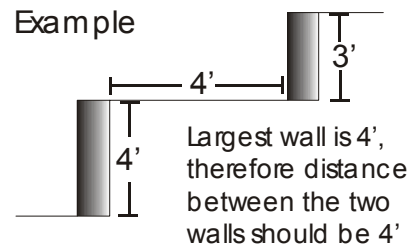
(a) *Utility Easements.* Retaining walls shall not restrict access to utilities. Retaining walls proposed in a utility easement shall be approved on a case by case basis.

(b) *Drainage Easements.* Retaining walls shall not impede the normal flow of storm water and shall not cross an open drainage channel. Retaining walls proposed in drainage easements shall be approved on a case by case basis.

(c) *Access Easement.* Retaining walls shall not be constructed over a public or private access easement.

8. Terraced Retaining Walls. If walls are terraced, the upper wall shall be located no closer to the lower wall than 1.0 times the height of the tallest wall.

Height of largest wall x 1.0 = Distance between walls



F. Slopes. Slopes of 1:1 or steeper shall be required to comply with the retaining wall regulations above.

G. Construction and Installation. The construction and installation of concrete segmental retaining wall systems shall comply with Cit of Bentonville Concrete Segmental Retaining Walls System specifications, as adopted and may be from time to time amended. (Ord. No. 2009-22, 3-10-2009)

SEC. 1100.8 OPEN SPACE

The Planning Commission will determine whether the open space, as shown on the plat and/or development plan meets the requirements of this section.

A. Multifamily Residential. Any multifamily development is required to provide twenty (20) square feet of open space per unit. This requirement includes large scale development and subdivisions which are zoned for multifamily use.

B. Single-family and Duplex. Single family and duplex developments are not required to provide open space.

- C. Landscaping.** Landscape buffers as required by Article 1400, Landscape, Screening and Buffering may not be used to satisfy the open space requirement. While no specific landscaping is required, the area must be seeded and maintained as a grassy area. The open space must be one contiguous area unless the Planning Commission approves a variation in design. The lawn and any additional landscaping must be maintained as provided in Section 1400.7 Landscape Installation Requirements and Section 1400.8 Enforcement and Maintenance.
- D. Impervious Surfaces.** Planning Commission approval is required if more than 10 percent of the designated open space is to be covered by an impervious surface.
- E. Detention Basins.** Detention basins for storm water may be used if they are designed for recreational use.

SEC. 1100.9 ACCESS REQUIREMENTS

This section is intended to implement access management standards of the City of Bentonville as set forth in the City of Bentonville’s General Plan. In addition, this section conforms with policies and objectives of the NWARPC Metropolitan Planning Organization’s long range transportation plan, the authority to control access to property as derived from Arkansas State Statutes, the policy and planning directives of the federal Intermodal Surface Transportation Efficiency Act of 1991, and the Transportation Equity Act for the 21st Century. These regulations apply to all new development and construction.

A. Curb Cuts

- 1. City Approval.** Property owners desiring curb cuts off of City streets or AHTD highways, not associated with an approved large scale development plan or subdivision, must obtain a letter of approval from the office of the Community Development Director prior to installation of said curb cut/driveway.
- 2. Width.** Ingress-egress openings in concrete, asphalt, rock, or other street curbing, commonly referred to as “curb cuts” shall be not less than twenty four (24) feet nor more than forty (40) feet in width for nonresidential uses unless approved by the Community Development Director.

- 3. Distance from Intersections.** Curb cuts or access points shall be no closer than one hundred (100) feet measured from the right-of-way of intersecting collector streets to the center line of the drive, and no closer than two hundred fifty (250) feet measured from the right-of-way of an intersection involving a major or minor arterial to the center line of the drive.
- 4. Offset.** Either the centerline of opposing nonresidential driveways shall align, or shall be offset no less than seventy-five (75) feet. This condition shall not apply where a permanent median exists without break for these driveways.
- 5. Number of Curb Cuts Permitted.** Unless otherwise specified by this ordinance, the maximum number of curb cuts for each property shall be determined by length of road frontage and the maximum speed limit of the road (as determined by the City of Bentonville’s Master Street Plan).

Number of Curb Cuts	
Length of Street Frontage	Maximum Number of Curb Cuts*
200 ft or less	1
201-600 ft	2
601-1100 ft	3
1001-1500 ft	4
More than 1500 ft	5

*Where lots are contiguous, a common ingress/egress drive is encouraged to minimize curb cuts and better facilitate traffic.

6. Distance between Curb Cuts.

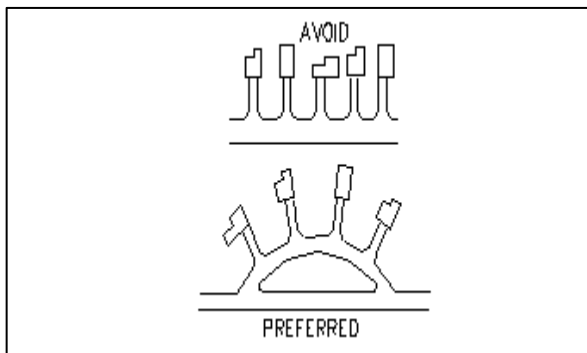
Distance Between Curb Cuts	
Travel Speed Permitted	Minimum Distance Between Curb Cuts
30 mph	100
35 mph	150
40 mph	200
45 mph	250
50 mph	300
55 mph	350

7. Curb Radius. To ensure safe turn movements, turning radii for commercial drive curb cuts should be at least 15' for curb cuts along streets designated on the City of Bentonville's Master Street Plan. Exceptions may be granted through a waiver to the Planning Commission for shorter radii in the downtown area and for larger radii needed where there may be a need to accommodate truck traffic.

B. Entrance/Exit and Parking Design. Landscaping, curbing, or other approved barriers shall be provided along boundaries to control entrance and exit of vehicles or pedestrians. All parking facilities, except those serving single-family detached and two-family dwellings shall be designed so that all existing movements onto a public street are in a forward motion.

C. Residential and Subdivision Access. No residential lot shall be permitted direct access to a collector, minor, or major arterial street. All residential subdivision development contiguous to a collector, minor, or major arterial street shall orient frontage to a local street, and back the project, without access to the said major streets (see figure 2 below). All subdivisions with 30 or more lots shall have two access points.

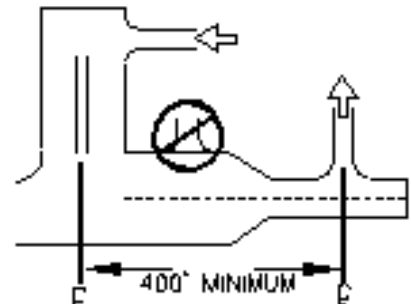
Residential Lot Access



D. Acceleration & Deceleration Lanes. Site plans for all commercial development, residential subdivisions, and multifamily dwellings on Collector, Minor Arterial, and Major Arterial streets will be analyzed by the City for critical traffic conditions for both the initial opening and full development of the site. AHTD deceleration lanes are required for single and combined uses that generate driveway volumes (trip ends) of

300 or more vehicles in the peak hour, as determined using standard Institute of Transportation Engineers (ITE) trip generation rates for the subject land use(s). Additional development, requiring a building permit, which would generate driveway volumes (trip ends) of 300 or more vehicles in the peak hour shall require the installation of an AHTD approved deceleration lane. Four hundred (400) feet minimum spacing between drives, measured center line to center line or from the right-of-way intersecting lines of public streets to the center line of a curb cut, is required when deceleration lanes designed in accordance with the Arkansas Highway and Transportation Department are required. Figure 3, Deceleration Lane, depicts an example of a deceleration lane. Construction of driveways along acceleration lanes, deceleration lanes, and tapers is discouraged due to the potential for vehicular weaving conflicts.

Deceleration Lane



E. Joint & Cross Access

1. Major Traffic Generators. Adjacent commercial or office properties classified as major traffic generators (i.e. shopping plazas, office parks), shall provide a cross access drive and pedestrian access to allow circulation between sites.

2. Techniques. A system of joint use driveways and cross access easements as shown in the figure titled "Cross Access Corridor Design" shall be established wherever feasible in commercial zoning districts along streets designated on the City of Bentonville's Master Street Plan and the building site shall incorporate the following:

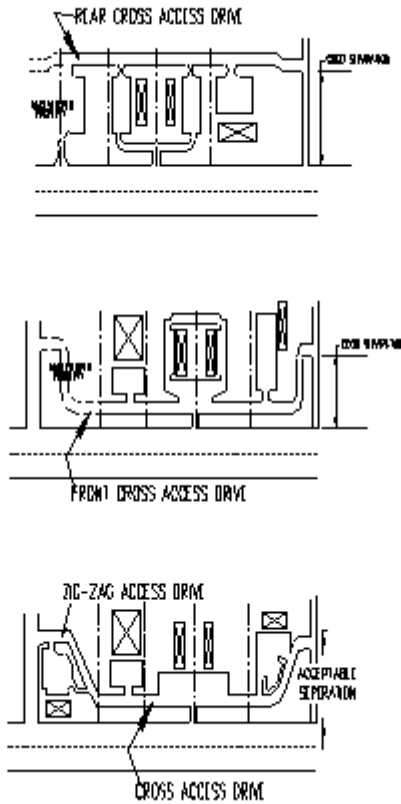
- (a) A continuous service drive or cross access corridor extending the entire length of each property served to

provide for driveway separation consistent with the curb-cut standards.

- (b) A design speed of 10 mph and sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles;
- (c) Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive;
- (d) A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible.

- (a) *Access Easement.* Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
- (b) *Access Agreement.* Record an agreement with the deed that remaining access rights along the thoroughfare will be dedicated to the City of Bentonville and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway.
- (c) *Maintenance Agreement.* Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

Cross Access Corridor Design



F. Reduction in Separation Distance. The Community Development Director/City Engineer may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:

1. Joint access driveways and cross access easements are provided wherever feasible in accordance with this section.
2. The site plan incorporates a unified access and circulation system in accordance with this section.
3. The property owner shall enter a written agreement with the City of Bentonville, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.

G. Waivers. The Community Development Director/City Engineer or Planning Commission may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make development of a unified or shared access and circulation system impractical.

3. **Shared parking.** Shared parking areas shall be permitted to reduce required parking if peak demand periods for proposed land uses do not occur at the same time periods (i.e. bank & movie theater).
4. **Documentation.** Pursuant to this section, property owners shall:

H. Nonconforming Access Features

1. **Existing.** Permitted access connections in place as of the date of the adoption of this ordinance that do not conform with the standards herein shall be designated as nonconforming features and shall be

brought into compliance with applicable standards under the following conditions:

- (a) When new access connection permits are requested;
 - (b) Substantial enlargements or improvements;
 - (c) Significant change in trip generation; or
 - (d) As roadway improvements allow.
2. **Discontinued Use.** If the principal activity on a property with nonconforming access features is discontinued for a consecutive period of 180 days then that property must thereafter be brought into conformity with all applicable connection spacing and design requirements, unless otherwise exempted by the Community Development Director/City Engineer. For uses that are vacant or discontinued upon the effective date of this code, the 180 day period begins on the effective date of this code.

SEC. 1100.10 DRIVEWAY DESIGN

A. Driveway Width. Commercial, industrial, and multi-family driveway widths shall meet the following guidelines:

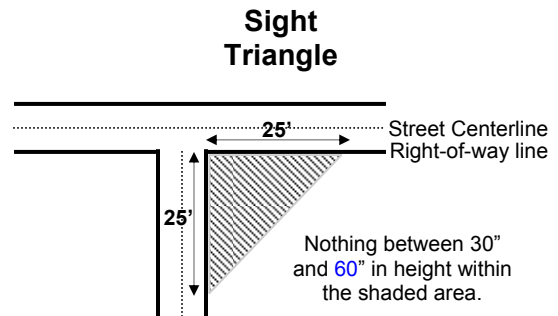
- 1. **One-way in or out.** If the driveway is a one-way in or one-way out drive, then the driveway shall be a minimum width of 16 feet and shall have appropriate signage designating the driveway as a one-way connection.
- 2. **Two-way.** For two-way access, each lane shall have a width of 12 feet and a maximum of three lanes shall be allowed. Whenever more than two lanes are proposed, entrance and exit lanes shall be divided by a raised median. The median shall be four (4) feet wide and conform to AHTD standard detail for curbed islands.
- 3. **Minor or Major Arterials.** Driveways that enter a minor or major arterial at traffic signals must have at least two (2) outbound lanes (one for each turning direction) of at least 12 feet in width, and one in-bound lane with a 14 foot width.

B. Driveway Grades. Driveway grades shall conform to the recommendations of the Center for Urban Transportation Research as shown in the table titled "Maximum Drive

Grades." Maximum grade changes between roadway cross-slope and driveway slope shall not exceed the grades listed below. The cross-slope of the driveway shall meet the cross-slope of the sidewalk, which shall have a slope of no more than 2%.

Maximum Drive Grades	
Roadway	Driveway Grade
Major Arterial	5 %
Minor Arterial	6 %
Collector	7 %
Local	10 %

C. Sight Triangle. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Any plantings or structures in the site triangle must not exceed 30" in height as shown below.

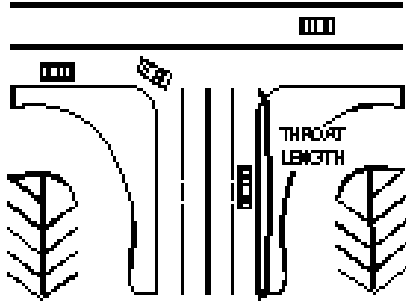


D. Throat Length. The length of driveways or "Throat Length" shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. General standards appear in the table below titled "Generally Adequate Driveway Throat Lengths", but may vary according to the projected volume of the individual driveway. These measures generally are acceptable for the principle access to a property and are not intended for minor driveways. The figure titled "Driveway Throat Length," depicts an example of adequate throat length. Variation from these shall be permitted for good cause upon approval of the Community Development Director/Engineer and/or Planning Commission.

Generally Adequate Driveway Throat Lengths	
Development Type	Driveway Throat Length

Shopping Centers > 200,000 GLA* (Signalized) (800 spaces)	200'
Smaller Developments < 200,000 GLA* (Signalized)	75'-95'
Unsignalized Driveways	40'-60'

*GLA-Gross lease-able area



Driveway Throat Length

E. Driveway Design, Location, and Construction Standards for Four (4) or Less Spaces Parking Spaces within the Front Yard Area

1. Minimum Distance of Driveway and Parking from Street and into Property.

(a) Driveway Approach to Property Line.

The driveway approach shall extend to the property line and/or master street plan right-of-way from the paved street and shall be paved with concrete in accordance with the Standard Street Specifications.

(b) Driveways Beyond the Property Line.

Except in A-1 and RE Zoning Districts, all driveways shall be paved from the property line and/or master street plan right-of-way with asphalt, concrete, brick or stone pavers, or other solid surface and shall extend 20 feet (length) into the property unless no parking is provided between the property line and structure.

(c) Driveways Beyond 20 Feet into the Property.

Driveways beyond 20 feet into the property may be paved or unpaved and shall be clearly defined by landscaping or edging.

2. Unpaved Driveway Maintenance Requirements. If an unpaved driveway is not maintained with adequate gravel, grasses, or other plants and/or landscaping materials to keep the area from becoming rutted, muddy and/or soil from being blown or washed away and is identified as a violation of this provision, such driveway shall be immediately remedied by the property owner.

3. Driveway Grading and Drainage. The driveway shall be graded in such a way to dispose of surface water into appropriate structures.

SEC. 1100.11 OUTDOOR LIGHTING

(Ord. No. 2004-190, 09-28-04)

A. Purpose and Intent. The regulations for outdoor lighting are intended to:

1. minimize light pollution for the enjoyment of Bentonville citizens and visitors;
2. limit the degradation of the nighttime visual environment by production of unsightly and dangerous glare;
3. minimize urban sky-glow to help protect the scenic view of the night sky;
4. reduce light trespass onto neighboring properties; and
5. allow for flexibility in the style of lighting fixtures.

B. Applicability. The outdoor lighting regulations apply to:

1. All new construction, except single family and duplex residential uses.
2. All new outdoor lighting fixture installations, except single family and duplex residential uses.
3. All replacement fixtures, in cases of total replacement.

C. Exemptions. The following conditions are exempt from these requirements:

1. The temporary use of low wattage or low voltage lighting for public festivals, celebrations, and the observance of holidays are exempt from regulation except where they create a hazard or nuisance from glare. Temporary use permits are required for commercial activities such as carnivals in accordance with Article 601 Supplemental Regulations of Chapter 14

Zoning Code. Where possible, lighting should be Cutoff.

2. Temporary emergency lighting, used by police, firefighting or medical personnel for as long as the emergency exists.
3. Routine maintenance, including changing the lamp ballast, starter, photo control, fixture housing, lens and other required components.
4. Airport lighting provided the owner or occupant demonstrates that the Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with this code.
5. Neon lights only as permitted by the sign regulations.
6. Illuminated signs only as permitted by the sign regulations.
7. The outdoor illumination of digital billboards in compliance with Sec. 801.9 of the Zoning Code. (Ord. No. 2010-43, 06-22-2010)

D. Prohibitions. The operation of searchlights for advertising purposes is prohibited.

E. Standards.

1. **Cutoff Required.** All nonexempt outdoor light fixtures with an initial output greater than or equal to 2,000 lumens shall be Cutoff or Full Cutoff, as defined by IESNA.
2. **Installation.** All outdoor light fixtures that have Cutoff restrictions shall be installed and maintained in such a manner as to be horizontal to the ground so that the Cutoff characteristics of the fixture are maintained.
3. **Shielding.** Beyond the Cutoff requirements in Section E.1 above, all light fixtures shall be located, aimed or shielded so as to minimize light trespass across property boundaries. Where applicable, all commercial installations shall utilize house side shielding to minimize light trespass on residential properties.

F. Special Use Standards.

1. **Landscape/Facade Lights.** Landscape and facade lighting fixtures shall be selected, located, aimed and shielded so that direct illumination is focused solely on the building façade, plantings, and other intended site feature, and away from

adjoining properties and the public street right-of-way. Down-lighting is encouraged.

2. Recreational Facilities.

- (a) **Cutoff Exemption.** Recreational facilities are exempt from the Cutoff requirement in E.1 above, however, the use of Cutoff fixtures is encouraged. The shielding requirement in E.3 above is applicable to recreational facilities.
- (b) **Glare Control.** All outdoor recreational facilities lighting fixtures shall be equipped with a glare control package (louvers, shields, or similar devices). The fixture shall be aimed so that the beams are directed and fall within the primary playing or performance area.
- (c) **Hours.** All activity and lights shall be turned off one hour after the end of the last event.

3. Canopy Structures. Canopy lights, such as service station lighting, shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties.

4. Flags. Governmental flags should be taken down at sunset to avoid the need for lighting. If flags remain up overnight, they should be lighted. Up-lighting of governmental flags should have a maximum lumen output of 1,300 lumens with a cone of light directed on the flag itself. Down-lighting of flag poles is encouraged.

G. Nonconforming Outdoor Light Fixtures.

1. All nonconforming outdoor light fixtures lawfully installed prior to and operable on the effective date of this ordinance are exempt from all outdoor lighting requirements.
2. In the event that an outdoor lighting fixture is abandoned or damaged to the point of requiring repairs for safe operation, the repaired or replacement fixture shall comply with the provisions these regulations.

SEC. 1100.12 RESERVED (Ord. No. 2010-54, 08-10-10 – Deleted “Site and Building Design Guidelines and Standards for the Downtown Redevelopment District.”)

**SEC. 1100.13 DESIGN STANDARDS FOR
LARGE SCALE DEVELOPMENTS**

(Ord. No. 2008-44, 05-27-2008; Ord. No.
2011-72, 08-09-11)

- A. Purpose and Intent.** The design standards in this section are intended to implement the city's vision for commercial development as set forth in the City's General Plan. The intent of these standards is to improve the overall quality of commercial development with surrounding land uses and enhance pedestrian safety and walkability.
- B. Applicability.** The provisions of this section shall apply to all developments requiring large scale development approval. Agriculture and Industrial Zoned properties shall only be required to meet the standards for the side(s) facing a street frontage.
- C. Exemptions.** Development that is subject to the design standards for the Downtown Core and Downtown Edge Zoning districts, which have specific site and architectural design standards.
- D. Review Process.** These standards shall be applied in the normal review process for large scale developments and shall be approved by the Planning Commission.
- E. Building Design.**
- 1. Material.** The primary material shall constitute at least 75 percent of the wall area, excluding glass. The primary exterior material shall consist of a combination of brick, textured concrete block, or natural stone. The standard shall apply to all sides of any building. The remaining exterior material shall be considered building trim. Trim is defined as an ornamental design feature, that when removed does not significantly alter the appearance of the building. This commonly consists of moldings, cornices, parapet, frieze, sills, lintels, stringcourse, quoining, and ledge. No wood, masonite, asphaltic exterior wall or roof material, aluminum or steel siding, non-textured concrete block, stucco, vinyl or other similar materials shall constitute a portion of any building except trim.
 - 2. Color.** The building's exterior color scheme shall utilize primarily muted, neutral, or earth tone type colors. The primary use of bright, intense, or extreme colors not consistent with the adjoining developments shall not be permitted. This regulation is not intended to prohibit the use of these colors for specifically approved architectural detailing.
 - 3. Compatibility.** All commercial structures shall be designed in a manner compatible with other structures in the surrounding vicinity. The exterior building design, including roof style, color, materials, architectural form and detailing, shall be consistent among all buildings in a common commercial development and on all elevations of each building to achieve design harmony and continuity within itself.
 - 4. Scale and Bulk.** The height and scale of new buildings shall be consistent or compatible with the height and scale of adjacent buildings. Special care, however shall be taken to achieve the compatibility of larger buildings next to small scale buildings; techniques shall include limited size, building articulation, and shadow patterns. The scale of the building shall also consider building setback, lot size and relationship to street width.
 - 5. Wall Articulation.** Buildings shall avoid long uninterrupted façade planes and/or blank walls. All commercial building with facades greater than 200 feet in length shall incorporate wall plane projections or recess that are at least two (2) feet deep. Projections/recess must be at least 25% of the length of the façade. No uninterrupted length of a façade may exceed 100 feet in length.
 - 6. Facades.** All commercial structures shall be architecturally finished on all sides with same materials, detailing, and features when visible from the public realm or adjacent residential areas. The degree of visibility from the public realm shall be evaluated using the following criteria:
 - a. The degree of visibility from all adjacent public ways;
 - b. Possible visibility from future buildings and public ways; and
 - c. Internal overall appearance in relation to the site.
 - 7. Roofs.** Roof lines and/or parapets shall be varied with a change in height every 100 linear feet in the building length. Parapets, gable roofs, high roofs, or dormers shall be used to conceal flat roofs and rooftop

equipment from public view. Alternative lengths and designs may be acceptable and may be approved by Planning Commission.

8. **Entrances.** Each primary building on a site, regardless of size, shall have clearly defined, highly visible customer entrances featuring no less than two (2) of the following:
 - a. Canopies or porticos;
 - b. Overhangs;
 - c. Recesses/projections;
 - d. Arcades;
 - e. Raised corniced parapets over the door;
 - f. Peaked roof forms;
 - g. Arches;
 - h. Architectural detail such as tile work and moldings integrated into the building structure and design;
 - i. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting; or,
 - j. Other architectural features approved by Planning Commission.

9. **Architectural Details.** All buildings shall be designed to incorporate no less than three (3) of the architectural elements from the list below, in addition to regulations regarding the design of entrances above. Buildings over fifty thousand (50,000) square feet shall include a minimum of five (5) of the referenced architectural elements. Buildings over one hundred thousand (100,000) square feet shall include a minimum of six (6) of the referenced architectural elements.
 - a. Canopies, awnings, or porticos;
 - b. Recesses/projections;
 - c. Arcades;
 - d. Peaked roof forms;
 - e. Arches;
 - f. Display windows;
 - g. Accent materials (minimum of 15% of exterior façade);
 - h. Architectural details (such as tile work and moldings) integrated into the building façade;
 - i. Articulated cornice line;
 - j. Articulated ground floor levels or base;
 - k. Varied roof heights; or,
 - l. Other architectural features approved by Planning Commission.

F. Utility and Mechanical Equipment Screening

1. Screening of service yards, utility meters and hardware, mechanical equipment, refuse areas, and/or other potentially unattractive places from public view, shall be accomplished by the use of walls, fencing, planting, or a combination of the measures that follow. Screening shall be equally effective in the winter and the summer seasons. For rooftop equipment, parapet walls or other screening methods approved by Planning Commission are required along street frontages and bordering residential areas.
 - a. Adjusting the architectural or landscape profile to screen those elements from view.
 - b. Placing those elements on service courts or other locations usable by the general public.
 - c. Integrating those elements into the architecture or landscaping of the site.

2. The degree of visibility and screening of service yards, utility meters and hardware, mechanical equipment, refuse areas, and/or other potentially unattractive places shall be evaluated using the following criteria:
 - a. The degree of visibility from all adjacent public ways;
 - b. The architectural compatibility of the design and color of the yards, meters and equipment of the building;
 - c. Possible visibility from future buildings and public ways; and
 - d. Internal overall appearance in relation to the site.

G. Site Planning

1. **Building Placement.** Place as much of the building width at the front of the lot as possible to maximize front façade exposure to the public. The front façade shall be kept parallel with the street. On corner lots, place as much building mass near the intersection as possible to help anchor the lot and take advantage of high visibility.

2. **Parking Placement.** No more than 60% of the off-street parking area for the entire

property shall be located between the front façade within the front yard of the principal building and the primary abutting street unless the principal building and/or parking lots are screened from view by outlot development and additional tree plantings or berms. Whenever possible, attempt to link with adjacent parking lots or provide shared parking areas which can serve neighboring buildings simultaneously. Parking lots shall be designed in regular, rectangular shapes.

3. **Pedestrian Circulation.** Clearly defined pedestrian walkways or paths shall be provided from parking areas to primary building entrances. Design walkways and parking lots so that pedestrians do not have to cross parking aisles and landscape islands to reach building entries. All internal walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Painted crosswalks shall not be considered sufficient definition of the pedestrian path from the driving surface.
4. **Site Amenities.** Each commercial development shall contribute to the establishment or enhancement of the community and public spaces by providing at least two (2) of the amenities listed below. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.
 - a. Patio, seating area;
 - b. Pedestrian plaza with benches;
 - c. Mini park, square or green;
 - d. Transit stop;
 - e. Public art;
 - f. Window shopping walkway;
 - g. Outdoor play area;
 - h. Kiosk area;
 - i. Water feature;
 - j. Clock tower or steeple; or
 - k. Any other deliberately shaped area and/or focal feature that, in the Planning Commission's judgment adequately enhances such development and serves as a gathering place.

SEC. 1100.14 AESTHETICS FOR WIRELESS COMMUNICATION FACILITIES (WCF)

(Ord. No. 2010-4, 01-12-2010)

The following guidelines shall govern the aesthetics of all towers and antennas, provided however, that the Community Development Director may waive these requirements where it is determined that the goals of this ordinance would be better served thereby.

- A. **Lighting.** Lighting of tower and antenna shall meet the following requirements:
 1. Towers shall be artificially illuminated if required by the FAA or other applicable authority or the Governing Authority. If artificial lighting is required, the lighting design and intensity chosen should be that which complies with the applicable guidelines, yet causes the least disturbance to the surrounding and nearby properties.
 2. Security lighting or motion-activated lighting may be used around the base of a tower and within the telecommunication facility, provided that the lighting is shielded in such a way that no light is directed towards adjacent properties or rights-of-way.
- B. **Stealth technologies.** This ordinance encourages creative design measures to camouflage facilities by integrating them with existing buildings and among other existing uses. Based on this, the color and design of towers and antennas shall meet the following requirements:
 1. Towers shall be maintained with a galvanized steel finish, wood laminate or, subject to any applicable FAA standards, be painted a neutral color so that visual obtrusiveness is minimized.
 2. The design of buildings and related structures within a telecommunication facility shall, to the extent possible, utilize building materials, colors, screening, and landscaping that will camouflage and blend the tower and related facilities into the natural and/or surrounding environment.
 3. If an antenna is to be attached to a supporting structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a color closely compatible with the color of the supporting structure.

Art. 1100 Design Standards