

City of Bentonville Planning Department

Submittal Guidelines





City of Bentonville 2026 Planning Commission Project Submittal Guidelines

Meeting Location: Bentonville City Hall, Planning Commission Chambers 305 SW A Street, 5:00 p.m.

Please see agenda for Tech Review start time

Pre-application meetings are mandatory before Large Scale Development projects can submit. A Proof of Pre-application form signed by a Planner is required before a project can be submitted. Please review the [Pre-application SOP](#) for minimum requirements.

Please email planning@bentonvillear.com to schedule a pre-application or concept meeting.

Projects can be submitted on any Friday before 4:30pm Projects that meet all submittal requirements will be assigned a project manager Monday Morning.

- The City will review the first submittal within 7 working days. All subsequent submittals will be reviewed within 5 working days.
- Projects typically take 6 weeks between first submittal and the Planning Commission meeting; however significant time savings can be achieved by the applicant submitting a project with only one review required.
- The City assigns a project manager so that project issues can be resolved quickly. Call 479-271-3122 for your project manager.
- REZONINGS – Rezonings must be submitted at least 5 weeks before desired PC date. All applicants requesting rezoning must contact their assigned project manager to confirm their public hearing date prior to mailing any notifications to adjacent property owners.
- No projects will be scheduled for Planning Commission until all departments have either selected "Approved" or "PC only" for their status.
- No changes can be made to the agenda once it has been set

City of Bentonville Planning Department

Application Checklists, Procedures, Specifications

****All items must be uploaded AT TIME OF SUBMITTAL no later than noon on the deadline day (unless otherwise noted). If not, the project will be DENIED and will be pushed back until all requirements have been met.**

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Rezoning Checklist

Step 1: Application

Submit a complete application packet to [eTrakit](#).

The packet must include:

Property Consent Form:

- Property Consent form signed by the property owner. If the property has multiple owners, a separate form is required for each property owner.

Warranty Deed:

- A copy of the warranty deed showing the current ownership of the property.
- A survey may be required if the deed cannot be accurately drawn to meet the Arkansas minimum survey accuracy standards.

Note: If your ownership is by some other form of deed, you may create a warranty deed by recording one at Benton County with the assistance of your attorney.

Narrative:

*The Narrative must be a typed statement addressing each of the following:

- Current owner information, and any proposed sales
- State the current zoning designation and proposed zoning designation.
- Reason for requesting the zoning change.
- Statement about how the proposed rezoning is consistent with the [Future Land Use Map and Alignment Policy](#) and must address in narrative form five considerations of the policy: (1) **Consistency** with the Future Land Use Map, (2) **Impact** on the community, (3) **Compatibility** with the surrounding context, (4) **Intensity** of the zoning type requested, and (5) how the zoning addresses an **Orderly Transition** of land use within the growth of the city.
- Circulation of People and Goods
- Appropriate and Best Use of Land
- Efficiency and Economy in the Development Process
- Adequate Public Utilities and Facilities
- If requested zoning is under the “Enhanced Review” category on the Place Types Zoning Alignment Table, please address the Enhanced Review Criteria in your narrative (criteria can be found in the [FLUM and Alignment Policy](#)).

continued on next page...

Rezoning Cont.

Legal Description:

- An accurate legal description describing lot and block or metes and bounds of the property. This document must be in Word (.docx) format.

Notice of Intent to Rezone Form:

- A completed [Notice of Intent to Rezone form](#). This will be approved as part of the packet and will be necessary to complete step 2.

Property Owner List:

- A certified list of property owners within 200 feet of the property to be rezoned, signed by the authenticator. This can be a self-certified document.

Once your application packet has been reviewed and approved by all departments, Planning staff will reach out to the applicant with instructions and deadlines for notifying the public.

Step 2: Notification

Once the application packet is approved by the city departments, the applicant is required to notify all property owners within 200 feet of the property.

**Do not proceed to this step without formal written approval and direction from the Planning Department.*

Mailing Packet:

*Notification must be mailed out via USPS certified mail and must include:

- GIS Vicinity Map provided by the GIS department
- [Notice of Intent to Rezone](#) letter
- Legal Description (either printed on the NOITR form or as a separate sheet)

Packet Verification:

Once notification has been mailed out, the applicant must upload the certified mail receipts to [eTrakit](#) with a copy of all documents sent to the property owners. This must be received by the date specified by planning staff before the city will advertise (as noted below) and schedule the rezoning for a planning commission agenda.

continued on next page...

Rezoning Cont.

City Responsibility:

The Planning Department staff will advertise the rezoning in two ways no later than 15 days prior to the Planning Commission date if all items have been fulfilled by the applicant:

1. Staff will advertise the rezoning request and notice of public hearing in the Arkansas Democrate Gazette, and
2. Staff will post a public hearing sign on the subject property.

Additional Notes:

- Projects typically take 6 weeks between first submittal and the Planning Commission meeting; however, time savings can be achieved by the applicant submitting a project with only one review required.
- The City will assign a project manager to the project so that issues can be resolved quickly.
- No projects will be scheduled for Planning Commission until all departments have either selected “APPROVED” or “PC ONLY” for their status.



Future Land Use Map and Zoning Districts Alignment Policy

A. Purpose.

This document establishes the policy for reviewing future rezoning requests in the City of Bentonville in the interim between adoption of the FLUM and the new zoning and land development code. All rezoning requests should be reviewed according to the policies and criteria herein.

B. Future Land Use and Zoning.

Future Land Use and zoning are interconnected yet distinct components of city planning. The Future Land Use Map (Map) is an element of the Bentonville Community Plan (Plan), a policy adopted by Resolution, that establishes Place Types (previously called Land Uses) and assigns them to locations where most appropriate to best manage growth, development and infrastructure and service planning. Place Types are a set of intended characteristics and uses, including land uses like residential, commercial, or mixed-use, typical activities, and building scale. Future Land Use provides a structured framework that guides zoning decisions. Through community engagement and careful deliberation, Planning Commission and City Council adopted the Future Land Use Map and replacement of Ch. 2 and Ch. 4 of the Community Plan with Resolution No 2-11-25M on February 11, 2025.

Zoning Districts are laws adopted by Ordinance. They establish the specific regulations for how land can be used and developed. Each Place Type can incorporate several zoning districts.

The City is in the process of drafting new zoning and development regulations that align with the recently adopted Map. Until those codes are adopted, this alignment policy will guide decision making for rezoning requests. When the new codes are adopted, a new FLUM and Zoning Alignment Policy will be adopted.

C. Alignment Table.

In the alignment table, the Place Types are shown on the left and the currently adopted Zoning Districts are shown at the top. In the box where the Place Type for the property intersects with the Zoning District requested, there will be an “SR”, “ER” or empty box. This determines the level of review based on the appropriateness of the Zoning District for the Place Type.

- 1. Appropriate.** The Zoning District is consistent with the characteristics of the Place Type and therefore conforms to the Future Land Use Map. This is indicated with an “SR” and subject to *Sec. D (2) Standard Review Criteria*.
- 2. May be Appropriate.** The Zoning District is not clearly consistent with the characteristics of the Place Type but may be appropriate upon further review. This is indicated with an “ER” subject to *Sec. D (3) Enhanced Review Criteria*.
- 3. Inappropriate.** The Zoning District does not have any characteristics of the Place Type and therefore does not conform to the Future Land Use Map. This is indicated by a blank box subject to *Sec. D (4) No Action*.

Alignment Table

Place Types listed in order presented in Ch. 4 of Community Plan

SR = Standard Review applies (Sec. D.2); Zoning District is appropriate for the Place Type.

ER = Enhanced Review applies, (Sec. D.3); Zoning District may be appropriate for the Place Type with additional review.

Blank = No action, Sec. D.4; Zoning District is not appropriate for the Place Type.

Zoning District	A1	RE	R1	R2	R3	R4	DN1	DN2	DN3	DN4	DE	DC	C1	C2	C3	I1	I2
Place Type																	
Centers	Regional Center										SR	SR	SR		SR		
	City Center										SR	SR	ER		SR		
	Neighborhood Center										SR	SR		SR	ER		
Neighborhoods	Urban Neighborhood									SR	SR	SR	ER		ER		
	Walkable Neighborhood				ER	ER	ER	SR	SR	SR	ER						
	Traditional Neighborhood			SR				SR	ER								
	Suburban Neighborhood			SR	ER			ER									
Corridors	Urban Corridor										SR	ER		SR			
	Walkable Corridor										SR	ER		SR		ER	
	Suburban Corridor												SR	ER			
Recreation	Outdoor Entertainment	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	
	Parks and Public Spaces	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	
Specialized	Rural and Estates	SR	SR	ER													
	Industry and Technology													SR		SR	
	Civic and Institutional	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	
Remaining Districts:		PUD/PRD should follow the review criteria as established in the Zoning Code for PRD/PUD.															
		R-C2, R-C3, RZL and RO districts are not consistent with the Place Types of the Future Land Use Map and rezoning requests to these districts are not supported.															

D. Review Criteria.

The following review criteria are to be used depending on the level of review (SR, ER, Blank) established in the table in *Sec. C Alignment Table*.

1. Criteria for All Rezoning Requests. The following review criteria applies to all rezoning requests.

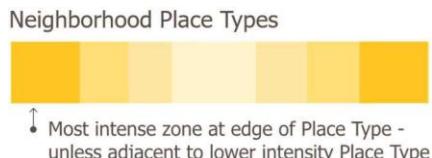
- (a) *Consistency.* Consistency with the Future Land Use Plan and with the vision and policies of the Community Plan.
- (b) *Impact.* Relationship and effect on the land use and zoning of the surrounding area.
- (c) *Compatibility.* Compatibility with recent development activity in the surrounding area.
- (d) *Intensity.* The proposed district(s) are within a reasonable level of intensity of the most intense zone allowed with a Standard Review on adjacent properties. The intensity levels are shown in the graphic below, with least intense on the left and most intense on the right.

		Less Intense										More Intense						
		Rural					Residential					Downtown Commercial		Commercial			Industrial	
A1	RE	R1	DN1	R2	DN2	R3	DN3	R4	DN4	DE	DC	C1	C2	C3	I1	I2		

- (1) *Exceptions.* The intensity criteria does not apply in the following instances:
 - a. Significant natural barriers separate the two properties, or
 - b. Roadways of three or more lanes separate the two properties.
- (e) *Orderly Transition.* The proposed district(s) establishes an orderly transition of intensity within and between the place type as follows.
 - (1) *Center or Corridor Place Type.* Where the subject property is within a Center or Corridor place type, higher intensity zones should be interior to the place type to provide an orderly transition between the interior and edge of the place type and adjacent neighborhood place types.



- (2) *Neighborhood Place Type.* Where the subject property is within a Neighborhood place type, higher intensity zones should be located at the edges of the place type when the property lies adjacent to a Center or Corridor place type to provide an orderly transition between the edge of the property and the adjacent place type. Lower intensity zones should be located at the edges of the place type when the property lies adjacent to a Neighborhood place type of a lower intensity.



2. **Standard Review Criteria (SR).** When an “SR” is shown in the box where the property’s Place Type intersects with requested Zoning District, the following review criteria applies.
 - (a) Review criteria established in *Sec. D.1 Criteria for All Zoning Requests*.
 - (b) The proposed district(s) are likely to implement the place type envisioned by the Future Land Use Map; and
 - (c) The proposed district(s) will result in development compatible with the place type of nearby properties; and
 - (d) Adequate infrastructure exists or is planned to serve the development allowed in the proposed district(s).
3. **Enhanced Review Criteria (ER).** When an “ER” is shown in the box where the property’s Place Type intersects with the requested Zoning District, the following review criteria applies.
 - (a) Review criteria established in *Sec. D.1 Criteria for All Zoning Requests*.
 - (b) Review criteria established in *Sec. D.2 Standard Review Criteria*; and
 - (c) Review the applicability of the following criteria, in its totality, to determine the appropriateness of the proposed Zoning District:
 - a. If the property is on the boundary of a place type, does the requested Zoning District match a Zoning District on either side of the property;
 - b. If the property is within $\frac{1}{4}$ mile of transit, a four-lane road, or is trail proximate, would additional mobility needs be absorbed by existing infrastructure;
 - c. Is the property within 1 mile of a job center so that alternative transportation is possible;
 - d. If the property is adjacent to vacant land, setting the stage for future development of a similar character;
 - e. If the rezone request is consistent with the development pattern in the area; and
 - f. Does the proposed rezone further advance the goals stated in the Comprehensive Plan.
4. **No Action.** When the box is blank where the property’s Place Type intersects with the requested Zoning District, staff should recommend to the applicant not to proceed with the request unless and until the Future Land Use Map or alignment policy are amended accordingly. Should an applicant proceed with the request, the standard recommendation should be denial.

E. Applicant Responsibility.

1. **Mix Districts.** Applicants are encouraged to use a mix of zoning districts in order to better align with these review criteria.
2. **Address Review Criteria.** In the narrative portion of the application, applicant must describe how the proposed rezoning meets the criteria.

Notice of Intent to Rezone

Project #: _____

_____ has requested the Bentonville Planning Commission to set a public hearing date to consider rezoning the following property from: _____ to _____

The legal description of the property is: _____

The common description of the property is: _____

The Public Hearing will be held on _____, 20____, at 5:00 pm, at:

Bentonville City Hall
305 SW A St.
Bentonville, AR 72712

This notification is in response to the requirement that all property owners within 200 feet of said property must be notified. If you wish to express any comments about the requested rezoning, you may respond by the following methods:

1. Attend the public hearing and express your views. You can attend online by going to bentonvillear.com/592/Agendas-Minutes
2. Express your opinion in writing to the Planning Commission. You may mail this or deliver it to the City of Bentonville Planning Department located at City Hall.
3. Use the bottom of this form to express our opinion by checking the appropriate box. This may also be mailed or delivered to the Bentonville City Hall.

For more information, call the Bentonville Planning Department at (479) 271-3122 or email at planning@bentonvillear.com.

I have received notice of the public hearing for the rezoning of the above described property and:

I have no objections to the rezoning
 I object to the rezoning because:

Signature & Physical Address

Signature & Physical Address

Property Owner Consent Form

I, _____ am the legal owner of the
(Owner's name, printed)

property located at _____, identified as
(Address or Street Name)

Parcel Identification Number _____, located in
(Parcel ID)

Benton County, Arkansas.

I certify that I am the owner of the property above and that I have read the application and consent to its filing.

(Property Owner Signature)

(Date)

Note: If the above listed property has multiple owners, a separate signed Property Owner Consent Form is required for each owner.

Conditional Use Checklist

Depending on the nature and proposed use of the Conditional Use permit, additional information may be requested by the Planning Department staff and the Planning Commissioners.

1. **Ownership information.** All items must be submitted in a PDF unless otherwise specified.
 - **Property Owner Consent Form.** A signed Property Owner Consent Form is required. This form must be signed by the property owner. **If one property has multiple owners, then a separate form is required for each property owner.**
 - **Warranty Deed.** A copy of the warranty deed showing the current ownership of the property. A survey may be required if the deed cannot be accurately drawn to meet the Arkansas minimum survey accuracy standards. If you do not have a warranty deed, a copy may be obtained from the Benton County Deeds / Mortgages Department located in the Benton County Administration building at 215 E. Central Avenue, second floor, room number 202. Phone number: (479) 271-1017.
2. **Legal Description.** An accurate legal description describing lot and block or metes and bounds of the property to be rezoned must be **submitted in an electronic Word format AT TIME OF SUBMITTAL.** The Planning staff will email the applicant to verify that the submitted legal description is correct. An email confirmation from the applicant is required before staff will advertise the request in the newspaper.
3. **Narrative.** A typed narrative addressing each of the following items:
 - Proposed use and reason for the proposed use;
 - Site plan drawn to scale designating the property lines, existing structure(s), proposed structure(s), and indoor and outdoor areas to be utilized;
 - Hours of operation, including days of the week;
 - Indoor and outdoor areas to be utilized;
 - Planned indoor and outdoor structural changes;
 - Parking needs required for the proposed use including existing and proposed- provide sketch of traffic flow and parking pattern (if applicable);
 - Planned outdoor lighting changes.
 - Anticipated patrons, clients, deliveries, and/or customers (average per day).
 - Proposed number of employees.
 - Photographs of the property.
4. **Protective Covenants.** A copy of the Protective Covenants (if applicable) for your subdivision to confirm that the proposed use is allowed in your subdivision.

Conditional Use-Residential Childcare Checklist

Depending on the nature and proposed use of the Conditional Use permit, additional information may be requested by the Planning Department staff and the Planning Commissioners.

Small and large residential childcares can only be located within residential zoning districts and must be issued a Home Occupation by either Planning staff (**small residential childcares**) or a Conditional Use permit by Planning Commission (**large residential childcares**). Conditional Use permits and a Certificate of Home Occupation Compliance are required in order to operate a small or large residential childcare due to the potential conflicting nature of a commercial use, such as a childcare, may create within a residential neighborhood. For this reason, it requires careful review of its locations, design, configuration, and spatial impact to determine the desirability of allowing it on a particular site. **All residential childcare facilities must comply with the provisions set forth in the Zoning Regulations.**

Small Residential Child Care – 4 children or less (Staff Approval): no more than four (4) children at any given time including the number of children under the age of 10 that reside in the home.

1. **Warranty deed.** A copy of the warranty deed showing the current ownership of the property. A survey may be required if the deed cannot be accurately drawn to meet the Arkansas minimum survey accuracy standards. If you do not have a warranty deed, a copy may be obtained from the Benton County Deeds / Mortgages Department located in the Benton County Administration building at 215 E. Central Avenue, second floor, room number 202. Phone number: (479) 271-1017.
2. **Written consent of property owner** (if residence is leased or rented)
3. Home Occupation Residential Child Care **Type A Form**. This must be signed and notarized.

Large Residential Child Care – 5 to 10 children (Planning Commission Approval): no more than ten (10) children at any given time including the number of children under the age of 10 that reside in the home.

1. **Warranty deed.** A copy of the warranty deed showing the current ownership of the property. A survey may be required if the deed cannot be accurately drawn to meet the Arkansas minimum survey accuracy standards. If you do not have a warranty deed, a copy may be obtained from the Benton County Deeds/ Mortgages Department located in the Benton County Administration building at 215 E. Central Avenue, second floor, room number 202. Phone number: (479) 271-1017.
2. Written description of proposed residential childcare including the following items:
 - Number of children per day
 - Hours of operation
 - Proposed signage
 - Areas to be utilized indoor and outdoor.
 - Any planned structural changes
 - Any additional parking requirements
 - Any planned outdoor lighting changes
3. Home Occupation Residential Child Care **Type B Form**. This must be signed and notarized.
4. Plot plan of your property showing the total square footage of your lot and usable outdoor play space.
5. Floor plan showing the square footage of each room in your residence.
6. **Written consent of property owner** (if residence is leased or rented)
7. Verification of a Fire Department inspection.

Variance for Board of Adjustment Checklist

Depending on the nature and proposed use of the Variance request, additional information may be requested by the Planning Department staff and the Board of Adjustment members.

- 1. Ownership information.** All items must be submitted in a PDF unless otherwise specified.
 - **Property Owner Consent Form.** A signed Property Owner Consent Form is required. This form must be signed by the property owner. **If one property has multiple owners, then a separate form is required for each property owner.**
 - **Warranty Deed.** A copy of the warranty deed showing the current ownership of the property. A survey may be required if the deed cannot be accurately drawn to meet the Arkansas minimum survey accuracy standards. If you do not have a warranty deed, a copy may be obtained from the Benton County Deeds / Mortgages Department located in the Benton County Administration building at 215 E. Central Avenue, second floor, room number 202. Phone number: (479) 271-1017.
- 2. Legal Description.** An accurate legal description describing lot and block or metes and bounds of the property to be rezoned must be **submitted in an electronic Word format AT TIME OF SUBMITTAL**. The Planning staff will email the applicant to verify that the submitted legal description is correct. An email confirmation from the applicant is required before staff will advertise the request in the newspaper.
- 3. Narrative.** Written explanation of the appeal demonstrating each of the following criteria:
 - That 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 district.
 - That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
 - That the special conditions and circumstances do not result from the actions of the applicant.
- 4. Plan Set.** Submit a copy of the site plan drawn to scale showing all existing and proposed structures dimensioned from the structure to the property line. Existing setbacks and required setbacks must also be shown on the site plan.

Please note: no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered ground for the issuance of a variance.

If there is no representation at the Board of Adjustment meeting, the Board members reserve the right to table or deny the item per their discretion.

General Plan Amendment Checklist

- 1. Application Packet.** All items must be submitted in a PDF unless otherwise specified.
 - **Property Owner Consent Form.** A signed Property Owner Consent Form is required. This form must be signed by the property owner. **If one property has multiple owners, then a separate form is required for each property owner.**
- 2. Narrative.** Written narrative that addresses the following questions:
 - Reasons for initiation of this proposal. Has information become available that was not available at the time of adoption of the Future Land Use Map? Or, since its adoption, has land use in the area changed?
 - How will this change impact the land use and character of the property in question and surrounding areas?
 - How is the property more suitable for the proposed land use designation than for the current land use classification presented on the Future Land Use Map?
 - Would the uses permitted by the proposed change be detrimental in any way to the surrounding property?
 - What are the alternative courses of action if the proposed land use change is not approved?
 - What are your plans for the property if the proposed land use change is approved?
 - What alternatives other than changing the land use designation have been discussed?
 - Is there any other additional information that is pertinent to support this request?
- 3. Legal Description.** An accurate legal description describing lot and block or metes and bounds of the property to be rezoned must be **submitted in an electronic Word format AT TIME OF SUBMITTAL**. The Planning staff will email the applicant to verify that the submitted legal description is correct. An email confirmation from the applicant is required before staff will advertise the request in the newspaper.

CITY OF BENTONVILLE DEVELOPMENT SERVICES

LARGE SCALE DEVELOPMENTS AND PRELIMINARY PLATS SUBMITTAL CHECKLIST

- Developers are to provide as much final engineering at the planning commission milestone as needed to ensure that the space for utilities serving the project has been allocated properly, but final engineering will only be required prior to the Pre-con stage.
- Drainage studies and traffic preliminary studies in most cases are required at this stage to inform the Planning Commission the full extent of the impacts of the proposed development on the neighboring community.
- Any project anticipating a significant redesign is encouraged to schedule a concept meeting to map out the proper approval process.

R: REQUIRED

SEE TABLES ON THE FOLLOWING PAGES FOR REQUIRED ITEMS FROM EACH CITY DEPARTMENT

Fire Requirements	Pre-app	Planning Commission	Pre-Con
Provide a Preliminary Architectural Code Analysis sheet. Chapter 1 in IBC & IRC	R	R	R
Floor Plan. Provide a basic floor plan that also includes elevation views with dimensions. Chapter 1 in IBC & IRC	R	R	R
Fire Hydrants. Show all proposed fire hydrant location(s) intended to provide coverage for the facility. Chapter 5, Appendix D in IFC, City amendments	R	R	R
Emergency Access. Show intended emergency vehicle access provided to meet Arkansas Fire Prevention Code Chapter 5 and Appendix D.	R	R	R
Traffic Calming. Provide information on any gates, traffic calming, etc. Chapter 5, Appendix D in IFC, City amendments	R	R	R
Fire Protection Features. Show proposed FDC (fire department sprinkler connection) and PIV (post indicator valve) locations. Chapter 5, Appendix D in IFC, City amendments	R	R	R
Fire Pump(s). Show proposed fire pump location and type (electric and/or diesel). If a fire pump is not planned and the building is a group H, group S or more than three stories, provide documentation from a licensed fire suppression designer acknowledging adequate fire flows are present without a fire pump. Chapter 5, Appendix D in IFC, City amendments	R	R	R
Fire Sprinkler Systems. If a fire sprinkler system is not required, it must be indicated in the Architectural Code Analysis. Chapter 5, Appendix D in IFC, City amendments	R	R	R

Engineering Requirements	Pre-app	Planning Commission	Pre-Con
Identify any City Projects in the vicinity	R	R	R
Flood Hazard Areas. Show any flood hazard areas / floodplain Land Development Code Section 1100.07. Section 1100.10 (e). Flood Damage Prevention Ordinance. Flood Plain Regs	R	R	R
Show any wetlands within the project boundary Flood Damage Prevention. Code Section B (3) (c) if connected directly to a perennial stream (unless USCOE provided a ND)	R	R	R
Preliminary Drainage Report (larger than .5ac) Preliminary size any detention basin and pipes to determine the footprint and elevation of any basin. Stormwater Management and Drainage Manual. Land Development Code. 400.03 (d)	R	R	
Preliminary Traffic Study. If project increases traffic by 5% or adds 60 peak hour trips, analyze, and identify any impacts the proposed project has on the community. Minimum Standard Specifications for Streets Section 200.8. Land Development Code 400.05 (d)	R	R	
Show Master Street Plan Right of Way Dedication Land Development Code. 1200.05	R	R	R
Site Plan. Provide a dimensioned site plan for the project and any offsite improvements to the satisfaction of the City Engineer. <ul style="list-style-type: none"> Discuss any waiver requests prior to submittal. Show typical Street Sections and curb radii. Show sight triangles and any mid-block crossings proposed Provide a preliminary grading plan. 	R	R	R
Final engineering for the project. <ul style="list-style-type: none"> Fully Engineered Site Plan with profiles and standard details: Provide final engineering plans for the project and any offsite improvements to the satisfaction of the City Engineer Traffic Signage & Striping Plan Standard Specifications for Streets Section 700.6 Final Traffic Study Minimum Standard Specifications for Streets Section 200.8. Land Development Code 400.05 (d) Grading Land Development Code Section 1100.08, 1100.10 (h) Final Drainage Report Stormwater Management and Drainage Manual Erosion Control, Stormwater Pollution Prevention Plan Stormwater Pollution Prevention and Erosion Control Standards. Stormwater Management and Drainage Manual. Floodplain Development Permit and CLOMR as required per Flood Damage Prevention Ordinance. Flood Plain Regulations 			R
Outside agency approvals if applicable: ARDOT, USCOE			R

Water/Sewer Requirements	Pre-app	Planning Commission	Pre-Con
<p>Utility Plan. Show the following per Water Utilities Dept. Specifications: Existing utility infrastructure and easements according to a survey.</p> <p>Proposed Water and Sewer Layout: Show pipes, structures, line sizes, access roads, service and tap locations, all required backflow devices, meters, valves, hydrants, fire lines, FDC locations, manholes, wyes, sewer service tap locations and pre-treatment devices.</p> <p>Utility Alignments:</p> <ul style="list-style-type: none"> • Mains located 2' outside of the public ROW in a 20' utility easement (with a required easement 10' beyond any pipe or structure). • Minimum size for a water or sewer main is 8", minimum cover for sewer is 3'; minimum cover for water is 4' unless the main is 12" or larger in which case the minimum cover is 5'. • All water and sewer service lines must be installed 3' from side lot lines. Hydrants and Manholes located on a side lot line for residential developments. • 18" Vertical separation between water, sewer, and electrical lines. 10' separation for water or sewer and any structure. (Retaining walls, Buildings, etc.) • Show proposed sewer layout including proposed service tap locations, proposed service locations, sewer main locations, wyes, and manholes. • Access Roads for water/sewer are required when mains are not constructed adjacent to ROW. 	R	R	R
Capacity Analysis identifying any off-site public sewer improvements due to the increased flow from proposed development.		R	R
<p>Water mains shall terminate in a hydrant, tee and plugged valve for future extension.</p> <p>1' of vertical separation between all other utilities or storm sewer.</p> <p>5' Horizontal separation between all utilities</p> <p>5' Separation between public water/sewer and trees.</p> <p>Sewer service lines greater than 4" must tie to a manhole.</p> <p>4" service lines are preferred to tie directly to the main with a tap or wye. They may only be tied into a MH if cast into a proposed manhole (not cored).</p> <p>Manholes within a floodplain or floodway must be 1' above the BFE or utilize waterproof, locking rings and lids. If BFE option is selected, list the BFE at each MH or show on profile.</p> <p>Fire hydrants. Not more than 500' spacing in residential, 300' in commercial, and 1000' in rural areas. Located 3' to 9' from back of curb or driving surface (measured from the steamer nut). Typically located on lot lines. Leads over 50' are 8" in diameter and considered a main line extension with an aux valve at hydrant</p>		R	R
<p>Final engineering for the project. Provide final engineering plans for the project and R</p> <p>any offsite improvements to the satisfaction of the Technical Services Manager:</p> <p>Any off-site easements proposed for water/sewer construction</p>			R
Outside agency approvals if applicable: Arkansas Department of Health			R

Electric Requirements	Pre-app	Planning Commission	Pre-Con
<p>Site Plan showing desired:</p> <ul style="list-style-type: none"> Transformer and meter locations Proposed conduit routing. 3-phase power needs (if unknown assume 3 phase power) Landscape plan Ultimate property lines or HPR configuration Easements, existing and proposed. Separations between building face and pole face (if applicable) <ul style="list-style-type: none"> 20' from above ground distribution lines 50' from above ground transmission lines 5' from any footings 5' from any other utility 5' horizontal from buried utilities and equipment and vertical separations based on Sec 1400.12 (b) from landscaping Transformers pad: 4x4 single phase, 8x8 for 3 phase <ul style="list-style-type: none"> Single Phase: 10' from structures, 5' if fire rated Three Phase: 15' from structures, 5' if fire rated 10' from meter racks. 5' clear on non-operating sides, 10' on opening side for maintenance and emergency access. Located on the property line for a Preliminary Plat Direct line of sight from source to meters. 25' min. Vertical clearance from any cantilevered structure, otherwise fire rating is required. 3' min distance from back of curb to electrical devices. 	R	R	R
<p>Final Design. BEUD recommends a separate meeting for complex projects. BEUD will begin the electric design for the project once the following items are provided:</p> <ul style="list-style-type: none"> Latest CAD file showing surveyed existing/proposed utilities, easements, and proposed grading (Not drawn in using GIS) Confirmed transformer and meter location, conduit routing, and point of connection to BEUD system. Confirmed Electric Service Size (voltage and amperage) Service Voltage – Single Phase Service Voltage – Three Phase Heat Strip Loading per unit type/building in KW (if applicable) Fire pump HP and amperage (if applicable) Final Electric Riser Diagram and Panel Schedule (if applicable) Any construction phasing for the project Streetlights paid in full (invoices prepared by BEUD) BEUD requires 30 days prior to precon date for electric design so please provide the Final Electric Information as soon as possible. A precon will not be scheduled until design is final. The engineer must include the electric along with the 3 standard detail sheets in the construction set. 			R

Planning Requirements	Pre-app	Planning Commission	Pre-Con
A site plan and any offsite improvements necessary to support the project with north arrow, vicinity map, street names, scale, address, lot lines, parcel numbers and contact information for owners and consultants (Land Development Code Section 900.02)	R	R	R
Title block located in the lower right hand corner indicating the project name, planning project number, type of project, legend, scale, date, and revisions.	R	R	R
Zoning classification, property lines, setbacks, adjacent owners, and topography extending around the property.	R	R	R
Plat. If the property is not platted, submit a plat for review and approval prior to occupancy Land Development Code 600 and 900	R	R	R
Existing and proposed utilities in plain view, identifying easements and right of way needed for each utility and any necessary access road.	R	R	R
Drainage Facilities. Identify any drainage basin, drainage structure, pipes and FFE's.	R	R	R
Landscape Plan. Identify all landscape buffers, open space, and trees in parking islands, landscape buffer trees, shade trees, ornamental trees, preserved trees, fencing & walls Land Development Code Section 1400 & 1100.06	R	R	R
Parking. Dimensioned parking provided (on street and off-street) with table outlining parking required based on Section 500 of the Zoning Code (including ADA).	R	R	R
Project Description. Unit count, square footage, height etc. Specify if project is proposed for rent or for individual ownership and detail square footage by use.	R	R	R
Access Management. (Land Development Code Section 1100.02) Shared driveways or access points existing and proposed with easements and stubs to adjacent property. Location of Sidewalks from the ROW to the front door and any 12' side path and sidewalk along the right of way.	R	R	R
Airport Zones. Municipal and XNA airport zones, as applicable. Zoning Code Section 401.12 & 401.13	R	R	R
Lighting Cut sheets. Identify fixtures and cutoff devices.	R	R	R
Trash / Recycle and Mechanical screens. Screened enclosures and rooftop mechanicals and locate trash behind buildings.	R	R	R
Site Amenities: Identify public art, pedestrian plaza or minipark etc. as outlined in Land Development Code 1100.21 (n)	R	R	R
Proposed freestanding signage. Locations and type proposed (by separate permit, Zoning Code Section 801)	R	R	R
Any waivers sought. Land Development Code Section 300.04 Phasing plan: if applicable. Land Development Code 900.02(28)	R	R	R
Elevations and Articulation. Building material % of each elevation – provide a justification, renderings, and warranties for a Special Use Primary Material if elevation does not meet the Primary Material Standard. Land Development Code Section 1100.21	R	R	

Large Scale Development Checklist

1. **Conceptual Meeting.** The Conceptual Meeting is the first step in the development review process. The applicant will present their development plan and the Planning staff will review such items as zoning and land use, will summarize the development review process and provide the Pre-Application Checklist to the applicant. Please email planning@bentonvillear.com or call 479-271-3122 to schedule this meeting.
2. **Pre-Application Checklist:** Please see requirements below.
3. **Pre-Application Conference.** These meetings are typically held on Wednesdays at the Bentonville Municipal Complex, please email or call planning@bentonvillear.com (479)271-3122 to schedule. Meetings must be scheduled a minimum of 7 calendar days in advance.
4. **Application Packet.** All items must be submitted in one PDF in the order listed below.
 - **Proof of Pre-App.** The form (provided at the mandatory Pre-Application Conference) must show signature from the Planning department. If this is not provided, the application will be denied.
 - **Property Owner Consent Form.** A signed Property Owner Consent Form is required. This form must be signed by the property owner. **If one property has multiple owners, then a separate form is required for each property owner.**
 - **Warranty Deed.** A copy of the warranty deed showing the current ownership of the property. A survey may be required if the deed cannot be accurately drawn to meet the Arkansas minimum survey accuracy standards. If you do not have a warranty deed, a copy may be obtained from the Benton County Deeds / Mortgages Department located in the Benton County Administration building at 215 E. Central Avenue, second floor, room number 202. Phone number: (479) 271-1017.
5. **Plan Set.** All items must be submitted in one PDF in the order listed below.
 - **Cover Sheet.**
 - **Site Plan.**
 - **Grading Plan.**
 - **Erosion Control Plan.**
 - **Utility Plan and Profile.** Provide a utility plan and profile plotted to color and layer according to the as-built requirements.
 - **Landscape Plan.** Please refer to the Landscaping Ordinance in accordance with [Article 1400, Landscaping and Screening](#).
 - **City Detail Sheets.**
 - **Project Detail Sheets.**
 - **Lighting Cut Sheet.** The type of lighting fixture utilized must be a “cut-off” fixture (can be a separate document).

Preliminary Plat Checklist

1. **Conceptual Meeting.** The Conceptual Meeting is the first step in the development review process. The applicant will present their development plan and the Planning staff will review such items as zoning and land use, will summarize the development review process and provide the Pre-Application Checklist to the applicant. Please email planning@bentonvillear.com or call 479-271-3122 to schedule this meeting.
2. **Pre-Application Checklist: Please see requirements below.**
3. **Pre-Application Conference.** These meetings are typically held on Wednesdays at the Bentonville Municipal Complex, please email or call planning@bentonvillear.com (479)271-3122 to schedule. Meetings must be scheduled a minimum of 7 calendar days in advance.
4. **Application Packet.** All items must be submitted in one PDF in the order listed below.
 - **Proof of Pre-App.** The form (provided at the mandatory Pre-Application Conference) must show signature from the Planning department. If this is not provided, the application will be denied.
 - **Property Owner Consent Form.** A signed Property Owner Consent Form is required. This form must be signed by the property owner. **If one property has multiple owners, then a separate form is required for each property owner.**
 - **Warranty Deed.** A copy of the warranty deed showing the current ownership of the property. A survey may be required if the deed cannot be accurately drawn to meet the Arkansas minimum survey accuracy standards. If you do not have a warranty deed, a copy may be obtained from the Benton County Deeds / Mortgages Department located in the Benton County Administration building at 215 E. Central Avenue, second floor, room number 202. Phone number: (479) 271-1017.
5. **Plan Set.** All items must be submitted in one PDF in the order listed below.
 - **Cover Sheet.**
 - **Site Plan.**
 - **Grading Plan.**
 - **Erosion Control Plan.**
 - **Utility Plan and Profile.** Provide a utility plan and profile plotted to color and layer according to the as-built requirements.
 - **Landscape Plan.** Please refer to the Landscaping Ordinance in accordance with [Article 1400, Landscaping and Screening](#).
 - **City Detail Sheets.**
 - **Project Detail Sheets.**
 - **Lighting Cut Sheet.** The type of lighting fixture utilized must be a “cut-off” fixture (can be a separate document).

Final Plat Checklist

- 1. Application Packet.** All items must be submitted in one PDF in the order listed below.
 - **Property Owner Consent Form.** A signed Property Owner Consent Form is required. This form must be signed by the property owner. **If one property has multiple owners, then a separate form is required for each property owner.**
 - **Donated Assets.** Approved estimate of donated assets, broken down by improvement type (streets, water, electric, sewer, drainage, and sidewalks) as prepared by the engineer-of-record.
 - **Copy of Street Sign Payment Receipt.** Street signs must be paid in full prior to application submittal.
- 2. DWG of Site Plan.** A DWG must be submitted for the electrical department design.
- 3. Plans.** Plan set must be submitted in a PDF.

Final Plat Policies & Procedures

Prior to applying for Final Plat Approval. An application for Final Plat approval may be submitted for Planning Commission approval when one of the following requirements are met:

- **Improvements Complete.** An application may be submitted when all of the improvements are complete as shown on the approved Preliminary Plat with the following documents/actions:
- **Certificate of Completion.** The owner/developer's engineer-of-record submits a statement certifying that all improvement and installations to the subdivision required for its approval have been made, added, or installed in accordance with city specifications.
- **Final Inspection.** The City Engineer conducts and certifies a final inspection.

Incidental Subdivision Checklist

Lot Split, Property Line Adjustment, Informal Plat, Correction Plat

- 1. Application Packet.** All below items must be submitted in one PDF in the order listed below.
 - **Property Owner Consent Form.** A signed Property Owner Consent Form is required. This form must be signed by the property owner. **If one property has multiple owners, then a separate form is required for each property owner.**
 - **Warranty Deed.** A copy of the warranty deed showing the current ownership of the property. A survey may be required if the deed cannot be accurately drawn to meet the Arkansas minimum survey accuracy standards. If you do not have a warranty deed, a copy may be obtained from the Benton County Deeds / Mortgages Department located in the Benton County Administration building at 215 E. Central Avenue, second floor, room number 202. Phone number: (479) 2711017.
- 2. Survey.** Survey of the property signed and sealed by a registered land surveyor with the State of Arkansas showing the following information:
 - Lot configuration, including bearings and distances, and size for each existing lot.
 - Lot configuration, including bearings and distances, and size for each proposed lot.
 - Legal description of parent tract and proposed tracts on plat
 - Dimension of right-of-way from centerline
 - All easements-present and proposed.
 - Atlas page
 - Legend (sidewalks, hydrants, building setbacks, etc.)
 - Zoning of property
 - Floodplain note
 - Vicinity map (One (1) mile radius indicating several north/south streets and east/west streets), as well as a north arrow.
- 3. Plat.** When approved, 1 paper copy with signatures must be rolled and submitted to the Planning Office. Plats must be signed by the owners and surveyor and notarized prior to acceptance by the Planning Department.

Incidental Subdivision Policies & Procedures

- **After Incidental Subdivision Approval:**
 - **Owner/Developer Responsibility.** Upon approval of the Incidental Subdivision and acceptance of the public dedications by City Council, the owner/developer shall submit ten (10) paper copies to the Planning Department.
 - **Planning Department Responsibility.** The Planning Department will record the Incidental Subdivision in the Office of the Benton County Recorder **within thirty (30) days** from the date of submittal of the required documentation by the owner/developer.
- **After Recording:** ○ Building permits may be issued after proof of the recording of the Incidental Subdivision has been provided to the appropriate city department.

Incidental Subdivision Specifications

The following information shall appear on the plat or survey.

General:

1. Property lines of all property owners adjacent to the exterior boundaries of the project shall be located on the plat at the location of their property.
2. Names, addresses, telephone number and fax numbers, if available, of all parties involved in the project. Include registration and license number.
3. North arrow, scale, dates of preparation, all adjacent zoning classification and proposed use.
4. Provide a complete and accurate legend.
5. Boundary survey of the property shown on the plat/plan or separate sheet. The surveyor shall seal, sign and date the survey. The survey shall be tied to State Plane Coordinates on two controlling corners of the property.
6. Written legal descriptions, including area in square feet or acres that read clockwise. (Note: If the project is contained in more than one tract, the legal for each individual tract and a total tract description must be provided.)
7. Curve data for any street, which forms a project boundary. Curve data shall include radius and arc distance.
8. Street right-of-way lines clearly labeled. The drawing shall depict any future R.O.W. needs as determined by the AHTD and Master Street Plan. Future R.O.W. as well as existing R.O.W. and centerlines should be shown and dimensioned.
9. Show 100 yr. floodplain and/or floodway and base flood elevations. Reference the FIRM panel number and effective date.
10. A general vicinity map of the project with a radius of 1 mile from the project.
11. The location of all existing structures. Dimension building and setbacks from the building side to property lines. Do not show setback line, only dimensions.

Easements:

12. Show all known on-site and off-site existing utilities and easements (dimensioned) and provide all structure locations, types and condition and note them as "existing".
13. Existing easements shall show the name of the easement holder and purpose of the easement. If an easement is blanket or indeterminate in nature, a note to this effect shall be placed on the plat or plan.
14. The width, approximate locations, and purposes of all proposed easements or rights-of-way for utilities, drainage, sewers, flood control, ingress/egress, or other public purposes within and adjacent to the project.
15. Identify and dimension all access easements, including egress and ingress.

Subdivision of Land:

16. The lot layout, the dimensions of each lot, number of each lot, total area in square feet or acreage to the nearest one-hundredth (1/100th) acre of each lot, and the approximate finish grade where pads are proposed for building sites. Lots shall be numbered consecutively for all phases. These numbers shall be associated with each phase of the subdivision. Avoid using blocks. The total number of lots shall be indicated on the plat

Lot Split & Property Line Adjustment General Questions

1. What is a Lot Split?

- A lot split divides one piece of property, regardless of size, into 2 pieces of property. Technically, a lot split is a waiver of preliminary plat requirements, final plat requirements, and subdivision requirements.

2. What is a Property Line Adjustment?

- A property line adjustment is any adjustment of property lines that does not create a new lot. The Planning Office handles property line adjustments or informal plats administratively. You must submit a survey of all lots involved, showing the existing property lines and the proposed ones. You cannot alter a lot in such a way that would create an illegal situation in terms of setbacks, required lot width, required lot size, or buildable area.

3. Who has to approve a lot split?

- The City Planning Office or Planning Commission, depending on the size of the requested splits.
- Subdivision covenants may restrict further splitting of your property. Please check your Property Owners Associated before filing an application.

4. How much will a lot split or property line adjustment cost?

- The application fee for a lot split or property line adjustment is \$125.00. You will probably incur other costs too, such as the cost of a survey and the cost of having a new abstract prepared.
- In addition to these costs, the Planning Commission may make the lot split contingent on other improvements, such as sidewalks, extensions of city water and sewer lines, and street improvements. Dedication of easements and rights-of-way are also required in most cases.

5. Do the lots have to be a certain size?

- It is important to note that all lots still must meet zoning district requirements. For examples, in an A-1, Agricultural zone, you must have a minimum width of 300' and a minimum lot size of 5 acres. In an R-1, Single Family Residential zone, the lot size requirements are 60' minimum width and 6,000 square feet minimum area.

Outdoor Vendor Permit Checklist

All items marked with * are required at every renewal. All Outdoor Vendor Permits expire December 31st the year they are issued and must be renewed yearly. Please email planning@bentonvillear.com for a copy of the full application packet.

1. Application Packet. All items must be submitted in **one PDF in the order listed below.**
 - *Property Owner Consent Form. A signed Property Owner Consent Form is required. This form must be signed by the property owner. If one property has multiple owners, then a separate form is required for each property owner.
 - Photo. A full-face photograph of the applicant not less than a 2" square or more than a 3" square.
 - *Conveyance Illustration. Detailed drawing or photo of conveyance showing dimensions and location of any proposed signs.
 - Signage/Lighting. Any signage displayed outside the vending area must be approved with a sign permit.
 - If providing seating, please submit a restroom agreement with a property to allow your employees and customers to use their facilities.
2. *Site Plan. A scaled site plan showing the location and dimension of the proposed conveyance and the specific area dedicated for vending activities, including seating and trash receptacles. If any of the following items are nearby, show the dimensions from the proposed location of the conveyance to the item
 - Street intersection
 - Crosswalk
 - Driveway
 - Busstop sign
 - Fire hydrant
 - Fire escape
 - Disabled parking space
 - Disabled ramp
 - Building entrance
 - Hospital, college, or university
 - Loading zone
 - Driveway of police or fire station
 - Elementary, middle, junior, or high school
 - Entrance to food service business not owned by the vendor
3. *Notification of Adjacent Property Owner(s).
Letter from the adjacent property owner(s) or copy of certified mail receipt notifying adjacent property owner(s), only if location is adjacent to a residential zoning district.
4. *A&P Tax. Proof of registration to pay A&P Tax. To register contact: (at renewal you will be required to provide a letter from A&P Commission stating you are in good standing)
 - Bentonville Advertising & Promotion Commission
 - 104 E Central Ave, Bentonville, AR 72712
 - 479-271-9153 Toll-free: 1-800-410-2535

www.visitbentonville.com/community/advertising-and-promotion-commission/tac-forms-and-information/
5. *Health Department Approval. If selling food, a copy of a permit/approval from the Benton County Health Department.
6. *Mobile Food Vendor Wastewater Disposal Verification Form. Please see the form on page 46. For questions, please contact the Wastewater Department at 479-271-3161.

Outdoor Vendor Regulations

- Outdoor vending on public right-of-way and public property is permitted only in special outdoor vendor districts.
- Vending is not permitted on vacant lots, undeveloped property, or grass.
- Vending is not permitted in public parking spaces, in a public parking lot, or public park.
- There must be a minimum of 4 feet of clear passageway on a public sidewalk at all times.
- The area occupied by a vendor shall not exceed 900 square feet and must be located on a hard surface.
- Minimum distance from the conveyance:

	Street intersection	Pedestrian crosswalk	Loading zone
10 ft.	Fire escape	Fire hydrant	Driveway
	Disabled parking space or ramp		
15 ft.	Building entrance		
25 ft.	Bus stop sign		
50 ft.	Driveway of police or fire station		
	Entrance of food services business not owned by vendor		
100 ft.	Hospital	College/ University	Elementary, middle, junior or high school

Town Square Vendor District

- If you are approved for a permanent vendor permit in the Town Square Vendor District, and a special event is scheduled in the Town Square District, the permit is invalid during the time of the event. Should you want to vend during the event, you would need to be approved by the agency organizing the event.
- A vendor is permitted only one permit in this district.
- Only vending stands are permitted.
- All conveyances must be self-contained and should not receive electricity or water for adjoining buildings by means of wires, hoses, or other connections. Any cooking, heating, or warming units must be an integral part of the conveyance.

Mobile Vendor Regulations

Equipment:

- Convex mirror mounted on the front of the vehicle such that the driver in his normal seating position can see the area in front of the truck obscured by the hood.
- “SLOW CHILDREN CROSSING” sign printed in six-inch black letters on yellow background on both the front and back of the vehicle.
- Passenger side mirror.
- Business name, address and phone number printed in 2” letters on each side of the vehicle. □ Trash receptacle.

General Regulations:

- “Slow” signal arm shall be deployed when vehicle is stopped for vending purposes.
- The vehicle shall not be stopped for vending purposes when no customers are present.
- Vending shall take place from the right side of the vehicle.
- Vending shall not occur with a customer standing within the roadway.
- Vending shall only include prepackaged products.
- Vehicles shall not be operated in reverse to accommodate a customer.
- Mobile food vending shall only take place on streets where on-street parking is allowed.
- No vending within 500 feet of a school while school is in session and one hour before and after school is in session.
- Mobile food vendors shall be allowed to engage in the business of vending only between 10 am and 30 minutes before sunset.
- “Slow” signal arm that can be extended horizontally from the left side of the truck. This arm shall be yellow with six inch black lettering and two alternating flashing amber lights three to five inches in diameter. The bottom of the signal arm shall be approximately 42” above the roadway or street.
- The vehicle shall be lawfully parked or stopped before vending can take place.
- Outdoor vending on public right-of-way and public property is permitted only in special outdoor vendor districts.
- Vending is not permitted on vacant lots, undeveloped property, or grass.
- Vending is not permitted in public parking spaces, in a public parking lot, or public park.
- There must be always a minimum of 4 feet of clear passageway on a public sidewalk.
- The area occupied by a vendor shall not exceed 900 square feet and must be located on a hard surface.

Sign Permit Checklist

****Please note that permit applications expire after 60 days of inactivity.**

Required for all signs:

1. **Scaled Drawing.** A scaled drawing of the sign showing the design and dimensions of the sign height, area, design, content, and dimensions of any measures used to support the sign or used to affix the sign to a wall, window, or ground.
2. **Scaled Site Plan.** A scaled site plan showing the location of the sign on the property or building and showing street right-of-way and property lines. For wall signs, provide dimensions of walls.
3. **Business Registry.** Businesses must provide a Business Registry ID or register in the Business Registry by applying online through eTrakit. For more information, visit www.bentonvillebusinessregistry.com

Additionally required for permanent signs:

1. **Public Utility Locations.** Public utility locations must be shown in the site plan, freestanding signs only.
2. **Landscape Plan.** For nonresidential freestanding signs only.
 - a. A defined landscaped area at the base of the sign at least 50 sq. ft., parallel to the sign faces.
 - b. For signs with multiple faces, the landscaped area shall be allocated so that a portion of the required landscaping is located in front of each sign face.
 - c. If the size of the site imposes practical difficulties on the placement of the plant materials, the Community Development Department may make adjustments in these regulations.
 - d. The required landscaped area shall contain materials such as, but not limited to lawn grass or herbaceous groundcovers such as juniper or liriope, etc., perennials, shrubs, and ornamental trees covering at least 50% of the defined landscaped area at maturity.
 - e. Paving and artificial plant materials shall not be included in fulfilling this requirement.
 - f. A plan of the landscaped area with the name, quantity, and spacing of plant materials shall be included as a part of the sign permit application.

See [Article 801, Signs on Private Property](#), and [Article 802, Signs on Public Property](#), of the Zoning Code for regulations regarding all sign types.

Waiver of Land Development Code Checklist

- 1. Ownership information.** All items must be submitted in a PDF unless otherwise specified.
 - **Property Owner Consent Form.** A signed Property Owner Consent Form is required. This form must be signed by the property owner. **If one property has multiple owners, then a separate form is required for each property owner.**
 - **Warranty Deed.** A copy of the warranty deed showing the current ownership of the property. A survey may be required if the deed cannot be accurately drawn to meet the Arkansas minimum survey accuracy standards. If you do not have a warranty deed, a copy may be obtained from the Benton County Deeds / Mortgages Department located in the Benton County Administration building at 215 E. Central Avenue, second floor, room number 202. Phone number: (479) 271-1017.
- 2. Narrative.** Written explanation of the appeal demonstrating each of the following criteria:
 - That there are special conditions and circumstances affecting the land involved that the strict application of the provisions of these regulations would deprive the applicant of the reasonable use of this land.
 - That the waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant.
 - That the granting of the waiver will not be detrimental to the public health, safety, and welfare or injurious to other property in the area.
 - That the granting of the waiver will not have the effect of preventing the orderly subdivision of other land in the area in accord with the provision of these regulations.
 - Conditions and circumstances do not result from the actions of the applicant.
- 3. Plan Set.** Submit a copy of the site plan drawn to scale showing all existing and proposed structures dimensioned from the structure to the property line. Existing setbacks and required setbacks must also be shown on the site plan.

Please note:

1. The findings of the Planning Commission together with the specific facts upon which findings are based shall be incorporated into the official minutes of the Planning Commission meetings at which such waiver is granted. Waivers may be granted only when in harmony with the general purpose and intent of [Section 300.04, Waivers, of the Land Development Code.](#)
2. Depending on the nature of the waiver request, additional information may include, but is not limited to; photographs or an architect's drawing renderings or a proposed building plan as deemed necessary by the Planning Department staff and/or the Planning Commission.
3. **If there is no representation at the Planning Commission Technical Review meeting or the Planning Commission meeting, the commissioners reserve the right to table or deny this item at their discretion.**

CERTIFICATION OF HOME OCCUPATION COMPLIANCE

TYPE A

I _____, of _____, hereby state and certify that my home occupation complies with the City of Bentonville Zoning Code Article 601.J Home Occupations, Type A as set forth herein, specifically including all of the following requirements:

1. Type A. Type A home occupations are only those occupations that meet all of the requirements listed below. Type A home occupations are approved administratively by city staff.
 - a. The home occupation is located completely within the principal dwelling unit.
 - b. The home occupation is solely operated by the owner(s) and occupant(s) of the dwelling. No non-resident persons are employed.
 - c. The home occupation is not primarily a retail sales operation (Incidental sales, i.e. shampoo, cosmetics, are permitted)
 - d. The home occupation does not occupy more than 25 percent of the gross habitable ground floor area of the principal dwelling unit.
 - e. The home occupation does not display merchandise or have outside storage of equipment or materials.
 - f. The home occupation does not alter the external appearance of the principal dwelling unit.
 - g. The home occupation does not create noise, vibration, glare, fumes, electromagnetic interference, odors, or air pollution outside the principal dwelling unit.
 - h. The home occupation has no more than one non-illuminated business identification sign mounted flush to the dwelling unit and not more than two square feet in area.
 - i. The home occupation does not involve the storage of hazardous materials, other than substances of a type and quantity customarily associated with a home or hobby.
 - j. The home occupation will not cause more than one customer vehicle to be parking in the vicinity of the principal dwelling unit at a time.
 - k. The home occupation does not involve the external or visible manufacturing of goods on site.

I hereby affirm or swear under penalty of perjury that this information is true and correct. I further affirm or swear that I will operate my home occupation in accordance with the City of Bentonville Municipal Code.

IN WITNESS WHEREOF, the said Releasor has hereunto set hand and seal this _____ day of _____, 20__.

Signature of Affiant

ACKNOWLEDGMENT

STATE OF ARKANSAS)
) §
COUNTY OF BENTON)

On this ____ day of _____, _____, before me, the undersigned notary public in and for said County and State, personally appeared _____ to me personally known, who, being by me duly sworn, did say that he/she executed the foregoing document for the reasons stated therein.

WITNESS MY HAND and seal subscribed and affixed in said County and State the ____ day of _____, _____.

NOTARY PUBLIC

My Commission Expires:

CERTIFICATION OF HOME OCCUPATION COMPLIANCE

RESIDENTIAL CHILD CARE, TYPE B

I _____, of _____, hereby state and certify that my home occupation complies with the City of Bentonville Zoning Code Article 601.J Home Occupations, Type B as set forth herein, specifically including all of the following requirements:

1. Type B. Type B home occupations are those occupations that do not meet one or more of the requirements of a Type A home occupation and/or by their nature, have characteristics that may not be suitable for a residential structure or area. Type B home occupations must be approved by the Planning Commission through the conditional use procedure. However, Type B home occupations must meet the following requirements to be considered for a conditional use permit.

- a. The home occupation is located completely within the principal dwelling unit.
- b. The home occupation is solely operated by the owner(s) and occupant(s) of the dwelling. No non-resident persons are employed.
- c. The home occupation is not primarily a retail sales operation. (Incidental sales, i.e., shampoo, cosmetics, are permitted.)
- d. The home occupation does not occupy more than 25 percent of the gross habitable ground floor area of the principal dwelling unit.
- e. The home occupation does not display merchandise or have outside storage of equipment or materials.
- f. The home occupation does not alter the external appearance of the principal dwelling unit.
- g. The home occupation does not create noise, vibration, glare, fumes, electromagnetic interference, odors, or air pollution outside the principal dwelling unit.
- h. The home occupation has no more than one non-illuminated business identification sign mounted flush to the dwelling unit and not more than two square feet in area.
- i. The home occupation does not involve the storage of hazardous materials, other than substances of a type and quantity customarily associated with a home or hobby.
- j. The home occupation will not cause more than one customer vehicle to be parking in the vicinity of the principal dwelling unit at a time.
- k. The home occupation does not involve the external or visible manufacturing of goods on site.

I hereby affirm or swear under penalty of perjury that this information is true and correct. I further affirm or swear that I will operate my home occupation in accordance with the City of Bentonville Municipal Code.

IN WITNESS WHEREOF, the said Releasor has hereunto set hand and seal this _____ day of _____, 2016.

Signature of Affiant

ACKNOWLEDGMENT

STATE OF ARKANSAS)
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COUNTY OF BENTON)

On this ____ day of _____, _____, before me, the undersigned notary public in and for said County and State, personally appeared _____ to me personally known, who, being by me duly sworn, did say that he/she executed the foregoing document for the reasons stated therein.

WITNESS MY HAND and seal subscribed and affixed in said County and State the ____ day of _____, _____.

NOTARY PUBLIC

My Commission Expires:

Parklet Application Checklist

Prior to applying for a Parklet Encroachment Agreement, see the Use Regulations in the [Zoning Code, Sec.601.33 Parklet](#)

- Application. Completed application form submitted to the Planning Department via etrakit. Visit www.bentonvillear.com/1008/using-etrakit for more information about this online application process.
- Fee. Payment of the \$125.00 application fee.
- Site Plan. The application shall include a site plan showing the location and design of the parklet, meeting the Minimum Design Standards in [601.33\(e\)](#) and shall identify the location of all public utilities including associated rights-of-way/easements.
- Letter of Support. Applicants must submit letters of support, in a format provided by the city, from adjacent property owners indicating that the use of the encroached premises will not negatively impact use of their property.
- Property Owner Consent Form. A signed Property Owner Consent Form is required. This form must be signed by the property owner. If one property has multiple owners, a separate form is required for each property owner.
- Encroachment Agreement. Applicant must meet the requirement within the attached encroachment agreement. This must be signed and submitted with the application.

Once application is approved, applicant will be sent and asked to sign and return the encroachment agreement and pay the annual \$1,000 fee per space.

City of Bentonville Encroachment Agreement

1. **Description.** The Encroachment Agreement is established via Ordinance #0-2020-130 and #0-2021-084 (agreement expiration extension) in accordance with Governor Hutchinson's authority and guidelines for establishments to reopen. The ordinance approves the placement of tables, chairs, and other items on City of Bentonville public on-street parking spaces adjacent to downtown business establishments and will consist of:
 - a. **Written Request.** Downtown business establishments may submit a written request to the Bentonville Planning Department at planning@bentonvillear.com for an Encroachment Agreement to designate parking spaces adjacent to their establishment, hereinafter referred to as the "encroached premises," for the placement of tables, chairs and other items. The written request will indicate if the establishment is using the encroached premises for:
 - Outdoor Seating
 - Curbside Pickup
 - Other Purposes: _____
 - b. **Site Plan.** A site plan showing the location of the establishment, parking space(s) to be utilized, and information outlined below in section h. Minimum Design Standards.
 - c. **Condition of Encroached Premises.** The Applicant agrees to inspect and report to the Street Department at (479) 271-3130 in a timely manner any defects in the encroached premises. The Applicant is responsible for the cleanliness (including cleaning methods recommended by the CDC in response to the COVID-19 pandemic) maintenance, and upkeep of their encroached premises.
 - d. **Insurance.** The Applicant agrees that, at its sole expense, will maintain comprehensive general liability insurance, protecting against all claims for personal injury, death or property damage occurring upon, in or about the encroached premises resulting from the use or occupancy thereof, with a minimum of \$1,000,000 (one million dollars) in coverage and limits acceptable to the city for the entire term of this Agreement insurance rated and any extension thereof. The city must be named in this policy as an additional insured entity. Further, if the establishment serves alcohol, then the establishment must have liquor liability insurance with a minimum of \$1,000,000 (one million dollars). The city must also be named in this policy as an additional insured entity. The Applicant will include copies of all policies of insurance with evidence of the payment of the premiums thereon with his, her or its application. The Applicant will deliver to the city at least ten (10) days prior to the expiration of such policy, evidence that it has been renewed. All policies of insurance carried hereunder will provide that they cannot be canceled without giving at least ten (10) days prior written notice to the city and be written by insurance companies licensed by the State of Arkansas and reasonably satisfactory to the city. Any insurance carried by an

establishment on his, her or its own property or for his, her or its own benefit in connection with this section will contain a clause waiving any claim by the insurance company for subrogation against the city.

- e. **Smoking.** The Applicant agrees to designate that the encroached premises will be nonsmoking, due to the premises being an extension of the establishment.
- f. **Alcohol.** The Applicant agrees that alcoholic beverages may only be served or consumed in the encroached premises if the establishment is in compliance with their ABC liquor state and local licenses as approved by the state Department of Alcoholic Beverage Control or otherwise allowed by law.
- g. **Hours of Operation.** The Applicant agrees to not operate in the encroached premises earlier than 7:00 a.m. and all establishment operations in the encroached premises must cease and be vacated by the close of operation hours or up to 1:00 a.m., whichever occurs first.
- h. **Minimum Design Standards.** Applicant agrees that the encroached premises, at the sole expense of the establishment, must be effectively blocked off and visibly marked in order to ensure safety of patrons from vehicles in the area. If table, chairs, or other seating is being provided, the encroached premises will meet the following minimum requirements. Additional elements may be allowed in the encroached premises if the design meets the guidelines of parklet design as established by the National Association of City Transportation Officials (NACTO).
 - (1) Size
 - a. Length: The maximum length of a parklet is limited to the length of the responsible business's frontage. If a business wishes to exceed this requirement, they must include a letter of support from adjacent business owners. This letter of support must expressly grant permission to occupy the parking spaces in front of their business.
 - b. Width: The maximum width of a parklet is the area between the curb and travel lane of the parking space it replaces.
 - (2) Location
 - a. A parklet may not intrude into travel lanes. Parklet elements should provide a minimum 1-foot buffer between the travel lane and the parklet.
 - b. To allow for clear visibility at intersections, a parklet may not be located within 20-feet of an intersection, measured from the right-of-way of the intersection to the edge of the parklet.
 - c. Parklets must be buffered a minimum of 4-feet on each end from adjacent parking stalls. Wheel stops are required to clearly delineate the buffer zone.
 - d. Parklets will not block critical curbside or street infrastructure. These include, but are not limited to; fire apparatus, utility meters or manholes, and handicap-accessible parking spaces.
 - (3) Minimum Safety Standards
 - a. Parklets may not interfere with the sightlines of traffic and pedestrians. Parklets will conform to the American Association of State Highway and Transportation Officials (AASHTO) sight visibility requirements.
 - b. To clearly delineate between the parklet and the travel way, a parklet must have a continuous barrier along the travel lane. The barrier may be composed of railings, barricades, planters, and/or a seat wall. The barrier may be a maximum of 42-

inches in height. Parklets are encouraged to incorporate seating and plantings in their design.

- c. Parklets must meet the requirements of the Americans with Disabilities Act. The seating area must accommodate a 60-inch turning circle for a wheelchair and the entrance to the parklet must be a minimum of 60-inches in width. The parklet must be designed to be flush with the adjacent curb. A steel transition plate can ensure a flush transition.

(4) Design Requirements

- a. Parklets should be temporary in nature. The parklet must be designed to be removable; wood frame, steel frame, or pedestal support systems are encouraged.
- b. Applicants are encouraged to utilize high quality, weather-resistant materials that fit within the context of downtown. The surface of the parklet should be slip and weather resistant to ensure safety and accessibility.
- c. The design of the parklet should not inhibit the adequate drainage of stormwater.

(5) Indemnification and Hold Harmless. For purposes of this Agreement, the Applicant agrees to indemnify, defend, and hold harmless the city, its officers, appointees, employees, and agents from any and all loss, damage, liability or expense, of any nature whatsoever caused or incurred as a result of the negligence or other actionable fault of the establishment, its affiliates, subsidiaries, employees, agents, assignees, and subcontractors and their respective employees and agents. Applicant is not required hereunder to defend the city, its officers, appointees, employees, or agents from assertions that they were negligent, nor to indemnify and hold them harmless from liability based on the City's negligence.

(6) Damages. The Applicant hereby releases the city, its officers, agents, representatives, and employees and waives any and all rights to any and all claims for damages, or otherwise, that he/she may have with regard to lost, stolen and/or damaged property and/or related materials, equipment and/or any other items associated and/or used in conjunction with the Agreement.

(7) Entire Agreement. This Agreement including all documents and exhibits included by reference herein, constitutes the entire Agreement between the Parties and supersedes all prior agreements, whether oral or written, covering the same subject matter. This Agreement may not be modified or amended except in writing mutually agreed upon and accepted by both Parties to this Agreement.

(8) Compliance with Laws. Applicant will abide by all applicable federal, state, and local laws, ordinances, and regulations applicable at the time the services are rendered.

(9) Applicable Law, Jurisdiction, Venue. Interpretation of this Agreement and disputes arising out of or related to this Agreement will be subject to and governed by the laws of the State of Arkansas. Jurisdiction and venue for any suit arising out of or related to this Agreement will be in the District Court of Benton County, Arkansas.

(10) Severability. If any provision of this Agreement is determined to be void, invalid, unenforceable, or illegal for whatever reason, such provision(s) will be null and void; provided, however, that the remaining provisions of this Agreement will be unaffected and will continue to be valid and enforceable.

8. **Ambiguity.** If any ambiguity, inconsistency, or conflict arises in the interpretation of this Agreement, the same will be resolved by reference to the terms and conditions of this Agreement.
9. **Revocation.** This agreement may be revoked by the city upon a finding by the Planning Director that the establishment has violated any terms of the agreement; or that the encroachment causes a health/safety risk; or that a city ordinance or state or federal law has been violated; or the establishment or an employee of the establishment has been convicted of serving alcohol to a minor. The establishment may appeal this revocation to the City Council within fourteen (14) days of the notice of revocation.
10. **Agreement Term.** This agreement expires at 11:00 p.m. on December 31, 2026.
11. **JOINT APPLICATION BY PROPERTY AND BUSINESS OWNERS.** This program to allow an encroachment in parking spaces owned by the City is conditioned on application by both the owner of the property adjoining any area to be encroached and, if different, the owner of any business operating from the property.
12. **City Utilities.** To the extent existing utility lines are within or adjacent to the encroachment being allowed by the City memorialized by this City of Bentonville Encroachment Agreement, the need to maintain those utility lines takes precedence over this Encroachment Agreement, and the City and/or other public utility providers shall continue to have the same right to access the area allowed to be encroached under this Encroachment Agreement, without regard to the Applicant's(s') desires or investment in the area permitted to be encroached under this Encroachment Agreement, and shall have no liability with regard to damages to any property of the Applicant(s) or investment made in the encroached area.
13. **Non-Permanency.** The Applicant(s) acknowledges that the encroachment being allowed by the City memorialized by this City of Bentonville Encroachment Agreement originated during and based on the effects of the COVID-19 Pandemic. The Applicant(s) acknowledges that City may eliminate the encroachments at the conclusion of the Agreement Term provided for herein and return the area allowed to be encroached to parking or other City purposes without regard to the Applicant's(s') desires, investments or otherwise, and specifically acknowledges that any investment made in the encroached area is done at Applicant(s) sole risk.

Initials of Applicant(s) confirming they have read and understand paragraph 13.

Initials

Date

SIGNATURE PAGE (Note – initials of Applicant(s) required under paragraph 13.)

The Parties hereto have caused this Agreement to be executed this _____ of _____, 2025.

CITY OF BENTONVILLE, ARKANSAS

By: _____

Name and Title: Tyler Overstreet, Planning Director

Address: 305 SW A Street, Bentonville, AR 72712

Email: tovastreet@bentonvillelear.com

Phone: (479) 271-3112

(Note – initials of Applicant(s) required under paragraph 13.)

APPLICANT (Property Owner)

By: _____

Name and Title: _____

Establishment Name: _____

Address: _____

Email: _____

Phone: _____

APPLICANT (Business Owner – if different from Property Owner)

By: _____

Name and Title: _____

Establishment Name: _____

Address: _____

Email: _____

Phone: _____



City of Bentonville Wastewater Utilities
Pretreatment Division
1901 N.E. "A" Street, Bentonville, AR 72712
Office: 479-271-3161 or via
Email: pretreatment@bentonvillear.com

Mobile Food Vendor Wastewater Disposal Verification Form

Business Name:							
Name of Owner:				Phone Number:			
Name of Manager:				Phone Number:			
Mailing Address:							
Location of Mobile Food Unit:							
Hours of Operation (At this Location):	Sun	Mon	Tue	Wed	Thu	Fri	Sat

Location of Wastewater Disposal Site

Location:							
Address:							
City:							
Phone Number:							

OR

Company Used for Hauling Wastewater:	Phone Number:
Name of Authorized Representative for Hauling Company:	Title:
Signature of Authorized Representative for Hauling Company:	Date:

I hereby certify, under penalty of a violation, that the information found in this survey is familiar to me, is complete, and represents an accurate statement of fact to the best of my knowledge.

Owner/Authorized Representative:	Title:
Signature:	Date:

For Internal Use Only:

If you have any questions while completing this form, please call the FOG Management Program at 479-271-3161.