

ARTICLE 1101

DEVELOPMENT REVIEW

SECTION 1101.1 – PURPOSE

The purpose of the Development Review process in the City of Conway is:

- A. To preserve and enhance the general quality of life of the residents and visitors of the City of Conway,
- B. To preserve property values on both the site being developed as well as surrounding properties,
- C. To take those steps necessary to allow, where desirable, the responsible, productive, and harmonious existence of varying land uses in close proximity to one another,
- D. To maintain and enhance the capabilities of vehicle, cyclist, and pedestrian traffic on avenues adjacent to or serving the site by providing appropriate and adequate access to adjoining properties,
- E. To encourage safety and freedom from crime for the City's citizens,
- F. To protect and enhance the City's appearance, identity, and economic vitality,
- G. To address environmental concerns which the City may identify as having a detrimental impact on its residents, and
- H. To responsibly balance the right to private development with the desire to maintain the quality of, the access to, and the benefits provided by all public areas within the City.

SECTION 1101.2 – SCOPE

Development Review shall apply only to that construction, modification, renovation, or expansion which requires a building permit prior to development.

Development Review shall apply only to development in the zones listed below:

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| MF-1 Multi-Family District | C-1 Central Business District |
| MF-2 Multi-Family District | C-2 Neighborhood Commercial District |
| MF-3 Multi-Family District | C-3 Highway Service & Open Display District |
| RMH Mobile Home District | C-4 Large Shopping Center Commercial District |
| O-1 General Office District | I-1 Intermediate Industrial District |
| O-2 Quiet Office District | RU-1 Restricted Use District |
| O-3 Restricted Office District | I-3 Intensive Industrial District (Section 1101.7, P) |
| S-1 Institutional District | PUD Planned Unit Development |

An applicant shall obtain Development Plan Approval from the Planning Director for the following types of development:

- A. All new principle buildings for all multi-family and non-residential uses.
- B. All new parking areas for all multi-family and non-residential uses.
- C. All expansions to gross floor area to any existing site structures by the lesser of twenty percent (20%) or 2,000 sq. ft.
- D. The expansion of any lot coverage area
- E. Any expansion or change to the use of a site, as determined by the Planning Department, Planning Commission, and/or City Council.

- F. *Outdoor seating at eating and drinking establishments.*
- G. *All development allowed through a conditional use permit in all zones.*

NOTE ON EXPANSIONS: Areas of new construction within a pre-existing development shall be required to meet all provisions of this Article. The pre-existing areas of the development will likely be exempt from meeting all provisions; however, they may be required to meet some amount of these standards based upon an assessment of the project by the Planning Director and the determination of a rough proportionality.

Exemptions:

- 1. No single family dwelling unit or associated accessory building allowed by right in its respective zone and with a density of one dwelling unit per lot or parcel, whether stick built or pre-manufactured, shall be subject to Development Review.*
- 2. No duplex or associated accessory building allowed by right in its respective zone and with a density of one duplex per lot or parcel shall be subject to Development Review.*

SECTION 1101.3 – PROCEDURES FOR DEVELOPMENT REVIEW

Overview. The time frame required for development approval will rely mainly on the size of the project, the quality of the plans submitted, and the time the City awaits re-submittal of plan corrections and revisions. The City of Conway makes no guarantee or representation as to any period of time which may be necessary in order to review and/or approve a given development plan. Submittals will be reviewed on a first come, first served basis, but always in a timely manner.

A. Preliminary Conference

All applicants, or a representative thereof, are required to meet at least once prior to application submittal with a representative from the Planning Department to discuss basic plan requirements, existing site features, architectural design, concurrency with other projects in the surrounding area, compliance with the Comprehensive and Master Street Plans, neighboring traffic patterns, and/or any other factors which may impact or be impacted by the proposed development. It is advised that the applicant bring drawings and/or photographs depicting the proposed layout, building material samples, as well as any existing features of the property, to include all structures and vegetation. The applicant may desire more than one conference, whether prior to or after application submittal.

B. Development Review Submittal

The following items are required for Development Review Approval:

- 1. A Plat of Record for the property being developed, filed with the Faulkner County Circuit Clerk, and in accordance with City of Conway Subdivision Ordinance (O-00-03).*
- 2. A completed and signed Development Review Application (Form No. DR-03)*
- 3. A completed Development Review Checklist (Form No. DR-04)*
- 4. All site development plans*
- 5. Verification of payment of all associated fees, bonds, charges, and debts*
- 6. Any required traffic engineering study, as determined by the City engineer*
- 7. General statement of character and intent of use of the development*

8. *Submissions must include all supporting documentation, including, but not limited to the following: variances, deeds, access agreements, and conditional use permits.*

Submissions must be made to the City of Conway Planning Department at any time the Planning Department is open for business.

C. Planning Department Staff Review

Development will be reviewed for both general and specific standards, along with all federal, state, county, and city regulations that can be reviewed at the City level. The Planning Department has ten (10) working days from the application date to conduct a preliminary review and then provide the applicant a response.

SECTION 1101.4 – DEVELOPMENT APPROVAL & PERMITTING

- A. *Approved development plans are valid for twenty-four (24) months from the date of approval. If after that period of time, all necessary permits for construction are not yet obtained, the Development Plan Approval shall be considered null and void. Upon plan expiration, plans are required to be re-submitted for review. Re-submittal of an expired plan shall require evaluation as if the project were new, to include current standards, regulations, and conditions in the area, as well as payment of all fees in accordance with current fee schedule. Extensions may be granted annually by the Planning Director only so long as no change to the previously approved Development Plan is desired.*
- B. *No building permit shall be issued for any development subject to Development Review prior to approval of the site plan.*
- C. *Failure to build-out the development according to the approved drawings, information, plans, documents, or any and all approved amendments thereto shall render the development approval and the building permit null and void. The Planning Director shall have final authority to determine if the development conforms to all approved elements of the site plan.*
- D. *The Permits and Inspections Department shall reserve the right to deny or revoke the issue of the Certificate of Occupancy for any structure on a given site when any part of that site does not comply with the approved site plan.*
- E. *In the event that a landowner wishes to abandon an approved development plan or any section thereof, said landowner should so notify the Planning Director in writing.*

SECTION 1101.5 – DEVELOPMENT REVIEW APPEALS

All appeal requests shall be submitted by use of a Development Review Notice of Appeal (DR-05), available from the Planning Department. All appeals shall be respectful of only the specific regulation(s), standard(s), or guideline(s) outlined in this Article which preclude the approval of a given development plan. Those items shall be identified by the Planning Director and detailed within form DR-05. No additional considerations regarding this Article or its content shall be made at any time during the Appeals process.

- A. *Disapproval of a development by the Planning Director may be appealed to the Planning Commission by the property owner by filing a Notice of Appeal with the Planning Department within thirty (30) days following the Planning Director's decision. The appeal will be placed on the agenda of the next Planning Commission meeting occurring no less than seventeen (17) days after the date of appeal.*

- B. *Disapproval of a development plan by the Planning Commission may be appealed to the City Council by the property owner by filing a Notice of Appeal with the Planning Department within thirty (30) days following the Planning Commission's decision. The appeal will be placed on the agenda of the next City Council meeting occurring no less than eleven (11) days after the date of appeal.*
- C. *The Planning Commission and/or the City Council may grant an appeal prescribed by this Section if, on the basis of evidence submitted within the development plan and the Notice of Appeal, the Commission and/or Council makes the determination that the circumstances detailed in subparagraphs 1, 2, or 3 listed below, as well as all guidelines provided by Section 1101.6 below, do apply:*
 - 1. *The design principles and/or architectural integrity of an established neighborhood are not diminished or substantially changed based upon the proposed development, or*
 - 2. *The proposed development is in general conformity with the predominant style or is reasonably compatible with a theme of styles present in the neighborhood, or*
 - 3. *The neighborhood is deemed to be transitory in nature, thereby becoming one in which the proposed design or architectural style, if reasonably believed to be replicated within the neighborhood, may lead to a subsequent predominant style.*
- D. *Following approval of the development plan by the Planning Director or the Planning Commission or the City Council, construction may proceed if all other City requirements have been met.*
- E. *A Development Review Appeal Fee of two-hundred and fifty dollars (\$250) shall be submitted with the Development Review Notice of Appeal.*

SECTION 1101.6 – GENERAL DEVELOPMENT REVIEW GUIDELINES

This Section sets forth various aesthetic and functional provisions with the intention of serving as a general guide to development within the City. During the course of Development Review, plans shall be reviewed to determine if the development proposal demonstrates a satisfactory quality of design in its structures and its site, the appropriateness of the building or buildings to the intended use, and the harmony of the development to its surroundings. "Satisfactory design quality" and "harmony" pertain to, among other things:

- A. *A site which is capable of accommodating the proposed development.*
- B. *Ensuring that proper attention is paid to site and architectural design, thereby protecting land values.*
- C. *A plan for the site that is consistent with the City's generally accepted practices and goals of land use planning, site engineering, aesthetic design principles, and landscaping.*
- D. *Encouraging development which is in keeping with the desired character of the City, the desired character of a given neighborhood, and/or specific design attributes identified in area plans adopted by the City (overlay districts, historic districts, etc.).*
- E. *Ensuring physical, visual, and functional compatibility between uses.*
- F. *Landscaping that not only meets City standards, but also serves to enhance the visual appearance of the City, provide transition zones between varying land uses, break up large areas of impervious surface, create a barrier to and relief from traffic, noise, heat, glare, and odor, and promote energy efficiency and conservation in site design and building construction.*

- G. *Ingress, egress, internal traffic circulation, off-street parking facilities, cross accesses, and pedestrian and cyclist ways that are designed so as to promote safety and convenience, conform to approved city standards, and enhance curb appeal.*
- H. *An adequate street system to provide access to the project without unduly stressing the carrying capacity of that system.*
- I. *A plan that represents an overall development pattern that is consistent with the Comprehensive Plan, the Master Street Plan and other adopted planning policies.*

The Planning Director may apply the above General Design Guidelines with some flexibility in their application to specific projects, as not all design criteria may be workable or appropriate for each project. In some circumstances, one guideline may be relaxed to facilitate compliance with another guideline determined by the review authority to be more critical in that particular case.

Designers and developers are urged to recognize that the guidelines, regulations, and recommendations detailed throughout this document are minimum standards and true excellence may lie beyond them. No claim can be made that the following standards encompass every possible technique for achieving a high level of design quality. The designer is encouraged to use his or her own creativity, judgment, and experience to improve upon these methods, not simply to achieve individual objectives, but also make a positive contribution to the City.

SECTION 1101.7 – DEVELOPMENT STANDARDS

In order to achieve the above listed General Development Review Guidelines, the following standards shall apply to all developments subject to Development Review:

A. Site Characteristics and General Requirements

1. *The development should conform to the extent appropriate to the natural topography of the site. Site clearing shall be kept to the minimum required for the construction of and/or improvements to the site, taking into consideration the need for vehicle, cyclist, and pedestrian safety as well as the need for light and air.*
2. *Developments requiring hillside excavation shall adhere to all standards of Ordinance O-06-67, and all amendments.*
3. *Projects adjacent to parks, plazas, and other public outdoor amenities should be oriented toward those areas.*
4. *Generally accepted best practices shall be adhered to in order to prevent soil erosion and siltation of the given site's watershed.*
5. *Natural vegetation should be retained to supplement the required landscaping to the extent required, possible, and reasonable.*
6. *The site should be of such a character so that it can be used safely for the construction and occupation of the proposed development and not create any conditions which would involve danger to health, safety, and welfare.*
7. *Smoke, soot, particulates, and/or other discharges into the air shall not exceed the levels established by any State or Federal environmental agencies.*
8. *While construction of and/or improvements to the site are in process, noise levels at property boundaries should not exceed the given site's ambient levels except for reasonably short periods of time. Furthermore, the City Engineer may prescribe specific routes for the ingress and egress of*

dumptrucks, haulers, and other pieces of construction equipment which may otherwise create an adverse impact to the traffic flow along adjacent corridors.

B. Site Coverage

A maximum of 80% of the development site may be covered by impervious surface. This number is derived by adding the total gross floor area (GFA) with the total lot coverage area (LCA), as measured in square footage (ft²), then dividing that sum by the site area (ft²). The formula is detailed below:

$$(GFA + LCA) \div \text{Site Area} = \text{Percent Impervious Surface (\%)}$$

A minimum of 20% of the total area of the site, as measured in square footage (ft²), shall permanently remain a pervious surface. The C-1 Central Business District is exempt from this requirement

C. Standards and Concepts for Design and Architecture

During the Development Review process, the Planning Director will conduct an assessment of various design and architectural elements which may include, but not be limited to the following:

- 1. Massing and harmony*
 - a. Developments which encompass more than one building should incorporate a recurring, unifying, and identifiable theme for the entire development site.*
 - b. Development shall support the desired character of the City, the favored theme of a given neighborhood, and/or specific design attributes identified in given areas or districts. It is generally encouraged that in residential areas structures utilize pitched roofs similar to those on most homes, whereas in urban areas flat roofs are more appropriate.*
 - c. Key design elements and how they relate to those of surrounding buildings including, but not limited to windows, doors, façade design, detailing, roof forms, exterior materials, and colors, all with area ratios and proportions similar to those on adjoining buildings.*
 - d. Non-residential buildings sharing street frontage with residentially developed properties should maintain a residential character.*
- 2. Size and shape*
 - a. Buildings shall avoid long uninterrupted façade planes and/or blank walls. The façade planes of the exterior walls shall be varied in depth and/or direction.*
 - i. The maximum permitted length of an uninterrupted façade plane shall be thirty-five (35) feet for buildings twenty-thousand (20,000) square feet or less.*
 - ii. The maximum permitted length of an uninterrupted façade plane shall be fifty (50) feet for buildings greater than twenty-thousand (20,000) square feet.*
 - iii. The maximum permitted length of an uninterrupted façade plane shall be one hundred (100) feet for buildings greater than fifty-thousand (50,000) square feet. Furthermore, differing colors, materials, and textures, when used in concert*

with one another, may be considered interruptions for buildings of this scale.

- b. Architectural treatments which may include, but not be limited to, windows and doors, pilasters, variations in the roof line or parapet wall, archways and columns, and building wall recesses. These types of treatment shall be used to break up the mass of a single building into distinct components, while continuing to maintain an overall rhythm similar to surrounding buildings.*
- 3. Façade characteristics*
 - a. Exterior construction materials shall vary in type, form, and color*
 - i. Metal siding, when used as the primary sheathing of the facade, is prohibited when visible from the public realm or residential areas. Other forms of metal, when used as an architectural treatment or aesthetic accent, may cover up to twenty percent (20%) of any facade.*
 - ii. Masonry shall occupy no less than 51% of any façade of any structure.*
 - iii. Unpainted, unstained, and/or otherwise untreated precision concrete block shall not be visible on any part of any exterior façade.*
 - iv. All buildings should have a defined base and cap.*
 - b. “Franchise architecture” is strongly discouraged. “Branding” a structure makes it difficult, if not impossible, to redevelop into another use.*
 - i. Site-specific architectural design is desired. Rather than adapting a standard design, floor plans and elevations that are unique to the community and are not a corporate or franchise design are encouraged by all developments.*
 - ii. The only franchise identifying feature should be minor façade details, and the company’s logo and signs.*
 - iii. Please refer to Paragraphs B, C, and D of the “General Design Guidelines” when making considerations.*
 - c. To avoid a monolithic appearance, facade design should attempt to break down buildings into smaller sections, with each section varying in type, material, and/or color.*
 - i. Rear and side façades shall be similar to (but may be more modest than) the primary facade in their architectural treatment when visible from the public realm or adjacent residential areas.*
 - ii. Blank walls visible from the public realm and residential areas shall not be allowed. Where blank wall sections are unavoidable due to the requirements of a particular land use or structural needs, they shall receive special design treatments up to at least the finished ceiling height of the first floor building space in order to increase visual appeal and interest:*
 - 1) Lush vegetation in front of the wall (such as a trellis with climbing vines or other planted materials like trees and shrubs) which cover at least 50% of the blank wall surface.*

- 2) Provide a decorative masonry pattern, or other architectural feature, over at least thirty percent (30%) of the blank wall surface.
- 3) Employ small setbacks, projections, indentations, or intervals of material change to break up the wall's surface.
4. Location with respect to natural topography and finish grade elevation.

D. Considerations for Traffic, Access, Parking, and Loading

1. Association, Relation, and Integration

- a. The development plan shall take into account all public streets, highways, and sidewalks which provide access to the site. The development shall be designed so as to sufficiently and adequately provide for the safe ingress and egress of all forms of traffic.
- b. The traffic patterns on to, within, and off of the site shall be coordinated with preexisting traffic patterns so as to compose a safe and convenient system.
- c. There shall be proper arrangement of streets within the site and in relation to other existing and planned streets (or with the features of the Comprehensive Plan or Master Street Plan) such that the development of the site shall not endanger public safety or welfare and shall promote public convenience and prosperity.
- d. There shall be access of adequate width from public rights-of-way to each structure on the site for fire, police, and medical emergency vehicles and personnel.

2. Access Requirements

In order to preserve the smooth flow of traffic along adjoining streets and highways, the number of curb cuts allowed shall be limited. Furthermore, driveway sharing shall be required for all properties abutting collector streets and minor and major arterials, as identified by the Comprehensive Plan. The following measurements shall be taken from the nearest respective edge of each curb cut, driveway, or intersection.

a. Curb Cuts (Accesses)

- i. Curb cuts shall be a minimum of twelve (12) feet in width and a maximum of forty (40) feet in width
- ii. Curb cuts shall be no less than one-hundred (100) feet apart.
- iii. For lots having two-hundred and forty (240) feet of street frontage or more, curb cuts shall be no less than one-hundred (100) feet from the closest side lot line.
- iv. No curb cut shall be within one hundred and twenty-five (125) feet of any intersection.
- v. Curb cuts shall be coordinated with existing or planned median openings and shall, where possible and reasonable, line up with driveways or streets on the opposite side of the roadway.

b. Joint Access

- i. For lots having less than two hundred and forty (240) feet of street frontage, joint access with the adjoining property owner(s) shall be required.
- ii. The two adjacent property owners shall enter into a joint-access agreement whereupon they will share a single

driveway which is ideally, but not necessarily along their common property line.

iii. Parcels which cannot comply immediately due to undeveloped adjoining property or lack of a preexisting joint-access agreement and/or easement may be allowed a temporary curb cut at a location designated by the Planning Director. This temporary curb cut shall be contingent on the property owner providing all of the following:

1) A joint-access easement, depicted on the Site Plan, with a width of no less than twelve (12) feet and no greater than forty (40) feet.

2) A signed joint-access agreement with the deed allowing a shared driveway or service drive along the desired adjoining property line.

3) Record of a joint maintenance agreement defining maintenance responsibilities of each property owner.

iv. Temporary curb cuts shall be closed provided that easements, agreements, and improvements providing joint access are secured upon future neighboring development.

c. Cross Access

i. All parking lots for non-residential properties shall have at least one vehicular connection to all adjacent properties.

ii. A continuous service drive, or cross-access corridor, extending up to the entire length of each block, shall be provided where necessary to ensure that curb cut separation remains consistent with the standards outlined in "a." above.

iii. A design speed of 10 mph and sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles; required minimum width of twenty (20) feet and maximum width of forty (40) feet.

iv. Stub-outs and other design features shall be required to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive. Stub-outs shall be required so that cross access to abutting properties is insured.

v. All cross accesses should contain landscaping and/or other design features to make them visually obvious to traffic as a service corridor.

vi. A unified access and circulation system plan that includes coordinated or shared parking areas should be offered wherever feasible.

d. Shared drives shall be required where stipulated by any other City of Conway ordinance(s), previously submitted cross-access and/or joint-access agreements, and/or determinations made by the City engineer and Planning Director.

e. Any access management requirements established by any other Federal, State, local, regional, or City access management systems or agency must be met.

3. Driveway Throat Length

a. Driveway entrances/exits shall be designed to prevent a back-up of vehicles waiting to egress onto the adjacent street. The depth of the

formal entrance way, where vehicles may queue without interfering with traffic circulation, is referred to as the “throat length.” The length of this “throat” is particularly important for businesses that generate a high number of vehicle trips per day.

- b. Throat length should be determined on a case-by-case basis, but generally varies according to the number of trips generated by the land use and the available area for constructing the driveway throat. A traffic impact study based on peak hour demand is the best way to determine the extent of potential queuing problems and how best to resolve them.*
 - c. Due to the dynamic nature of traffic patterns, the Planning Director and/or City Engineer working in coordination with the project engineer shall make all driveway throat length determinations based upon the characteristics of each given site.*
- 4. Right Turn Deceleration Lanes*
- a. A dedicated right turn lane is often necessary when the right turn volume exceeds 750 vehicle trip ends per day and/or the development fronts an arterial with a speed limit greater than forty-five (45) mph.*
 - b. In most cases, only moderate to large-scale developments would warrant a right turn lane. However, certain circumstances may make the addition of a deceleration lane necessary, even in situations where a development generates less than 750 vehicle trip ends daily.*
 - c. On lower volume driveways or in areas with limited right-of-way, tapers may be required to help remove turning vehicles from the roadway more quickly. Tapers may be most useful in rural areas, where speeds are high and volumes low.*
 - d. The Planning Director and/or City Engineer working in coordination with the project engineer shall make this determination based upon the characteristics of a given site.*
- 5. Parking*
- a. Orientation*
 - i. Parking areas located in the front setback or between the principal structure and any public street, including corner lots are strongly discouraged. Parking should be provided to the side and rear of the building, with no more than one (1) parking aisle on the side of any structure. Any available and allowed on-street parking shall be exempt from this requirement.*
 - ii. Continuous access, head-in parking is not permitted as off-street parking. Vehicles shall not back out onto public streets.*
 - iii. It is recommended that primary entry drives on large-scale developments include a minimum six (6) foot wide landscaped median to separate incoming and outgoing traffic.*
 - b. Design*
 - i. Parking lots shall be designed with a hierarchy of circulation:
 - 1) Major access drives with no parking, framed by use of one or more of the following: building facades, sidewalks, low walls, trees, and/or shrubs. Maximum of forty (40) feet in width.*
 - 2) Major circulation aisles with little or no parking, generally adjacent to the building(s) being served, and**

- typically wide enough to allow for drop-offs and pick-ups. Maximum of thirty-four (34) feet in width.*
- 3) *Narrower parking aisles to reduce speeds and allow for direct access to parking spaces. Maximum of twenty (20) feet in width.*
- ii. *To break down large expanses of paved surface, parking areas with greater than forty-eight (48) spaces shall be organized into a series of smaller modules of no greater than forty-eight (48) spaces each. Parking areas within large-scale developments may incorporate up to 96 spaces per module. These modules should be separated and defined by circulation aisles and landscape strips and/or islands consisting of trees and low shrubs.*
- c. *Location of Parking areas*
- i. *Off-street parking shall be located within one-thousand feet of the structure to be served, measured as a straight line between the nearest points of the parking area and the structure.*
 - ii. *Off-site Parking*
 - 1) *If off-site parking areas are provided, they shall provide a complete pedestrian infrastructure connecting the parking area and the structure being served.*
 - 2) *Off-site be located on property zoned to allow the same principal use as said structure.*
 - iii. *All off-street parking areas shall have direct access to a street or alley.*
- d. *Required Spaces*
- The purpose of required parking is to provide a sufficient number of spaces which accommodate the majority of traffic generated by the range of uses which might locate at a given site over time. In response to this long-term emphasis, the City's required parking numbers correspond to broad use categories, not specific uses.*
- i. *Category minimums and maximums*
 - 1) *Residential*
 - a) *Minimum 1.5 spaces per dwelling unit*
 - b) *Maximum 2.0 spaces per dwelling unit*
 - 2) *Lodging*
 - a) *Minimum 1.0 spaces per lodging room*
 - b) *Maximum 1.1 spaces per lodging room*
 - 3) *Office/Institution*
 - a) *Minimum 2.8 spaces per 1,000 ft²*
 - b) *Maximum 4.2 spaces per 1,000 ft²*
 - 4) *Retail/General Business*
 - a) *Minimum 3.4 spaces per 1,000 ft²*
 - b) *Maximum 4.8 spaces per 1,000 ft²*
 - 5) *Restaurant*
 - a) *Minimum 9 spaces per 1,000 ft²*
 - b) *Maximum 12 spaces per 1,000 ft²*
 - 6) *Industry*
 - a) *Minimum 0.6 spaces per 1,000 ft²*

- b) *Maximum 1.8 spaces per 1,000 ft²*
 - ii. *Deductions shall be applied to the above requirements for structures exceeding 10,000 square feet*
 - 1) *10,001 ft² - 20,000 ft² = 95% total*
 - 2) *20,001 ft² - 30,000 ft² = 90% total*
 - 3) *30,001 ft² - 40,000 ft² = 85% total*
 - 4) *40,001 ft² - unlimited = 80% total*
 - iii. *On-street parking is generally recommended, except on collector streets and above.*
 - 1) *Any on-street parking spaces located between the two side lot lines of the site and along the same side as the structure being served shall be counted to satisfy all parking requirements.*
 - 2) *All parking within the public right-of-way shall be considered public parking and maintain no signage or signal which indicates otherwise.*
 - iv. *When certain instances warrant interpretation or refinement based upon specific parking needs, a comprehensive assessment shall be made by the Planning Director and/or City Engineer in order to provide a more accurate parking requirement.*
 - e. *Overflow Parking*
 - i. *Additional "overflow" parking spaces may be approved by the Planning Director for overflow events and seasonal demands, and based upon adequate reasoning.*
 - ii. *All surface parking spaces provided in excess of the maximum requirement shall be pervious in nature.*
 - 1) *These parking and access lanes shall use alternate pervious materials (geotextile-reinforced grass areas, mulch-covered gridblocks, porous paving materials, etc.) for the entire overflow area.*
 - 2) *Standard, non-porous asphalt or concrete, or other impervious materials, shall not be permitted within the overflow area.*
 - f. *Minimum Parking Space and Maneuver Area Dimensions*
 - i. *Parallel Spaces*
 - 1) *Width: 22 Feet*
 - 2) *Depth: 8 Feet*
 - 3) *Maneuver Area: 12 Feet*
 - ii. *Angled Spaces (45° to 60°)*
 - 1) *Width: 9 Feet*
 - 2) *Depth: 18 Feet*
 - 3) *Maneuver Area: 18 Feet*
 - iii. *Right Angle Spaces (90°)*
 - 1) *Width: 9 Feet*
 - 2) *Depth: 20 Feet*
 - 3) *Maneuver Area: 20 Feet*
- NOTE: Right angle parking spaces shall not be permitted for use as on-street parking.*

- iv. *For on-street parking, the street travel lane immediately adjacent to the parking space(s) shall be regarded as the maneuver area.*
- g. *Shared Parking*
 - i. *In areas where there are two or more differing principal uses, shared parking areas by neighboring properties are highly encouraged and shall be permitted in order to reduce the number of required parking spaces.*
 - ii. *Shared parking requirements may be further reduced if peak demand periods for proposed land uses do not occur during the same general time periods (i.e. a church and a school).*
 - iii. *A convenient, visible pedestrian connection between all shared parking areas must be provided and maintained.*
 - iv. *The availability of off-site parking for all participating developments shall be indicated by directional signs as permitted by Article 1301 of the City of Conway Zoning Ordinance.*
 - v. *Property owners must enter into a Shared Parking Agreement.*
 - 1) *Each party identifies specific requirements and maintenance responsibilities. (A Shared Parking Agreement format may be obtained by contacting the Planning Department.)*
 - 2) *This Agreement shall be permanent in nature, approved by the Planning Director, recorded on the title records of each affected property, and filed with both the Faulkner County Circuit Clerks Office and the Conway Planning Department.*
- h. *Pedestrian Circulation*
 - i. *Avoid placing primary vehicle access in close proximity to major building entries in order to minimize pedestrian and vehicular conflicts.*
 - ii. *Clearly defined pedestrian walkways or paths should be provided from parking areas to primary building entrances. Design walkways and parking lots so that pedestrians will not have to cross parking aisles and landscape islands to reach building entries.*
 - iii. *Raised walkways, decorative paving, landscaping, and/or bollards should be used to separate pedestrians from vehicular circulation to the maximum extent possible. Textured paving should be provided at crosswalks within the project as opposed to a painted stripe designation provided it does not conflict with ADA access requirements.*
 - iv. *Areas in and around buildings should be designed with the pedestrian in mind. Landscaping and pedestrian scaled elements such as awnings or trellises should be integrated into the elevation and the passageway should be safely lit.*
- i. *Surfacing*
 - i. *All parking areas shall be paved with a sealed surface pavement or concrete.*

- 1) Shall be designed and constructed in accordance with Chapter 9.04 Minimum Standards for Construction of the Conway Municipal Code.
 - 2) Shall be maintained so as to prevent dust resulting from continued use.
- ii. Parking areas shall provide necessary drainage infrastructure and be graded so as to dispose of all surface water which may otherwise accumulate in the area.
- NOTE: Stormwater runoff from urban impervious surfaces is now the leading cause of nonpoint source (NPS) pollution. Parking lots collect grease, oil, antifreeze, and other vehicle leakage; heavy metals from brake dust; as well as litter, other debris, and pathogens. All of these pollutants are flushed into local waterways by rain and melting snow. The City of Conway is committed to the reduction of NPS pollution. Developers are strongly encouraged to contact the Planning Department to inquire about the various methods available for reducing the detrimental effects NPS pollutants have on our watershed.
- iii. All parking areas and areas for internal circulation on the site shall be physically delineated by curbing so as to protect adjacent vegetation.
- j. All requirements established under Article 501 or the City of Conway Ordinance No. O-94-54 not superseded by this Article shall remain in effect and applied during Development Review.
6. Traffic Study
- a. The City Engineer may review the development plan to determine if the developer shall be required to provide a traffic engineering study to include, at a minimum, recommendations for on-site and off-site improvements.
 - b. If such a study is required, it must be submitted, reviewed and approved subject to completion of any needed improvements, prior to approval of the site plan. Approval shall be dependent upon the study showing that the project, with all necessary improvements, will not be the contributing factor in the connecting road system being reduced to a level of service lower than "C" (as identified by American Association of State Highway and Transportation Officials).
 - c. All traffic engineering studies shall be conducted at the developer's expense.
7. Passenger/Cargo Loading and Unloading Areas
- All loading and service areas shall be designed so as not to interfere with other planned circulation on the site and so as to provide adequate space and facilities.

E. Mechanical and Utility Equipment

1. All mechanical and utility equipment located on the wall, roof, and/or on the ground shall be screened from view when visible from the public realm or residential areas.
2. All roof-mounted utilities and mechanical equipment shall be screened all on sides (360°) by incorporating screening into the structure utilizing materials compatible with the supporting building.

3. *Mechanical equipment over forty-eight (48) inches in height shall meet building setbacks.*
4. *All mechanical equipment shall be screened in a method sufficient enough to ensure that no adjacent properties are negatively affected by noise generated by the equipment. This is especially critical when projects abut residential uses.*
5. *Wherever possible, transformers should be placed in a location which maximizes safety and minimizes visual impacts, such as in the side or rear yard. When an ideal location cannot be achieved, the transformers shall be well screened. NOTE: Ten feet of unobstructed clearance shall be provided for transformer door(s) with five (5) feet of clearance along non-door sides.*
6. *Other equipment, such as gas meters, electrical meters, cable boxes, junction boxes, irrigation controllers, and roof access ladders, shall be located within a designated utility area. Where this location cannot be achieved, these features shall be designed as an integral part of the building on a rear or side elevation and screened from public view.*
7. *Reduced pressure zone assemblies (backflow preventers) for landscape irrigation and domestic water shall not be located at visually prominent locations or shall be well-screened with shrubs, berming, or low screen walls.*
8. *Where utility screening measures interfere with any maintenance or servicing needs, it may be removed at the landowner expense. All screening measures shall meet standards and approval of the respective utility company.*

NOTE: All fire hydrants, risers, and alarm panels are exempt from these provisions, and will be located and approved per City of Conway Fire Department requirements.

F. Trash, Refuse, and Recyclable Material Storage

1. *All attempts should be made to locate storage areas along the side or in the rear of structures where additional screening can be provided by the structure itself. Locating storage areas in front of the primary façade is strongly discouraged.*
2. *All trash, refuse, and recyclable material container areas shall be enclosed and/or screened. In no event shall any trash containers be placed within a public street right-of-way or other public property for any length of time more than that required to service them.*
3. *Buildings located less than fifteen (15) feet from the rear and side lot lines shall include a trash container room for the purpose of housing trash containers and shall be constructed according to the following:*
 - a. *The container room shall be located only in the side or rear of a building and shall be easily accessible for servicing.*
 - b. *The container room shall be fully enclosed.*
9. *Buildings located more than fifteen feet from the rear and side lot lines shall include either a trash container room (as required above), or a trash container (dumpster) enclosure constructed according to the following:*
 - a. *A 15'x15' prepared surface of 4" reinforced concrete on which the containers will rest, and a 10'x15' skirt of 8" reinforced concrete on which the trucks will rest during servicing.*
 - b. *Enclosure walls on three sides at a minimum of six feet in height and a gate or gates, substantial enough to fully screen the containers within,*

- shall be required. The gate(s) shall be designed with both aesthetics and ease of service in mind.*
- c. The entire enclosure shall be constructed or otherwise treated in a manner so as to correspond to or blend with the structure(s) being served (i.e. brick building = brick enclosure). Enclosures consisting of wood or plastic are strongly discouraged in all cases, as they are often prone to higher maintenance needs.*
 - d. All such "dumpster pads" shall require approval by the Conway Sanitation Department.*
 - e. A paved surface shall be provided between the trash container enclosure and the street from which the container will be serviced.*
 - f. Containers and enclosures shall be located so as to allow ease of access for collection vehicles. No parking or other obstruction shall be permitted in the access area for enclosures. With the exception of in the narrowest of alleyways, containers shall be located so as to prevent trash collection trucks from blocking traffic while servicing them.*
 - g. Containers and enclosures shall be constructed and situated so that they do not cause nuisance or offense to abutters. Trash enclosures located within twenty-five (25) feet of any residential areas and/or public right-of-way shall include a screen or solid cover to prevent odor and wind-blown litter.*
- 4. The current property owner shall bear the responsibility of maintenance.*
 - a. The property owner shall be responsible for maintaining all trash container rooms and enclosures within the boundaries of the site so as to present a healthy, neat, and litter-free appearance.*
 - b. Any rooms or enclosures which are in a state of disrepair shall be repaired or replaced within the ensuing thirty (30) day period, from the date of notice, in accordance to the approved development plan.*
 - 5. Trash container rooms and enclosures may be shared upon evidence of the abutters' agreement to do so. Property owners must enter into a Shared Sanitation Service Agreement, whereupon each party identifies requirements and maintenance responsibilities.*

G. Service, Loading, and Storage Areas

- 1. All service, loading, and storage areas shall be located and concentrated where they will not create a nuisance for adjacent uses by projection of light, noise, and/or visual clutter.*
- 2. Loading facilities should be located as far as possible from the street and adjacent properties and should not be located in areas visible from any adjacent public or private street, unless screened appropriately.*
- 3. Loading facilities shall be designed as an integral part of the building served and be in the most inconspicuous location.*
- 4. Service and loading areas should be located and designed for easy access by service vehicles, for convenient access by each tenant, and to minimize circulation conflicts with other site uses.*
- 5. Public circulation should not route through loading or service areas. A service yard, by definition, precludes public circulation through it.*
- 6. Service and roll-up doors shall be painted to match the building or trim.*
- 7. Public circulation should not route through loading or service areas. If located adjacent to a residential or institutional area, the following measures shall be taken:*

- a. A minimum landscaped setback of twenty (20) feet shall be provided between the service yard (nearest curb) and the property line.
- b. A fence or wall shall be built to screen the service yard and shall be constructed to the following standards:
 - i. *Be of a durable material (i.e. brick or stone masonry, wood, iron, composite, etc.).*
 - ii. *Be a minimum five (5) feet in height. The final height shall be determined by the Planning Director based upon specific site criteria so that the intent of this Article is met.*
 - iii. *The fence or wall shall avoid a “stockade” appearance.*
 - iv. *Fences and walls should be designed with materials and finishes that complement project architecture.*
 - v. *Fences and walls shall be aesthetically and functionally enhanced through the incorporation of columns and piers, vegetation along their base, and “random” variation in plane and direction of at least five (5) feet for every fifty (50) feet of length.*
 - vi. *Located to provide an unobstructed landscape strip along the “outside” of the wall or fence (between it and the adjoining residential or institutional property)*
 - 1) *Minimum six (6) feet in width*
 - 2) *Landscaped to the standard of the Interior of Property Lines paragraph of this Article. Generous vegetation is encouraged to soften the appearance and to aid in the prevention of graffiti.*
 - 3) *All maintenance shall be the responsibility of respective property owners. Low-maintenance vegetation is strongly encouraged.*
8. *Where appropriate, service yards shall include provisions for loading areas, trash containers, storage areas, utility equipment, maintenance equipment or vehicles.*
9. *All such areas shall be exempt from interior landscaping requirements, but not from setback, perimeter landscaping, and/or pertinent screening requirements.*

H. Fences

1. *Razor and/or barbed wire*
Razor and/or barbed wire fences are prohibited if visible from public right-of-way or a residential area, except barbed wire used for agricultural purposes (should never be used unless it is needed to solve a demonstrated security problem).
2. *Chain Link*
Chain link fencing shall not be closer to any adjacent street than any structure on the site. All chain link fencing shall be painted or coated in a non-obtrusive color, such as black or dark green, in order to diminish its visual impact.
3. *In Front of Buildings*
Any fencing or walls located between the primary structures and any public right-of-way, including those used as a retaining measure, may only be solid up to forty-eight (48) inches in height. Any fencing which

exceeds forty-eight (48) inches in height shall not obstruct the view of the primary structure from the right of way. .

I. Landscaping

The goals of these landscaping requirements are: To enhance the visual appearance of the City; to maintain and protect property values; to provide a better transition between and improve the compatibility of abutting and nearby land uses, particularly as it concerns residential neighborhoods which are adjacent to or in the vicinity of business districts; to provide, within and on the perimeter of parking areas, landscaping that facilitates safe movement of all forms of traffic, breaks up large areas of impervious surface, and provides shade; to assure throughout the City, appropriate barriers to and relief from traffic, noise, heat, glare, and odor; to improve air quality; and to promote energy efficiency and conservation in site design, building construction, and landscaping.

The incorporation of plazas, courtyards, pedestrian malls, and other outdoor spaces for people to gather is highly encouraged in all developments.

NOTE: The planting of trees and shrubs may be postponed until the next following "planting season." For trees and shrubs, it is recommended that all planting be done during the months of March, April, May, September, October, and November.

1. General Requirements

- a. All areas not covered by structures, service yards, walkways, driveways, and parking spaces shall be landscaped.*
- b. Landscaping shall be provided which is sufficient to provide soil stability and suitable drainage.
 - i. Trees, shrubs, groundcover, and grass shall be placed and/or retained in such a manner as to reduce runoff and/or erosion.*
 - ii. Graded areas shall be re-vegetated to ensure erosion control by seeding, mulching, and fertilizing. Disturbed areas shall be planted with suitable plant materials.*
 - iii. Landscape fabric or erosion blankets should be provided on slopes exceeding fifty percent (50%) while ground cover is being established.**
- c. The current property owner shall properly maintain all required landscaping.
 - i. The property owner shall be responsible for maintaining all landscaping within the boundaries of the site so as to present a healthy, neat, and orderly appearance.*
 - ii. Any unhealthy or dead plant material shall be replaced within the ensuing year in accordance to the approved landscaping plan.**
- d. Native species should be used when possible, in order to minimize watering.*
- e. Conway Corporation shall be consulted for all Landscape Plans which propose plantings within utility easements.*

2. Preservation

- a. It is strongly encouraged the all landscaping plans attempt to incorporate existing on-site landscape features and vegetation.*

- b. *Preservation shall be the first, best, and standard approach.*
 - i. *All existing landscape features and vegetation shall be displayed on a sketch or drawing to be submitted with Development Review application.*
 - ii. *Concerned parties shall discuss methods for preserving these identified features during the Preliminary Conference.*
 - c. *Where possible and reasonable, existing mature, “significant” trees, rock outcroppings, and riparian corridors shall be preserved and incorporated into landscape plans.*
 - d. *Where healthy plant material exists on the site prior to development and the provision is made to preserve and incorporate that plant material on a permanent basis, then credit may be given against all pertinent City landscaping requirements, so long as the existing plant material meets the purpose and intent of said requirements.*
3. *Structure Landscaping Requirements*
- a. *There should be a landscape strip around the base of all structures on the site. This strip should have a minimum width of three feet, exclusive of sidewalks or driveways which cross at a generally perpendicular angle.*
 - b. *It is encouraged that any strip be planted with vegetation dense enough to sufficiently lessen the impact of an otherwise bulky appearance where a structure meets the ground. This is typically based upon the overall bulk of the structure. The structure landscaping strip should be increased in width and planting density as necessary to meet its intent. This is most often based upon the overall bulk and scale of the structure.*
4. *Sign Landscaping Requirements*
- a. *There shall be a landscaped area around the base of all ground-mounted signs for the site (typically the monument and two-pole styles, regardless of being off-premise or on-premise). This strip shall have a minimum width of either four (4) feet or one-half (1/2) the sign height, whichever is greater.*
 - b. *It is required that the strip be planted with vegetation dense enough to sufficiently lessen the impact of an otherwise bulky appearance where the sign meets the ground.*
 - c. *The sign landscaping strip should be increased in width and planting density as necessary to meet its intent. This is most often based upon the overall bulk and scale of the sign.*
5. *Site Perimeter Landscaping Requirement*
- The perimeter of a site shall be landscaped to provide a buffer for adjacent uses as well as an attractive view from the street. This area shall be required along the full length of all site setbacks. No parking or paving shall be permitted within this landscape buffer except sidewalks and driveways. Any driveways must cross the buffer at a generally perpendicular angle.*
- a. *Street Frontages*
 - i. *A minimum landscaped area of either ten feet or five percent of the average lot depth, whichever is greater, shall be provided along all property lines abutting any street, exclusive of right-of-way. The maximum width for any project shall be 40 feet.*

- ii. *Trees shall be planted at the ratio of no less than one (1) canopy tree for every thirty (30) feet of property line abutting any street. In the event overhead obstructions exist which would prohibit the use of canopy trees, understory trees shall be required.*
 - b. *Interior Lot of Property Lines*
 - i. *A perimeter landscape strip at least six (6) feet in width shall be provided along all property lines adjoining nonresidential areas. This provision is waived where neighboring structures adjoin, such as with strip centers.*
 - ii. *A perimeter landscape strip at least twenty (20) feet in width shall be provided along all property lines adjoining any residential area.*
 - iii. *There shall be at least one (1) canopy tree every thirty (30) feet, one (1) decorative tree every fifteen (15) feet, or one (1) shrub every six (6) feet along all boundaries of the site which do not abut streets. Up to twenty-five percent (25%) of these plantings may be grouped, where desired.*
 - iv. *Existing vegetation which meets, in whole or in part, the purposes of perimeter landscaping described above, may be applied toward these requirements.*
6. *Parking Lot Landscaping and Screening*
- NOTE: Service, Loading, and Storage areas not visible from the public realm or residential areas (generally those located in the rear of structures) shall be exempt from the requirements set forth by this Paragraph.*
- a. *Parking areas and cars should not be the dominant visual element of the site or streetscape.*
 - b. *Trees shall be planted within the paved parking area so that each parking space is no more than sixty (60) feet from the nearest tree. Perimeter trees may be used to satisfy this requirement.*
 - c. *In parking lots with twenty-four (24) spaces or more, no more than twelve (12) continuous parking spaces are permitted without a landscape island so as to provide a ratio of no less than one (1) tree for each twelve (12) spaces throughout the lot.*
 - i. *A landscape island shall be provided at the end of each parking lot aisle.*
 - ii. *Each island shall contain at least one (1) tree. Each tree shall be maintained to provide a minimum clearance of eight (8) feet at the lowest limb.*
 - iii. *All islands shall be a minimum of one-hundred-and-fifty (150) square feet of unobstructed landscape area.*
 - iv. *All islands shall be sodded, seeded, or mulched. Applicants are required to plant additional shrubs, annuals, perennials, ornamental grass, and/or groundcover.*
 - v. *All islands shall have a minimum unobstructed width of eight (8) feet.*
 - vi. *All islands shall be protected by a six (6) inch concrete curb.*
 - d. *In addition to the above, parking lots with two-hundred (200) or more parking spaces shall be divided by landscape "buffer" areas to prevent large expanses of asphalt.*

- i. *With the exception of driveways which may cross them, these areas shall extend the width or depth of the parking lot.*
 - ii. *This buffer shall be a minimum of twelve (12) feet wide, and include a pedestrian walkway of no less width than six (6) feet bisecting it.*
 - iii. *A typical screening measure, such as a hedgerow or trees, should be instituted along both sides of the walkway to provide a buffer to pedestrians.*
- e. *Internal landscaping should be aligned to create “green edges” necessary to define access, circulation, and parking areas.*
- f. *All parking lots shall be screened in order to ensure that no light trespass or glare is directed onto surrounding residential properties or rights-of-way. Screening measures shall be instituted in accordance with the standards below, exclusive of access driveways and sidewalks:*
 - i. *Any screening measure shall be a minimum of thirty-six (36) inches above the highest of the average final finish elevation of the adjacent street, the parking lots, and the ground floors of all structures on the site.*
 - ii. *Where earth berms are used, they shall conform to the following:*
 - 1. *Berms shall be gently rolling in nature, undulate so as to appear natural and not manmade, and have a maximum slope ratio of 3:1 (horizontal run to vertical rise) and a recommended slope of 4:1.*
 - 2. *Where a berm does not reach the minimum required screening height, additional screening measures shall be necessary.*
 - iii. *Where shrubs are used they shall be evergreen in nature, be at least thirty (30) inches tall at the time of planting, and be spaced closely enough together so as to create a seamless row of hedging.*
 - iv. *Where fences or walls are used they shall be no more than four (4) feet in height and be constructed from a durable material (i.e. brick or stone masonry, wood, iron, composite, etc.).*
 - 1. *Any desired fence or wall shall avoid a “stockade” appearance.*
 - 2. *Fences and walls should be designed with materials and finishes that complement project architecture.*
 - 3. *Fences and walls shall be aesthetically and functionally enhanced through the incorporation of columns and piers, as well as “random” variation in plane and direction of at least five (5) feet for every fifty (50) feet of length. Generous vegetation is encouraged to soften the appearance and to aid in the prevention of graffiti.*
 - v. *Screening shall not be implemented in a manner which impairs the sight lines of drivers entering, leaving or maneuvering through the site.*

NOTE: It is strongly encouraged that all screening measures incorporate a combination of various techniques, including earthen berms, retaining walls, semi-opaque walls and fences, and an assortment of plant materials in order to enhance the screening function while offering this buffer area a natural, aesthetically appealing appearance.

J. Lighting

Lighting and light under this section includes any temporary or permanent lighting equipment that is installed, located or used in such a manner with the intention to cause light rays to shine outdoors. This includes, but is not limited to, driveways, sidewalks and walkways, parking lots, structures, signs, and all sports and recreational lighting. All proposed exterior light sources including poles, standards, hangers, light fixtures, reflectors, shields, and lamp (including and their wattage, color, height, and lumen output) shall be submitted with the development plan for review and approval.

- 1. Reasonable amounts of lighting shall be allowed and provided, as appropriate, at intersections, along walkways, at building entrances, between buildings, and in parking areas.*
- 2. The maximum height of any light source (bulb), regardless of the method for mounting, shall not exceed twenty-five (25) feet. In large-scale developments, the maximum height of any fixture shall be forty (40) feet.*
 - a. Fixtures shall be appropriate in size and scale for the surrounding area.*
 - b. Fixtures shall not exceed the height of adjacent structures.*
- 3. Unshielded wall packs and floodlights are not permitted.*
- 4. Commercial outdoor lighting shall be used for safe pedestrian passage and property identification only during active business hours.*
 - a. All non essential lighting shall be turned off within one-half (1/2) hour after the close of business and/or when not in use.*
 - b. Lights that are controlled by photocells and timers are highly encouraged.*
- 5. No light shall be of such design, height, and/or intensity so as to produce glare or direct illumination across the property line, nor shall any light be of the same so as to create a nuisance or detract from the use and enjoyment of adjacent property. All light shall be directed downward or inward toward the property by choosing appropriate fixtures and properly aiming fixtures during installation.*
 - a. All fixtures shall be "Full Cut-Off" and/or fully shielded in design so that no light is visible above the lowest part of the fixture.*
 - b. All fixtures shall be installed so that all light emitted, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below a horizontal plane which is parallel to the ground surface.*
 - c. No light source (bulb) should be directly visible from any point off of the property or any roadway.*
 - d. All signs lit by an external source where any lamp is rated higher than sixty (60) watts incandescent, shall be lit by a top-mounted "RLM" type fixture.*
 - e. Light levels at the property line shall not exceed 0.5 footcandles when adjacent to other non-residential areas, and 0.1 footcandles when*

adjacent to any residential area, as measured 5 feet above the ground.

6. *Bulb Type*

- a. *High-Pressure and Low-Pressure Sodium are highly recommended due to their low energy consumption and long lamp life.*
 - b. *Metal Halide, due to their higher energy consumption, are generally recommended only as commercial outdoor lighting where white light with good color rendition is required or simply desired, such as car dealer display lots, sports lighting, and service station canopies.*
 - c. *Mercury Vapor lamps, due to their higher operating costs, increased energy demands, extremely poor color rendition, and greater contribution to light pollution, are strongly discouraged.*
 - d. *Incandescent and/or florescent are most recommended for motion activated fixture as well as low-intensity needs, such as entryways.*
7. *Fixtures should be architecturally compatible with, and designed to compliment, the principle structure and surroundings.*
8. *All proposed fixtures shall be shown on the Landscape Plan.*

K. *Signs*

All signage shall adhere to the guidelines and regulations detailed within Ordinance O-96-60 and all amendments thereto (Article 1301, City of Conway Zoning Ordinance), all overlay district regulations which may apply, and any and all other current laws pertaining to signage. All sign concepts for new construction shall be considered during the design of the site and structures, so that signs and graphics can be integrated into the architecture of the project. Sign styles, size, height, scale, colors, location, and material shall strongly relate to the design of the structures.

L. *Exterior Seating and Eating and Drinking Establishments*

1. *Outdoor seating for eating and drinking not covered by permanent roof structure*
2. *shall be allowed for up to fifty percent (50%) of the establishment's allowed indoor seating.*
3. *The seating must be entirely on privately owned or leased property and outside the public right-of-way. Any right-of-way encroachment must be approved by the Conway City Council.*
4. *The seating shall not require or be dependant upon any new structures not otherwise permitted by the City of Conway Zoning Ordinance.*
5. *All outdoor seating shall be arranged in such a way so as to be safe under all conditions for pedestrian and vehicular traffic. It shall not inhibit the free circulation on public sidewalks or safe egress from buildings.*
6. *The property owner shall be responsible for maintaining the outdoor seating area in a clean, sanitary, and orderly manner.*
7. *Outdoor seating shall consist of only necessary items (i.e. tables, umbrellas, chairs, patio heaters etc.).*
8. *Outdoor patio areas should be sheltered as much as possible from clamor of streets and parking areas. Thoughtful locale, dense landscaping, and architectural screening is strongly encouraged to aid in this provision.*

M. *Sidewalks*

1. Sidewalks shall be constructed on as outlined by the Conway Subdivision Ordinance O-00-03.
2. Sidewalks shall be constructed on all streets public and private, regardless of classification, with the exception of alleys, for all projects requiring Development Review.

N. Right-of-Way Dedication

If any streets abutting the project do not have the width of right-of-way required by the Master Street Plan and Subdivision Ordinance for the classification of that street already dedicated, the owner shall dedicate half the required additional right-of-way along each street frontage prior to approval of the site plan.

O. I-3 Intensive Industrial District Standards

Due to the nature of industrial development, the City of Conway realizes that architecture, landscaping densities, and overall site aesthetics are generally secondary to the utilitarian considerations of building size and function; access, storage and circulation requirements; and standard industrial district practices. However, the City does desire for industrial development to appear as high of quality and be as visually appealing as is reasonable, especially from the public realm. Therefore, the City will most closely review the "Image Zone" of all proposed developments within the I-3 District. Developers should strive to place considerable attention to this area.

All areas of an I-3 industrial project's "Image Zone" shall meet all standards required by this Article for commercial, office, and multi-family development, especially with regards to landscaping.

For all areas of an I-3 project, the following general standards shall be met:

1. *Site Planning*

Site layouts should be designed to provide aesthetically pleasing street scenes; controlled accesses with maneuver area for emergency vehicles; convenient visitor parking; well-screened outdoor storage, loading areas, equipment and service areas; and an emphasis on the primary entrance or office portion of the building.

- a. *Expansive paved areas located between the street and the building should be avoided in favor of multiple small lots separated by landscaping and buildings. Visitor and handicap parking shall be located adjacent to the primary building entrance while employee parking areas should be located at the side or rear of the building.*
- b. *Loading and storage areas shall be screened from view from the public realm and/or when adjacent to non-industrial property. Wherever possible, various screening methods should be incorporated into the site design to reduce the visual impact of these facilities*
 - i. *orientation of the site;*
 - ii. *portions of the building;*
 - iii. *decorative screening walls or fencing;*
 - iv. *landscaping.*

NOTE: Screening shall be designed as in integral part of the building design and site layout.

- c. *All industrial developments should attempt to provide outdoor plazas or enhanced site features at the building entries and/or in employee break areas. It is encouraged that plazas and break areas include:*
 - i. *tables, benches, or seat walls;*
 - ii. *canopy trees, potted plants, trellises and other shade structures;*
 - iii. *trash receptacles;*
 - iv. *enhanced paving.*
2. *Landscaping should be used to screen unsightly areas from public view. It is important to provide the majority of the landscaping where it provides the maximum public benefit. Landscaping throughout the project should be considered essential, and especially critical within the Image Zone, where it shall meet all other landscaping provisions of this Article.*
- a. *Barbed wire and razor wire visible from the public realm or non-industrial property should never be used unless it is needed to solve a demonstrated security problem.*
 - b. *All chain link fencing shall be painted or coated in a non-obtrusive color, such as black or dark green, in order to diminish its visual impact.*
3. *Building Design*
- The guidelines for industrial development seek not to impose a particular architectural theme or style but to promote quality development that will be an asset to the City. Developers should strive to provide the most attention to aesthetics within the Image Zone of the project.*
- a. *Primary entryways to buildings in the I-3 Intensive Industrial District should make every attempt to portray a quality office appearance through architectural treatments.*
 - b. *Encouraged elements:*
 - i. *variation of building façade planes, direction, materials, and color;*
 - ii. *inclusion of architectural elements and details;*
 - iii. *building entry accentuation;*
 - iv. *pitched roofs where building size makes it feasible, and articulating parapet caps where not;*
 - v. *screening of equipment and storage areas, to include those which are rooftop-mounted; and*
 - vi. *landscaping along the base of structures to soften an otherwise bulky appearance*
 - c. *Discouraged elements:*
 - i. *large, blank, flat surfaces;*
 - ii. *metal siding which dominates a façade;*
 - iii. *exposed, untreated concrete block walls (except split face);*
 - iv. *loading doors facing the street;*
 - v. *exposed mechanical equipment;*
 - vi. *highly reflective surfaces; and*
 - vii. *trash enclosure doors facing the street or visible from street;*
 - d. *Front elevations and primary entries should express a high window-to-wall ratio. Window type, material, and proportion should complement the overall façade.*
 - e. *Warmer “earth tones” are preferred to white or other colors which appear obtrusive and reflect glare.*

P. Special Standards

This Paragraph provides guidelines regarding the unique design characteristics of specialized development types. It is imperative to note that this Paragraph is designed to be used in conjunction with all other provisions of this Article. The Special Standards guidelines are simply additions to the guidelines contained in the previous chapters. When designing a project type detailed in this Paragraph, the reader should reference the appropriate prior Paragraph(s) related to land use type, as well as the applicable Special Standards section detailed below.

1. *Mixed-Use Projects and Structures*

These uses may be oriented vertically or horizontally on the site and may or may not be in different structures. Mixed-use projects should be designed to provide a harmonious environment for both commercial users and residents. Noise, traffic, lighting, and other elements that may negatively affect the residential environment should be located where the elements will have a minimum impact. All mixed-use projects should also adhere to the multi-family and commercial guidelines within this document.

- a. *With the exception of on-street parking, all parking areas should be provided to the rear of structures or underground where feasible. This is especially important on vertically oriented mixed-use projects.*
- b. *Private, communal open space, accessible only by building residents, should be provided.*
- c. *Parking lot and security lighting for commercial uses should be appropriately shielded so as not to spill into adjacent residential areas.*
- d. *Loading areas and refuse storage facilities should be located as far as possible from adjacent residential uses, both on- and off-site.*
- e. *Commercial and residential parking areas should be clearly delineated through dedicated signs, street markings, or other methods.*
- f. *Provide clearly marked and separated driveways and parking areas for each proposed use where possible.*
- g. *Horizontal mixed-use developments should be designed using consistent materials and architectural style. If the intent is to differentiate between uses, some deviation is permissible.*
- h. *When multiple uses are proposed in a single building, separate and convenient entrances for each use should be provided.*
- i. *Any proposed building elevations that face public streets, whether such elevations function as the front, side or rear of the building, should be architecturally detailed to avoid the appearance of being the "back of the building." All buildings should function as positive additions to the streetscape.*

2. *Large-Scale ("Big Box") Retail Developments*

Site planning for large-scale commercial facilities should strive to provide a quality pedestrian environment in what is traditionally a facility designed for the efficient movement of automobiles. If a truly effective and inviting atmosphere is to be created, the needs of the pedestrian should be attended to in equal proportion with those of vehicles. Provisions should be made for efficient pedestrian circulation systems, way-finding means, safety lighting, and open spaces that provide respite from expansive and crowded parking lots.

- a. *For all projects five (5) acres and larger, the incorporation of plazas, courtyards, pedestrian malls, and other outdoor spaces for people to gather shall be required.*
 - i. *A minimum of five percent (5%) of the total project shall be dedicated as permanent common space and located in an area of the site which makes them identifiable and easily accessible for public use. Any landscaping within this common space shall be considered as part of the twenty percent (20%) pervious surface requirement.*
 - ii. *All provided furniture, fixtures, water features, and other amenities shall be considered integral components of development, maintain architectural compatibility, and fully detailed on all landscape plans.*
 - iii. *These common areas should be sheltered as much as possible from clamor of streets, parking, and other incompatible uses.*
 - b. *Buildings should be located as near to the street as possible in order to further reduce the visual impact of expansive parking lots, promote pedestrian activity, and help “humanize” what is generally an auto-oriented environment. Address parking requirements while reducing the amount of necessary landscaping by providing as much parking as possible along the sides or rear of structures.*
 - c. *Clearly defined pedestrian circulation systems shall be provided throughout the project site. Any crosswalks should be accentuated through the use of textured and/or colored paving. All pedestrian systems shall consider ADA path of travel and appropriate surface treatments.*
 - d. *The base of the building should be surrounded by a broad landscape buffer so as to soften the building’s edge, allow opportunities for trees to be planted (serving to reduce the imposing scale of the structure), and create a desirable buffer between the building and any surrounding paved surfaces.*
 - e. *When crafting retail “big-box” facilities, every attempt should be made to minimize imposing mass, encourage design that complements neighboring buildings, and foster a human-scaled and pedestrian-friendly environment.*
 - f. *A variety of details and treatments should foster a lively and interesting roofline, including, but not limited to, usage of cornice detailing to provide unique caps atop building facades.*
 - g. *The design of any outdoor storage or gardening facilities should complement the architecture of the primary building as well as the overall site design.*
 - h. *Any proposed building elevations that face public streets, whether such elevations function as the front, side, or rear of the building, should be architecturally detailed to avoid the appearance of being the “back of the building.” Buildings should function as a positive addition to the streetscape.*
 - i. *The entryway to a “big box” store should serve as the visual focal-point for the entire facility and should accordingly showcase an inviting human-scaled entrance.*
3. *Vehicle Dealerships and Automotive Repair Shops*

Vehicle dealerships and automotive repair shops are intensive and dynamic uses characterized by constant, heavy automotive and pedestrian activity. Accordingly, great care should be taken when siting such facilities within a community so as to impose the minimum impact on surrounding uses.

- a. *Space for the unloading of cargo and vehicles from trucks shall be integrated into the overall design of the site.*
- b. *Associated uses or activities that create excessive amounts of noise (car repair, exterior sound systems, cleaning, testing, etc.) should not be immediately adjacent to residential areas.*
- c. *Service areas associated with vehicle dealerships should be screened from public view and abutting properties through the use of efficient and attractive landscaping, fencing, and/or walls. Areas should be located at the back of the project when feasible.*
- d. *Any on-site service or repair facilities should:*
 - i. *provide vehicle access to individual bays which is internal to the site (preferably the rear) and not directly off of street frontage;*
 - ii. *provide screening for such bays so as to not be visible from public right-of-ways;*
 - iii. *provide a dedicated vehicle washing area; and*
 - iv. *not be visible or audible to passing pedestrians from the street or adjacent residential areas.*
- e. *Public and business-related parking areas should be clearly delineated through dedicated signs, street markings, or other methods.*
- f. *Specific site locations should be created for the storage of used oil and lubricants pending recycling.*
- g. *All compressors should be located in the interior of the site or within buildings so as to minimize any audible impacts to adjacent properties.*

4. Fuel/Service Stations and Car Washes

Service stations and car washes are intensive uses characterized by large areas of paving which permit vehicles to freely maneuver. As a result, these locations have the potential to create significant adverse impacts for adjoining streets and properties. Furthermore, while the basic architectural components of most service stations (gas pumps/stalls, convenience stores, car washes, etc.) are necessary, an opportunity exists for architectural forms that are unique, locally sensitive, and ultimately attractive. Rather than simply adhering to a highly standardized corporate model of design, service stations should draw from surrounding structures and mimic established or historic themes.

- a. *Lush perimeter landscaping or other attractive and appropriate measures should be provided to screen the paved areas.*
- b. *Entry to and exits from car wash facilities should be oriented away from the street and/or screened so as to diminish their visibility from the public right-of-way.*
- c. *Each on-site gas pump should generally include stacking for a minimum of two (2) vehicles (roughly forty (40) feet in length) so that driveways or the street are not utilized by waiting customers.*

- d. Dense landscaping, berming, architectural treatments, or a combination these elements should be used to maximize the screening of the site from public view.
 - e. All structures on-site should be consistent with and complement the architectural design of the primary building and overall project site.
 - i. Canopies should avoid appearing “pre-engineered.” Canopies should appear relevant to the overall building design and that of the surrounding area. The use of pitched roofs on canopies is strongly encouraged.
 - ii. Canopy height should be held to the minimum necessary to achieve daily operations. “Open air” pump stations are encouraged to accommodate larger vehicles.
 - iii. Columns supporting the canopy should be of sufficient thickness to portray a visual sense of strength, balance, and traditional masonry proportions. The use of brick, stone, or other substantial building materials are encouraged.
5. *Regional Scale Developments*

Projects of twenty-five (25) acres or more are deemed relevant on a scale greater than standard projects, which typically aim to serve only the needs of the population of Conway; these projects have a regional impact and, therefore, are very often regional destinations. It is for this reason that a “Regional Scale Development” (RSD) will be reviewed as unique environments with unique dynamics. Although full compliance with the provisions contained within this document is desired, there may be additional allowances for exceptions, to include Article 1301 of the Conway Zoning Ordinance, based upon individual merits and site characteristics. Each RSD will be reviewed, measured, and approved independently of other RSDs which may have been developed prior. All RSD development plans are required to gain Conway City Council approval prior to any permit(s) being issued.

SECTION 1101.8 – SPECIFIC SUBMISSION REQUIREMENTS

Submissions which do not fulfill all requirements of this Section will not be accepted for review or approval, unless otherwise expressly directed by the Planning Dept.

A. The following items are required for any Development Review:

1. *A completed and signed Development Review Application*
2. *A completed Development Review Checklist*
3. *Verification of payment of Development Review Fee*
4. *Two complete sets of the site’s development plans. All plans must be on white paper. One complete set shall be plotted no smaller than 18” x 24” and no larger than 36” x 42” (24” x 36” preferred). One complete set will be reduced dimension, no smaller than 8 ½” x 11” and no larger than 11” x 17”. Each “set” of development plans shall include, at a minimum, the following individual plans:*
 - a. *Site Plan*
 - b. *Landscape Plan*
 - c. *Grid Photometric Plot*

d. *Exterior Architectural Elevations*

5. *Digital files of all completed site development plans. The preferred format for these files is Adobe .pdf, and they must be scaled to the same dimensions as the largest of the paper copies. Submissions can be made via any typical medium (CD-ROM, diskette, e-mail, Flash Drive, etc.)*
6. *Any required traffic engineering study, as determined by the City engineer*
7. *General statement of character and intent of use of the project/development*
8. *All supporting documentation. Examples may include, but not be limited to the following: variances, deeds, access agreements, conditional use permits, lighting cut sheets, etc.*

B. *The following basic information shall be provided on each individual plan:*

1. *North arrow*
2. *A graphic scale, drawn using an engineer's scale, to a scale not smaller than 1" = 50' (all other scales shall be approved by Planning Department staff)*
3. *Name of person who prepared the plan.*
4. *Date of preparation of the plan*
5. *Property lines*
6. *All existing and proposed buildings and structures*
7. *All existing and proposed parking areas and curbing*
8. *All freestanding signage*
9. *All landscaped areas (details necessary only on Landscape Plan)*
10. *Abutting streets, alleys, and private drives*
11. *All water courses, manmade or natural, entering and/or leaving the site, and their direction of flow*
12. *Display base flood elevation with floodplain and floodway limits according to maps prepared by FEMA or NFIP, and any floodplain or floodway modifications*
13. *Pedestrian and vehicular access points, to include all curb cuts and cross access drives*
14. *All existing and proposed sidewalks and bike paths*

C. *The following items must be included on a schedule or chart displayed on the Site Plan:*

1. *Acreage of site, accurate to the nearest one-tenth of an acre*
2. *Square footage of site, accurate to the nearest square foot*
3. *Square footage of all proposed and existing impervious surface areas, and their percentage of total site coverage (not to exceed 80%); otherwise referred to as Lot Coverage Area (LCA)*
4. *Square footage of all proposed and existing pervious surface areas, and their percentage of total site coverage (minimum 20% required)*
5. *Number of existing buildings to remain on site*
6. *Number of proposed buildings*
7. *Gross Floor Area (GFA); the total square footage of all covered floor area on all levels of all buildings*
8. *If the site is a multiuse building or facility, please include a "Total Floor Area By Use" chart detailing existing and proposed square footage for each of the following: residential, office, retail, restaurant, medical, institutional, industrial*
9. *Height of each building*
10. *Square footage of total building coverage ("footprint"), and its percentage of total site*

11. Number of total dwelling units (if residential), and the land use intensity (unit per acre)
12. Minimum parking requirement (to include ADA/Handicapped accessible), and the number proposed
13. Minimum number of parking lot islands required, and the number proposed
14. General slope analysis representing one of the following categories:
 - a. 0% to 5%
 - b. 6% to 12%
 - c. 13% and greater
15. Minimum building setback requirements (front, rear, and sides) for the given Zoning Class, and the proposed setbacks of each building
16. Total number of curb cuts, to include existing, proposed, and any being closed
17. Identify any Overlay District which applies to any part of the site
18. Identify any part of the site located within the Asa P. Robinson Historic District
19. Identify any part of the site which is listed on the National Register of Historic Places

D. The following items are required and must be displayed on the Site Plan:

1. A vicinity map of the project, drawn to a scale of one inch equal one thousand feet (1" = 1,000') with a radius of no less than one-half (½) mile, and oriented in the same manner as site plans. This map shall include public and private streets, corporate (city) limit lines, location of project with boundaries identified, as well as all adjacent zoning. (Base maps are available from www.conwayplanning.org)
2. Identification of any part of site as being within the 100-Year Floodplain or 100-Year Floodway. Identify base flood elevation with reference to the FIRM Panel number and effective date.
3. Appropriate signature block for approval
 - a. If approved by the Planning Director:

Pursuant to the Conway Zoning Ordinance, this development plan was given approval by the Planning Director of the City of Conway, Arkansas. All conditions of approval having been completed, this document is hereby accepted and this certificate executed under the authority of such regulations.

Date of execution: _____

 Conway, Arkansas Planning Director

- b. If approved by the Planning Commission:

Pursuant to the Conway Zoning Ordinance, this development plan was given approval by the Planning Commission of the City of Conway, Arkansas. All conditions of approval having been completed, this document is hereby accepted and this certificate executed under the authority of such regulations.

Date of execution: _____

Conway, Arkansas Planning Commission Chair

c. *If approved by the City Council:*

Pursuant to the Conway Zoning Ordinance, this development plan was given approval by the City Council of the City of Conway, Arkansas. All conditions of approval having been completed, this document is hereby accepted and this certificate executed under the authority of such regulations.

Date of execution: _____

Mayor, City of Conway

4. *Necessary notes with a complete and accurate legend*
 5. *The boundary lines of the site, to include bearings, dimensions, and a reference to a section corner, quarter corner, or point on a recorded plat*
 6. *Existing and proposed topographic information with contour lines at vertical intervals of two feet or less*
 7. *Proposed finished grade with contour intervals of two feet or less*
 8. *Sufficient dimensions to indicate relationship between buildings, property lines, parking areas, and other dominant elements of the plan*
 9. *Building lines (setbacks) shall be shown on all sides of the lot*
 10. *Parking lot layout to include striping plan and circulation pattern*
 11. *Abutting streets, alleys, and private drives (including name, centerline, total width, and R-O-W width)*
 12. *All existing and proposed easements (location, dimension, and purpose)*
 13. *All existing and proposed ditches, swales, gutters, and culverts*
 14. *Locations and sizes of any loading areas, service areas, docks, and ramps*
 15. *Proposed screening measures for all exterior mechanical equipment (ground, wall, and/or roof mounted)*
 16. *Proposed screening measures for all dumpsters, refuse and recycling pads, and trash storage areas*
 17. *All existing and proposed fire hydrants*
 18. *All proposed traffic calming measures*
 19. *Open spaces and recreation areas*
 20. *Seal and signature of the site architect or engineer, registered/certified in the State of Arkansas*
 21. *All other applicable information pertinent to the plan and necessary to properly evaluate the plan in full context and obtain all permits*
- E. *The following items are required and shall be displayed on the Landscape Plan:*
1. *All existing vegetation, to include that along adjacent property lines*
 2. *Species of all proposed plant materials and other ground covers*
 3. *Location of all proposed plant materials and other ground covers*
 4. *Size of plants at planting and maturity*
 5. *Method of irrigation*
 6. *Special features, such as berming and retaining walls*

7. Cross-sections through areas of special features
8. Location, size, pylon height, color, and material of sign structures, to include both stand-alone signs and those affixed to buildings facades
9. All proposed fencing, walls, and other screening measures, to include material, design, and height
10. All other applicable information pertinent to the plan and necessary to properly evaluate the plan in full context
11. All Landscape Plans must be, at a minimum, prepared by a person knowledgeable in the field. On all projects two (2) acres and more, a certified landscape architect shall be required to seal/stamp and sign the Landscape Plan.

F. The following items are required and shall be displayed on the Grid Photometric Plot:

1. Location of all exterior lighting fixtures
2. Height and aiming of all exterior lighting fixtures
3. Maximum luminance levels should be expressed in footcandle measurements on a grid of the site showing footcandle readings in every ten-foot square, and shall include light contributions from all sources, to include fixtures used for pedestrian and vehicle ways, security, signage, and decoration
4. Manufacturer-supplied specifications “cut” sheets that include photographs or illustrations of the fixtures, indicating the certified “cut off” characteristics of each fixture
5. ISO-footcandle templates are highly encouraged for each light source, plotted at the designated mounting heights for the proposed fixtures. NOTE: this may be required during Development Review based upon Planning Department staff assessment of the project’s potential impact on surrounding areas

G. The following items are required and shall be displayed on the Exterior Architectural Elevations:

1. Complete and accurate scaled illustrations for each elevation of each structure on the site
2. Primary exterior dimensions of all proposed structures
3. All signage elevations, both structure-mounted and freestanding
4. Style, color, and exterior construction materials of all proposed structures and signs
5. Where several building types are proposed on the plan, such as apartments or commercial buildings, as separate sketch shall be prepared for each type
6. Must be to a scale not smaller than ¼” = 1’ (all other shall be approved by Planning Department staff)
7. Proposed building and other material samples, in corresponding colors, must be included with submission NOTE: it is recommended that this requirement be fulfilled at the Preliminary Conference

SECTION 1101.9 – EXCEPTIONS

- A. Deviations from the regulations established by this Article shall be permitted in specific circumstances and shall be referred to as “Exceptions.” Requests for Exceptions from site development, construction, and appearance design

standards shall be in writing and shall be submitted with the Development Review application. Such request shall demonstrate:

- 1. Special conditions or circumstances exist that are not applicable to other lands, structures, or developments such that a literal interpretation of this Article would result in an undue hardship. These special conditions or circumstances may not result from the actions of the applicant.*
 - 2. An Exception is necessary to make possible the reasonable use of the land, structure(s), and/or additions thereto, and that, if granted, such Exception will be in harmony with the general purpose and intent of all ordinances, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*
- B. If the Planning Director refuses to grant a requested Exception, then the Development Plan is, for all intents and purposes, considered disapproved and therefore subject to the Development Review Appeal process outlined in Section 1101.5 of this Article.*
- C. If the Planning Director decides to grant a requested Exception, then he/she must, within one (1) business day, notify all of the City Council members.*
- 1. Notification shall be delivered in a method of the Director's choosing and may include, but not be limited to, one or more of the following: telephone contact, placement of letters in the Councilmember's mailboxes located in City Hall, USPS mail, electronic correspondence, or in another manner approved by the Mayor.*
 - 2. If any one of the City Council members feels that the Exception request should not have been granted, the Council member must notify the Planning Director within five (5) business days from the date of the Planning Director's decision to grant the Exception.*
 - i. The Planning Director shall then refer the Exception request to the Planning Commission, and have it placed as an item on the next immediate meeting agenda.*
 - ii. If the Planning Commission, agreeing with the Planning Director, decides to grant the Exception, the Exception shall be considered granted. If the Planning Commission overrules the Planning Director and denies the Exception, the applicant may appeal that decision to the City Council.*
 - 1. The appeal must be submitted to the Planning Department no less than thirty (30) working days from the date of the Planning Commission's decision.*
 - 2. In order to be placed on the City Council agenda, the appeal must be submitted no less than eleven (11) days prior to the following City Council meeting.*
 - 3. If the City Council should decide to grant the variance, the Exception shall be considered granted. If the City Council refuses the Exception, the request shall be considered denied for approval and no further opportunity for appeal shall be available.*

D. The Planning Director or Planning Commission or City Council will grant any and all Exceptions only when the requirements noted within Paragraph A, immediately above, are suitably demonstrated.

SECTION 1101.10 – FEES

The Development Review Fee will be calculated for all projects as follows:

\$0.02 per ft² of Lot Coverage Area (LCA)

PLUS

\$0.04 per ft² of Gross Floor Area (GFA)

The minimum fee for Development Review, regardless of project size, shall be \$325.
The maximum fee for Development Review, regardless of project size, shall be \$3250.

SECTION 1101.11 – PERFORMANCE GUARANTEE

When the then current season of the year is not conducive to sustaining life for trees and plants required hereunder, and/or it would be advantageous for the paving base to have longer to “set up” prior to paving, compliance with these provisions may be postponed for not more than one year, and a temporary certificate of occupancy issued and/or electrical power connected to a related structure. This action shall be conditional upon the owner and/or developer posting a cash or surety performance bond or letter of credit payable to the City of Conway in an amount equal to the estimated cost of the postponed improvements. Estimates of landscaping costs shall be prepared by a qualified landscape contractor and/or paving contractor. Failure to complete such postponed landscaping or paving within one (1) year shall be grounds for the automatic forfeiture of the bond or letter of credit. However, such forfeiture shall not relieve the owner and/or developer from complying with the provisions of this ordinance.

SECTION 1101.12 – FINES AND PENALTIES

Any violation of the concepts, standards, and/or regulations outlined within Article 1101 may be punishable as provided by authority outlined in Article 101 of the Conway Zoning Ordinance. In the event a violation is witnessed by, and/or reported to the Planning Director, the offender shall be notified by certified mail prior to any civil action. Upon notification, the offender begins to incur any associated fines and penalties instituted by the City. This may include a possible civil fine of no less than fifteen dollars (\$15) and no more than one hundred dollars (\$100), per day, per violation, for each day such violation(s) continue.

SECTION 1101.13 – INSPECTIONS

Periodic inspections by staff members of both the Planning Department and the Permits and Inspections Department will be conducted throughout the construction of the project in order to verify that all development continues in a manner compliant with the previously approved site plans. These inspections will be performed as needed, up until

the final inspection by the Permits and Inspections Department required for a Certificate of Occupancy.

SECTION 1101.14 – REPORTS TO THE PLANNING COMMISSION

All approvals of site plans by the Planning Director must be reported by the Planning Department to the Planning Commission within sixty (60) days of such development plan approval.

SECTION 1101.15 – VALIDITY

That in the event any section, paragraph, sentence, clause, or phrase of this Article be declared unconstitutional or invalid for any reason, the remainder of said Article shall not be affected thereby; and it is intended that every other section, paragraph, sentence, clause, and phrase of this Article shall remain and be in full force and effect.

SECTION 1101.16 – DEFINITIONS

For the purpose of Article 1101, Development Review, the meaning of terms used herein shall conform to the definitions found below. Unless defined herein, all words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

Guidelines which employ the words ‘should’ or ‘encouraged’ or ‘discouraged’ are desirable but not mandatory. Alternative designs may be considered during Development Review.

Guidelines using the words ‘shall’ are mandatory and must be included in the project’s design.

BLANK WALL – Any wall or portion of a wall which faces a public right-of-way that is without a ground level window, door, or facade opening for a distance of twenty (20) feet in length or more.

CANOPY TREE – Those trees which commonly compose the uppermost layers of a forest. May be deciduous or evergreen in nature. All shall measure a minimum of two (2) inches by caliper at six (6) inches above ground level at the time of planting, and generally have a mature height of forty (40) to sixty (60) feet or more.

CROSS ACCESS – A service drive providing vehicular access between two or more continuous sites so the driver need not enter the public street system.

CURB CUT – An entrance used by vehicular traffic to access property abutting a public or private; may also be referred to as a “driveway.”

CURB APPEAL – The first impression of a property as viewed from the street.

DEVELOPMENT – The carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any

building or other land. (See also “Project”); also, a developed tract of land, especially those with structures on it.

DEVELOPMENT PLAN – (May be substituted with “site plan” or “site development plan”). Those documents which, once combined, provide the specific intent and design proposal for a given site’s physical use. At a minimum, this shall include a Site Plan, Landscaping Plan, Grid Photometric Plot, and Exterior Architectural Elevations.

DRIVEWAY SHARING – A single driveway which serves two or more lots. A shared driveway may cross a lot line or be on the lot line, and the owners may have an easement for the shared use.

FAÇADE – Generally the face or front of a building, but can also be used to describe any exterior side of a building.

FAÇADE PLANE – The flat area of a façade which runs generally two dimensionally and terminates at a change in facet, angle, or direction.

FOOTCANDLE – A measurement of light level. It is equivalent to the light intensity made by one candle at a distance of one foot. One footcandle is equal to one lumen per square foot.

FULL CUT-OFF LUMINAIRE – A luminaire constructed and installed in such a manner that all light emitted by it, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane of the luminaire. In addition, the luminous intensity (as measured in footcandles) emitted at any angle from eighty (80) degrees up to ninety (90) degrees shall not exceed a numerical value equal to ten percent (10%) of the overall lumen rating of the lamp (bulb), as reported in a photometric report from the manufacturer.

FULLY SHIELDED LUMINAIRE – A luminaire constructed and installed in such a manner that all light emitted by it, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane of the luminaire.

GLARE – The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, which can cause annoyance, discomfort, or loss in visual performance and visibility. The magnitude of glare depends on such factors as the size, position, brightness of the source, and on the brightness level to which the eyes are adapted.

GROSS FLOOR AREA – The total square footage of all covered floor area on all levels of all structures on a given site.

HARMONY – The quality of relating the visual elements of a composition. Achieved by repetition of characteristics that are the same or similar. These cohesive factors create pleasing interaction.

IMAGE ZONE – That area of an I-3 Intensive Industrial District development most visible to public rights-of-way, generally between the primary structure(s) and adjacent street(s), to include primary architectural façades. A thorough review of the Site Plan shall be

conducted by the owner, project representatives, and members of the Planning Department, followed by a consultation of involved parties, in order to accurately define the Image Zone for each project.

IMPERVIOUS SURFACE – Not easily penetrated. The property of a material or soil that does not allow, or allows only with great difficulty, the movement or passage of water.

JOINT ACCESS – A single driveway which connects two or more adjacent sites to a public or private street.

LARGE-SCALE DEVELOPMENT – All planned projects consisting of five (5) acres or more of development, regardless of land use or construction schedule.

LIGHT POLLUTION – Any adverse effect of man-made light including but not limited to glare, light trespass, skyglow, visual clutter, wasted energy due to excessive or unnecessary lighting, or any man-made light that unnecessarily diminishes the ability to view the night sky or is disruptive to flora and fauna.

LIGHT TRESPASS – Light projected onto the property of another or into the public right-of-way when it is not required or permitted to do so.

LOT COVERAGE AREA – The total square footage of all impervious surfaces on a given site, except the square footage totals from the footprints of any structure which is calculated as part of the gross floor area.

LUMINAIRE – The complete lighting assembly (including the lamp, housing, ballasts, photocells, reflectors, lenses and shields), less the support assembly (pole or mounting bracket); a light fixture. For purposes of determining total light output from a luminaire or light fixture, lighting assemblies which include multiple unshielded or partially shielded lamps on a single pole or standard shall be considered as a single unit.

MASONRY – The building of structures from individual units, usually laid in and bound together by mortar. The common materials of masonry construction are brick, stone, concrete block, glass block, and tile, but may also include formed and poured concrete.

MIXED-USE – Developments which combine both commercial/office and residential uses or structures on a single lot or as components of a single development.

NONPOINT SOURCE (NPS) POLLUTION – The indirect or scattered sources of pollution that enter into streams, lakes, wetlands, and groundwater. Examples include, but are not limited to, drainage or runoff from agricultural fields, airborne pollution from cropdusting, and runoff from urban areas (streets and parking lots, rooftops and lawns, construction sites, etc.)

PERVIOUS SURFACE – Any ground surface, natural or engineered, which allows fluid to penetrate or pass through it without difficulty. Pre-engineered porous pavers and/or other forms of pervious paving material shall be considered pervious. EXCEPTION: All forms of crushed stone and/or gravel.

PROJECT – An undertaking that encompasses a set of tasks or activities having a definable starting point and well defined objectives. Usually each task has a planned completion data (due date) and assigned resources. (See also “Development”)

QUALITY OF LIFE – The level of enjoyment and fulfillment derived by humans from the life they live within their local economic, cultural, social, and environmental conditions. The feeling of wellbeing, fulfillment, or satisfaction resulting from factors in the external environments.

REGIONAL SCALE DEVELOPMENT – Projects of twenty-five (25) acres or more, regardless of land use, development schedule (phasing), or square footage of structures; to include outlots.

RIPARIAN CORRIDOR – Narrow strip of land, centered on a stream, that includes the floodplain as well as related riparian habitats adjacent to the floodplain. These areas have high water tables and support plants requiring saturated soils during all or part of the year.

SCREENING – The act of placing landscape features, such as trees, bushes, shrubs, or man-made screens, such as fences, walls, or berms, to reduce the visual impact of a development on nearby properties. Any and all screening measures shall be of sufficient height and/or density to prevent the view of the screened items and/or areas from traffic on all adjacent streets and sidewalks, and from any residential properties.

SIGNIFICANT TREES – A tree with a trunk diameter of twenty-four (24) or more inches for large species (i.e. Oak), eighteen (18) inches for slow-growing or medium-sized species, and eight (8) inches or more for small species (i.e. Redbud). The Planning Director, with assistance from the University of Arkansas Agricultural Extension Office, shall make the final determination as to the “significance” of any trees on a given site.

SITE AMENITIES - Any feature of real property that enhances its attractiveness and increases the occupant’s or user’s satisfaction although the feature is not essential to the property’s use. Natural amenities include a pleasant or desirable location near water, scenic views, mature trees, creeks, riparian corridors, etc. Human-made amenities include swimming pools, tennis courts, community buildings, and other recreational facilities.

SITE AREA – Total of all surface areas found within the boundary of a given site; may be calculated as square footage (ft²) or acreage.

SKYGLOW – The overhead glow from light emitted sideways and upwards, including light reflected upward from the ground or other surfaces. Skyglow is caused by the reflection and scattering of various forms of light by dust, water, and other particles suspended in the atmosphere. Among other effects, skyglow reduces one’s ability to view the night sky. Different sources of light, in equal quantities, can contribute differently to sky glow.

STREETSCAPE – The space between the buildings on either side of a street that defines its character. Formed by the location of physical features such as buildings, pedestrian, cycling and vehicular facilities and landscaping.

UNDERSTORY TREE – Those trees which commonly grow in the zone between a forest canopy and the forest ground cover, and may be deciduous or evergreen in nature. All shall measure a minimum of two (2) inches by caliper at six (6) inches above ground level at the time of planting will not generally exceed thirty (30) feet in height.

VEGETATION – The structure, cover and species composition of the plants of an area