Planning Commission
Meeting Agenda
March 3, 2026
Bentonville City Hall
Tech Review: 4:30 PM
Public Hearing: 5:00 PM

Registration Link: https://us02web.zoom.us/j/84253885134

Notice: Fraudulent invoices are being sent to builders and developers who have active projects in the City of Bentonville. The invoices appear to come from the City of Bentonville but ask for a wire transfer of funds. **The City of Bentonville will never ask for a wire transfer of funds.**

I. Call to Order

II. Approval of Minutes

1. **February 17th Meeting Minutes** — **Approval of Meeting Minutes**

III. Consent Agenda

1. **Lot 10, Block 16 of Deming's 2nd Addition** — **Property Line Adjustment**
   305 SE Henry Street (PLA25-0038)
2. **C-Street Townhomes Phasing Amendment** — **Large Scale Development Amendment**
   404 SE 8th Street (LSD25-0039)
3. **Townhomes at OZ Phasing Amendment** — **Preliminary Plat Amendment**
   405 SE A Street (PP25-0010)
4. **Lots 7-10 of Morningstar Subdivision** — **Property Line Adjustment**
   Morning Star Rd and Sears Rd. (PLA26-0001)
5. **Lot 12 of Demings 2nd Addition** — **Property Line Adjustment**
   606 A&B NE A Street, and 204 A NE 7th Street (PLA26-0003)
6. **Rainbow Patio Homes Subdivision** — **Final Plat**
   122 SW Winsted Ln (FP25-0004)
7. **Lots 1 & 2, Phase 1 of Crystal Lands Subdivision** — **Property Line Adjustment**

501 NE F Street (PLA25-0020)

IV. New Business

1. **Echelon Subdivision Waiver Request** — **Waiver**

   NW 3rd at NE Peloton Ln (PP25-0003)
   Waiver of Street Specifications Section 600.02 (d) (2) for the grade crossing the side path at NW 3rd

Advertised Public Hearings

1. **Gilmore** — **Rezoning***

   337 NW A Street (RZ26-0003)
   Rezoning: DN-4, Downtown Mixed-Use Residential to DE, Downtown Edge **(Enhanced Review)** within the Urban Neighborhood Place Type

2. **Bentonville Community Code** — **Ordinance***

3. **Bentonville Zoning Map** — **Ordinance***

4. **Downtown Center Overlay District Map** — **Ordinance***

5. **Downtown Neighborhood Overlay District Map** — **Ordinance***

V. Other New Business

VI. Old Business

1. **Bentonville B3 Land Development, LLC (The Thickets)** — **Planned Residential Development***

   Between Mill Dam Rd and Nomad Rd, south of Regional Airport Blvd (PRD25-0004) R-2 / R-3 to PRD

VII. Other Business

1. **ARDOT N/S Corridor update** — **Informational**

VIII. Adjournment

Planning Commission
Meeting Minutes
February 17, 2026
Bentonville City Hall
Tech Review: 4:30 PM
Public Hearing: 5:00 PM

Meeting Recording: https://bentonvillear.portal.civicclerk.com/event/2065/media

Commissioners Present: Dana Davis (Chairman)**,** Reggie Wright, Elaine Kerr, Danny Bennett, Doug Bryant, Ifeoma Ibekwe, Eric Hipp
Commissioners Absent:
Staff Present: Tyler Overstreet, Tom Adler, Shelli Kerr, Dan Weese, Nathan Izard, Braedyn McBroom

I. Call to Order

- Chairman Davis calls the meeting to order at 5:01 pm.
- Commissioner Kerr requests, without objection, to move WAV26-0002 to the Consent Agenda. No objections heard.
- Commissioner Kerr requests, without objection, to move WAV26-0001 to immediately before New Business. No objections heard.

II. Approval of Minutes

1. **February 3rd Meeting Minutes** — **Approval of Meeting Minutes**
   - Motion to approve by Wright, second by Ibekwe.
   - Minutes are approved unanimously on a voice vote 7-0.

III. Consent Agenda

1. **Vosberg Subdivision, Lot 1** — **Property Line Adjustment**
   507 SE Hendrix St. (PLA25-0036)

2. **Kerelaw Castle Subdivision, Lots 181-184** — **Lot Split**
   5012 and Town Vu Road (LS26-0001)

3. **Lots 5 & 6, Hunt Bennett Addition** — **Property Line Adjustment**
   3 Oak Valley Lane (PLA26-0002)

4. **Deming's 2nd Addition, Lot 6 & West 1/2 of Lot 5, Block 18** — **Property Line Adjustment**
   409 Northwest 7th Street (PLA26-0004)

5. **The Reserve Subdivision, Lots 4, 8 & 9, Creating Lots 10, 11 and 12** — **Correction Plat**
North of Regional Airport Blvd, between Shell Road and Greenhouse (PLA26-0006)

6. **Skylight Subdivision, Lot 1** — **Property Line Adjustment**
1906 Southwest 14th Street (LS23-0035)

7. **Lots 8 & 9, Tiarks Addition** — **Lot Split**
3 Oak Valley Lane (PLA26-0002)

8. **V3 Construction & Development LLC** — **Waiver**
Garage Waiver
420 Southwest Glover Street (WAV26-0002)

- Mr. Adler provides an overview of the items on the Consent Agenda.
- Consent Agenda is approved 7-0.

IV. New Business

1. **Clark Sidewalk Waiver** — **Waiver**
340 Crestview Drive (WAV26-0001)
Waiver: Section 1100.15(b)(2) Sidewalk Requirements
- Discussion about the need for sidewalk amongst the Commissioners.
- Larah Clark, the applicant, is present for any questions.
- Commissioner Davis asks Ms. Clark about her position regarding a fee in-lieu of building the sidewalk. Ms. Clark indicates their agreement with a fee in-lieu for the required sidewalk.
- A condition of approval is proposed for a waiver with a fee in-lieu for a 5-foot sidewalk as shown on the site plan with an agreement by applicant that the funds can be used for construction sidewalks anywhere within the City and that there will be no expiration of when the funds can be used by the City.
- Motion by Wright to approve the waiver with associated conditions, second by Kerr.
- Waiver is approved 7-0.

Advertised Public Hearings

1. **Faciszewski** — **Rezoning***
401 North Main Street (RZ25-0051)
Rezoning: R-1, Low Density Single Family Residential to DN-4, Downtown Mixed-Use Residential **(Standard Review)**
- Mr. Adler provides an overview of the staff report.
- Chairman Davis opens the public hearing.
- The applicant, Sonia Faciszewski, is present to answer any questions.
- Chairman Davis closes the public hearing, and the commissioners discuss the rezone.
- Rezone is approved 7-0.

2. **AP RE and Development, LLC** — **Rezoning***

409 Northwest 7th Street (RZ26-0001)

Rezoning: R-1, Low Density Single Family Residential to DN-1, Downtown Low Density Residential **(Standard Review)**

- Mr. Adler provides an overview of the staff report.
- Chairman Davis opens the public hearing.
- The applicant is present to answer any questions.
- Chairman Davis closes the public hearing, and the commissioners discuss the rezone.
- Applicant discusses reasoning for requesting DN-1 as opposed to DN-2.
- Rezone is approved 7-0.

3. Laurel Canyon LLC **Planned Unit Development***

902, 904, 906, 908, and 1002 Southeast 3rd Street (PUD25-0002)

- Mr. Adler provides an overview of the staff report.
- Chairman Davis opens the public hearing.
- The applicants (Chris Baribeau and Bill Butler) are present to answer any questions and provide a summary of the project.
- Chairman Davis closes the public hearing, and the commissioners discuss the PUD rezone request.
- Commissioners discuss parking, building materials, density, height, and current zoning and place type. Commissioners also discuss the vertical articulation of the façade along the north side of the building. Staff provided clarification regarding the procedural question of whether the Large Scale Development application for this PUD would be evaluated under the current code or the new code if adopted prior to submission of the large scale. Commissioners discuss context of the neighborhood with the applicants.
- Chairman Davis notes that this is not an approval for building materials and that the large scale will require further consideration of the north façade and proposes these as a condition of approval to the Planning Commission.
- Rezone is approved 6-1, with Commissioner Bennett voting no.

4. Bentonville Community Code **Ordinance***

Public Hearing only, no vote requested.

- Mr. Overstreet provides an overview of the Bentonville Community Code.
- Chairman Davis opens the public hearing.
- Chairman Davis concluded the public comment portion of this item but kept the public hearing open, indicating that it will remain open to receive additional comments at the next meeting when this item is on the agenda for consideration.
- Chairman Davis provides detailed feedback on the proposed code, including suggested revisions to Table 3.5 (Traditional Neighborhood percentages in T3.1 and T3.2), questions regarding water tank screening, cottage court applicability in existing subdivisions (especially in R-1), treatment of group homes, driveway standards (circular driveways, driveway widths), concerns with open (civic) space requirements, suggestions for zone transitions (especially for R-1), dumpster setbacks, building material clarifications, and

garage/loading dock applicability, as well as questions about campus development regulations.

- Mr. Overstreet clarifies that while Campus Development Standards are similar to PUDs and PRDs, it is not a total replacement of PUDs/PRDs and that there will be no more PUDs and PRDs in the new code.
- Commissioner Wright gives concerns about attached single-family 7-foot side yard setbacks. Mr. Overstreet responds by clarifying that the next draft will require the 7-foot side setback but to allow for an adjustment of up to 2 feet if the plans show the fire code requirement.
- Chairman Davis expresses concern about the public not being able to comment on Small Scale Development projects.

5. Bentonville Zoning Map **Ordinance***

Public Hearing only, no vote requested.

- Mr. Overstreet provides an overview of the zoning map.
- Bill Butler, a member of the public, discusses concerns regarding the timeline for adoption as well as restrictions on certain zoning districts (particularly the T6.1 zoning district).
- Both Mr. Butler as well as Scott Killkenny, another member of the public, express their concerns to the Planning Commission about the role of utilities in shaping land use decisions.
- Ronnie Robinson, a member of the public, also expresses uneasiness regarding the timeline for adoption as well as concern about the public's uncertainty on how the proposed zoning map and code changes would impact individual properties.
- Chairman Davis concluded the public comment portion of this item but kept the public hearing open, indicating that it will remain open to receive additional comments at the next meeting when this item is on the agenda for consideration.

6. Downtown Center Overlay District Map **Ordinance***

Public Hearing only, no vote requested.

- Mr. Overstreet provides an overview of the Downtown Center Overlay.
- Several members of the public provide input on the overlay, conveying concerns about uncertainty on how the overlay will impact individual properties, particularly for non-retail uses such as offices and religious spaces (Rustin Crisco and Matt Britton, members of the public) as well as current homes in the proposed district.
- Lee Culpepper, another member of the public, shares uncertainty about what uses could come into existing residential structures.
- Chairman Davis concluded the public comment portion of this item but kept the public hearing open, indicating that it will remain open to receive additional comments at the next meeting when this item is on the agenda for consideration.
- Mr. Overstreet answers questions brought up by the public and clarifies that the language regarding both overlays will be cleaned up in the next draft of the proposed code.

7. Downtown Neighborhood Overlay **Ordinance***

District Map

Public Hearing only, no vote requested.

- Mr. Overstreet provides an overview of the Downtown Neighborhood Overlay.
- Both Judy Marquess and John Terlow, members of the public, express their support for the Downtown Neighborhood Overlay in protecting downtown Bentonville's historic areas.
- Mr. Robinson expresses concern about the setback requirement for new residential structures.
- Chairman Davis concluded the public comment portion of this item but kept the public hearing open, indicating that it will remain open to receive additional comments at the next meeting when this item is on the agenda for consideration.

V. Other New Business

VI. Old Business

VII. Other Business

1. **Sidewalk Discussion** **Discussion**
    - Mr. Overstreet provided a presentation on the proposed sidewalk requirements, potential waiver criteria, and fee-in-lieu criteria in the context of the new code, during the technical review meeting only.
    - Commissioners discuss the sidewalk exemption for parcels with 150 feet or more of street frontage with the resulting use of single- or two-family construction.
    - More discussion about sidewalk exemptions, including feasibility and ADA issues with terrain.

VIII. Adjournment

- Motion to adjourn by Ibekwe, second by Hipp. Meeting is adjourned.

	Lot 10, Block 16 of Deming's 2nd Addition
	305 SE Henry Street
	PC Date: 3/3/2026

Staff Report Details

Project Number	(PLA25-0038)
Applicant / Current Owner	Paz Fux Assests LTD
Site Area	0.20 Acres
Current Zoning	DN-3, Downtown Neighborhood High Density Residential
Requested Zoning	
Current Future Land Use Map Designation	Urban Neighborhood
Requested Future Land Use Map Designation	
Development Type / Use	Single Family Residential
Related projects	

Property Description

Property Line Adjustment: Lot 10, Block 16, Creating New Lot 13, Block 16 of Deming's 2nd Addition. 305 SE Henry Street. PLA25-0038.

A Property Line Adjustment of Lot 10, Block 16, Creating New Lot 13, Block 16 of Deming's 2nd Addition. The plat dedicates a 10-foot utility easement along the south property line.

Project Details

Relationship to the Community Plan

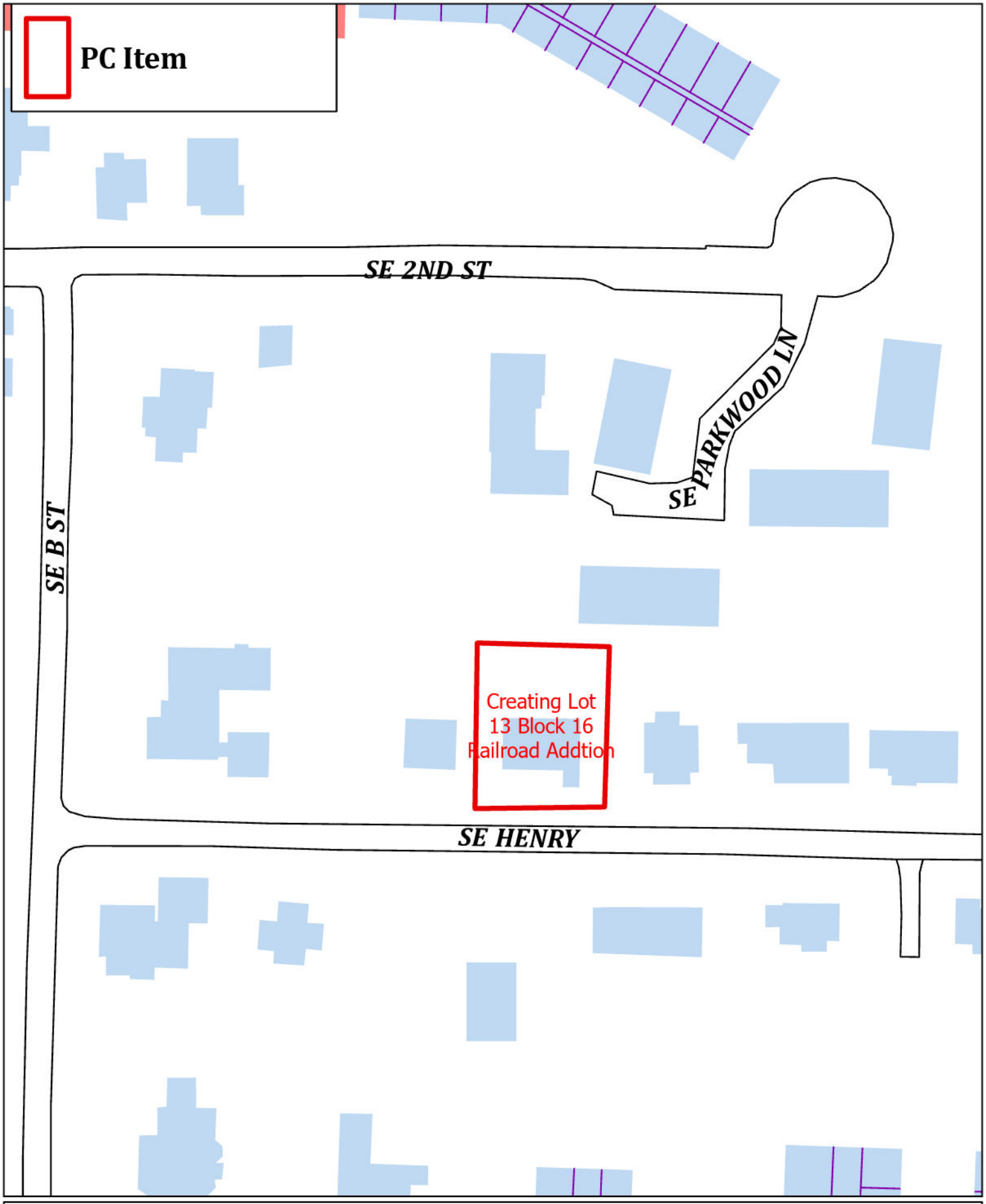
Public Comment

Has Staff received Public Comment at the time of this report? : **No**

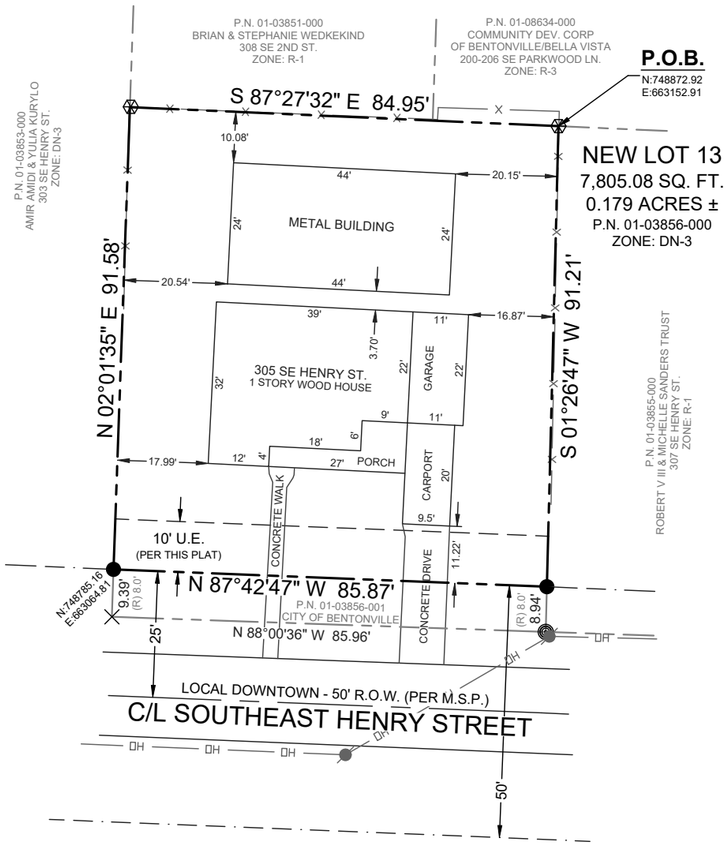
Analysis / Waivers

Conclusion

Additional Details



PLA25-0038
Creating Lot 13 Block 16
305 SE HENRY



PARENT TRACT - LEGAL DESCRIPTION:
DEED AT INSTRUMENT #L202537615

THE W1/2 OF THE SOUTH 108 FEET OF LOT 10, BLOCK 16, RAILROAD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, EXCEPT 8 FEET SQUARELY OFF THE SOUTH END, PREVIOUSLY DEEDED TO THE CITY OF BENTONVILLE.

NEW LOT 13 - SURVEY DESCRIPTION:

THE WEST HALF (W/2) OF THE SOUTH 108 FEET OF LOT 10, BLOCK 16, RAILROAD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID W/2 OF THE SOUTH 108 FEET OF LOT 10; THENCE S 01°26'47" W A DISTANCE OF 91.21 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SOUTHEAST HENRY STREET; THENCE N 87°42'47" W ALONG SAID RIGHT-OF-WAY DISTANCE OF 85.87 FEET; THENCE N 02°01'35" E A DISTANCE OF 91.58 FEET; THENCE S 87°27'32" E A DISTANCE OF 84.95 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 7805.08 SQUARE FEET, OR 0.179 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NOTES:

1. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

2. BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.

3. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.

4. THIS PROPERTY IS ZONED DN-3, DOWNTOWN HIGH DENSITY RESIDENTIAL. SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT AT (479) 271-3122.

5. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.

6. ALL SIDEWALKS SHALL BE INSTALLED BY THE TIME FRAMES SET FORTH IN 900.08 OF THE STREET SPECIFICATIONS. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.

7. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

8. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.

9. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND/OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.

10. ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.

11. THERE ARE NO WAIVERS, VARIANCES, AND/OR CONDITIONAL USES AT THE TIME OF PREPARING THIS PLAT OR PLAN.

12. WE HEREBY GRANT TO THE CITY OF BENTONVILLE A BLANKET AVIGATION EASEMENT OVER THE ENTIRETY OF THIS PROPERTY LINE ADJUSTMENT PURSUANT TO MUNICIPAL CODE SECTION 401.12.

13. NO RESIDENTIAL LOT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR OR ARTERIAL STREET. ALL RESIDENTIAL SUBDIVISION DEVELOPMENT CONTIGUOUS TO A COLLECTOR OR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND BACK OF THE PROJECT, WITHOUT ACCESS TO THE SAID MAJOR STREETS.

FLOOD CERTIFICATION:

I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007C0255K (EFFECTIVE DATE 06/05/2012) AND FOUND THE DESCRIBED PROPERTY HEREON LIES IN ZONE X, AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

CERTIFICATE OF SURVEY ACCURACY:

I, ROBERT J. CASTER HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

DATE OF EXECUTION _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1370 STATE OF ARKANSAS

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER: 3049

BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 83

CERTIFICATE OF OWNERSHIP AND DEDICATION:

WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____

PRINT NAME: _____

SIGNATURE: _____

STATE OF ARKANSAS, COUNTY OF BENTON, SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20__.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL:

PURSUANT TO THE BENTONVILLE LAND DEVELOPMENT CODE AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

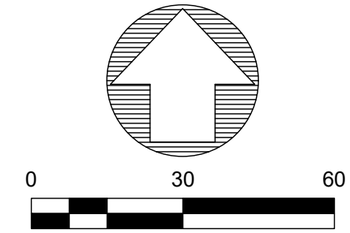
DATE OF EXECUTION: _____

SIGNED _____
PLANNING COMMISSION CHAIRPERSON

DATE OF EXECUTION: _____

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE



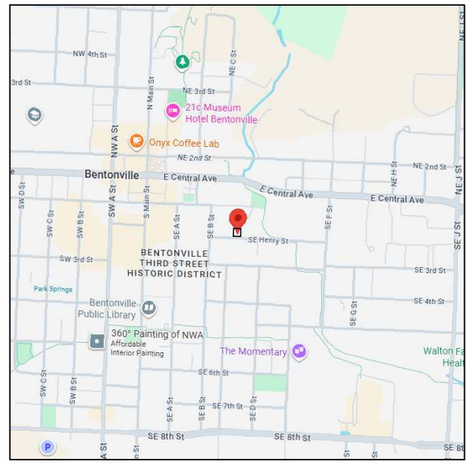
SCALE: 1" = 30 FEET

LEGEND

- FOUND REBAR
- FOUND PIPE
- FOUND AXLE
- CALCULATED POINT
- UTILITY POLE
- PROPERTY LINE
- RIGHT-OF-WAY
- CENTERLINE
- EASEMENT
- OVERHEAD LINE
- FENCE LINE

OWNERSHIP INFORMATION:
PAZ FUX ASSETS LTD
96 SOKOLOV ST.
5834009 HOLON, ISRAEL

CONTACT INFORMATION:
ANASTASIA NICKELL
(479) 270-8060



VICINITY MAP
(N.T.S.)

CITY OF BENTONVILLE PROJECT #PLA25-0038

CASTER & ASSOCIATES
LAND SURVEYING, INC.
2715 SE "I" Street, Suit 5
Bentonville, AR 72712
(479) 268-4464

REGISTERED STATE OF ARKANSAS NO.1370 SIGNATURE ROBERT J. CASTER PROFESSIONAL LAND SURVEYOR

SCALE: 1" = 30'	DATE: 01/29/2026

PROPERTY LINE ADJUSTMENT
NEW LOT 13, BLOCK 16 RAILROAD ADDITION

305 SOUTHEAST HENRY STREET BENTONVILLE, BENTON CO., AR.

JOB #	DRAWN BY:	CHK'D BY:	PAGE
25-232	ASG	RJC	1 OF 1

	C-Street Townhomes Phasing Amendment
	404 SE 8th Street
	PC Date: 3/3/2026

Staff Report Details

Project Number	(LSD25-0039)
Applicant / Current Owner	Odyssey Engineering / Center Creek Capital Group
Site Area	2.52 Acres
Current Zoning	D-C, Downtown Core
Requested Zoning	
Current Future Land Use Map Designation	Urban Corridor
Requested Future Land Use Map Designation	
Development Type / Use	Townhomes
Related projects	LSD25-0044

Property Description

Project Details

The C-Street Townhomes project consist of 61 townhomes and was approved by the Planning Commission on November 4, 2025 without any proposed phasing. The applicant is now proposing a three-phase project, with all the infrastructure installed with Phase 1, per the attached phasing plan.

Relationship to the Community Plan

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

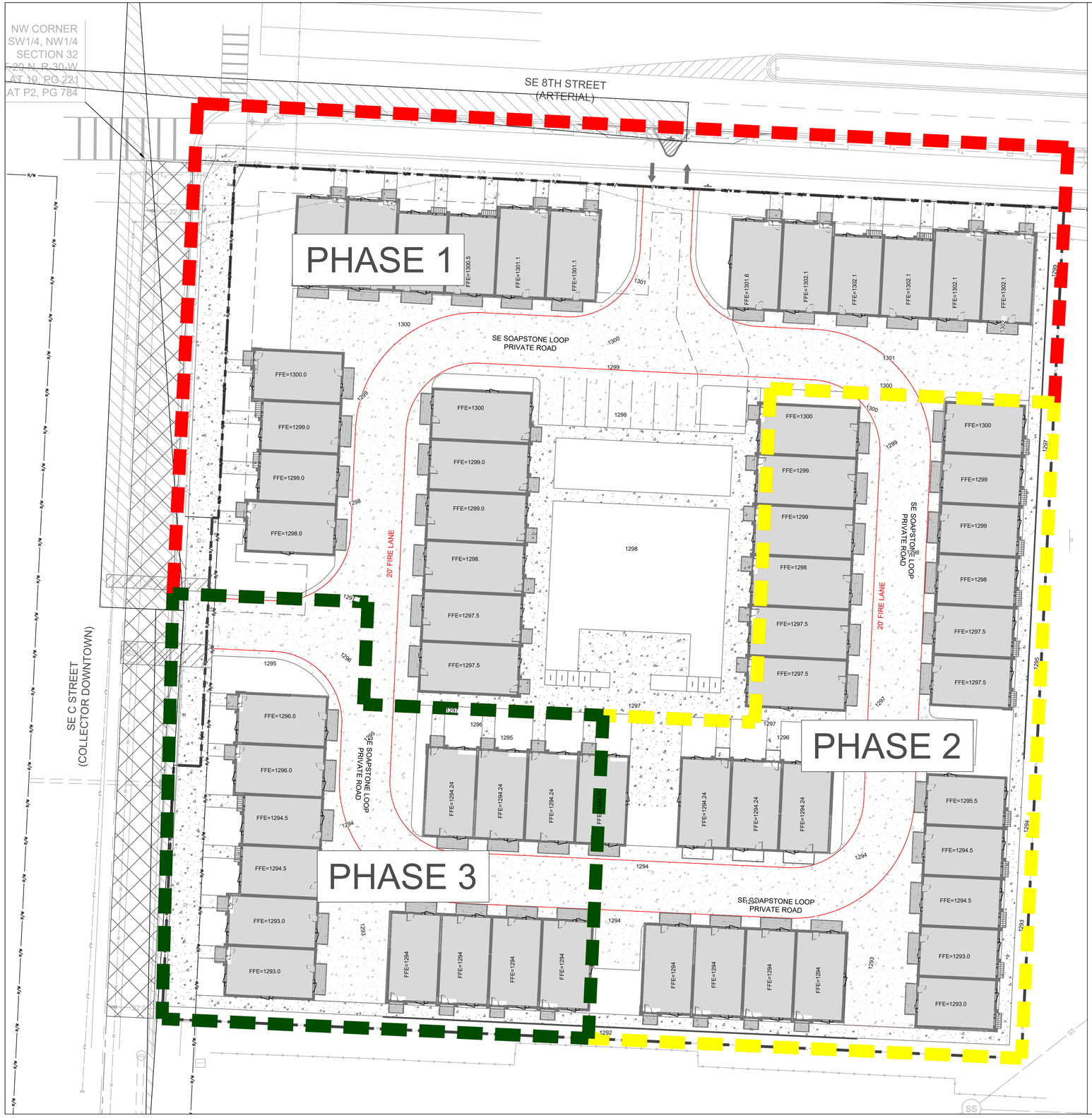
Analysis / Waivers

Conclusion

Additional Details



LSD25-0039
C-Street Townhomes
404 SE 8TH ST



LEGEND (PROPOSED)

- PHASE 1
- PHASE 2
- PHASE 3

PHASING NOTE:
ALL INFRASTRUCTURE TO BE BUILT WITH PHASE 1.

0 10' 20' 40'
1" = 20'

Know what's below. Call before you dig.

LSD25-0039

PROFESSIONAL SEAL:

STATE OF ARKANSAS
REGISTERED PROFESSIONAL ENGINEER
No. 19640
MOLLY ROBB

1.14.2026

REVISIONS

NO.	DATE	REVISION

ODYSSEY ENGINEERING
124 GRANT PLACE, SUITE E
LOWELL, AR 72745
(479) 480-3330
AR COA # 4188

8TH AND C ST TOWNHOMES
8TH ST
BENTONVILLE, AR 72713

PROJECT NO.	DESIGNED BY	REVIEWED BY
ODY0096	KS	JC
PLAN DATE:	01.14.2026	

SHEET NAME:
PHASING PLAN

SHEET NO.:
C1.5

	Townhomes at OZ Phasing Amendment
	405 SE A Street
	PC Date: 3/3/2026

Staff Report Details

Project Number	(PP25-0010)
Applicant / Current Owner	Crafton Tull / M2 Development Group LLC
Site Area	0.90 Acres
Current Zoning	D-E, Downtown Edge
Requested Zoning	
Current Future Land Use Map Designation	Urban Neighborhood and City Center
Requested Future Land Use Map Designation	
Development Type / Use	Townhome Residential
Related projects	

Property Description

Project Details

Planning Commission originally approved the project as a two-phase project on January 20, 2026, with the second phase waiting on the completion of downstream sewer capacity. The amended phasing plan seeks to split the project based on the street frontages (SE A Street and SE B Street) while still holding back one unit for that amount of sewer generation above the existing capacity of the downstream sewer.

Phase 1 will construct all infrastructure on the east side of the development (including SE B), be final platted, pull building permits and install the sidewalk prior to certificates of occupancy.
Phase 2 will construct all infrastructure on the west side of the development (including SE A), be final platted, pull building permits and install the sidewalk prior to certificates of occupancy.
Phase 3 will not be issued a certificate of occupancy until the downstream sewer capacity issue has been resolved to the satisfaction of BWU.

Relationship to the Community Plan

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

Conclusion

Additional Details



PP25-0010
Townhomes at OZ
405 SE A ST



LEGEND (EXISTING SYMBOLS)

SYMBOLS	LINEWORK
FOUND IRON PIN	CURB
LIGHT POLE	RIGHT OF WAY
	ROAD CENTERLINE

LEGEND (CONSTRUCT)

SYMBOLS	LINEWORK
SET IRON PIN	CURB
LIGHT POLE	BUILDING SET BACK
	RIGHT OF WAY
	PROPERTY LINE
	PERIMETER FENCE (DETERMINED BY ARCHITECT)
	ROAD CENTERLINE
	PHASE LINE
	SIDEWALK
	PHASE 1
	PHASE 2
	PHASE 3

SITE NOTES

1. THE DESIGN, INSPECTION, AND CERTIFICATION OF ANY RETAINING WALL SHOWN OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, SEGMENTAL RETAINING WALLS, MASS GRAVITY WALLS, GABION WALLS, ETC., GREATER THAN FORTY-EIGHT INCHES IN HEIGHT, SHALL BE BY OTHERS. ANY RETAINING WALL DATA SHOWN OR REFERENCED HEREIN SHALL BE FOR COORDINATION OF THE WALL LOCATION AND ELEVATIONS ONLY.
2. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY/STATE/FEDERAL REGULATIONS AND CODES AND OSHA STANDARDS.
3. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT UTILITY ENTRANCE LOCATIONS.
4. ALL CURB DIMENSIONS AND RADII ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
5. ALL PAVEMENT MARKINGS DIMENSIONS FACE OF CURB UNLESS OTHERWISE NOTED.
6. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
7. ALL CURB/SIDEWALK/HANDICAP RAMP DESIGNS SHALL CONFORM TO ADA STANDARDS OR LOCAL RESTRICTIVE CODES, WHICHEVER IS MORE RESTRICTIVE.
8. CONTRACTOR SHALL ENSURE ALL NECESSARY PERMITS ARE OBTAINED PRIOR TO CONSTRUCTION START.
9. CONTRACTOR SHALL MATCH NEW CURB AND GUTTER, CONCRETE, AND PAVEMENT TO EXISTING IN GRADE AND ALIGNMENT.
10. CONTRACTOR SHALL MAINTAIN ALL EXISTING PARKING, SIDEWALKS, DRIVES, ETC. CLEAR AND FREE FROM ANY CONSTRUCTION ACTIVITY AND/OR MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM THE SITE.
11. CERTAIN SITE AMENITIES, INCLUDING BUT NOT LIMITED TO DUMPSTER ENCLOSURES, FENCES, GATES, MAIL KIOSKS, PLAYGROUNDS, RECREATIONAL, SOCIAL, AND GATHERING FEATURES, SHALL BE DESIGNED AND SPECIFIED BY OTHERS. DUMPSTER ENCLOSURES DETAILED DESIGN AND SPECIFICATIONS SHALL BE PROVIDED BY THE OWNER/PROJECT ARCHITECT AND SHALL MEET LOCAL JURISDICTION DESIGN STANDARDS AND SPECIFICATIONS, IF APPLICABLE, AND THE REQUIREMENTS OF THE PROJECT'S SERVICE PROVIDER. IF APPLICABLE, THE ARCHITECT SHALL PROVIDE, COORDINATE, AND SUBMIT DETAILS FOR THE DUMPSTER ENCLOSURE FOOTPRINT AND SITE PLACEMENT REQUIREMENTS TO CRAFTON TULL.
12. OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR THE DESIGN AND INSTALLATION OF ALL NECESSARY WARNING AND LIFE SAFETY SIGNS AND DEVICES ASSOCIATED WITH THIS PROJECT.
13. ALL PROPOSED SIGNAGE WILL REQUIRE A SEPARATE PERMIT.
14. ALL PROPOSED FENCING WILL REQUIRE A SEPARATE PERMIT.
15. NOTE THAT ANY NEW LIGHTING WILL REQUIRE THAT IT BE CUT-OFF OR B-U-G (WITH A U RATING OF 0) AND APPROVED BY THE PLANNING DEPARTMENT.
16. ALL MECHANICAL EQUIPMENT (ROOF AND GROUND MOUNTED) WILL BE SCREENED ON ALL SIDES BY SIMILAR MATERIALS AS BUILDING.
17. SITE IS LOCATED IN AND MEETS REQUIREMENTS OF AIRPORT ZONING C (3) SAFETY ZONE (OSZ).
18. ALL RIGHTS-OF-WAY OPEN TO VEHICULAR TRAFFIC, CONTRACTOR SHALL PROVIDE A PEDESTRIAN AND BICYCLE ACCESSIBLE ROUTE DURING ALL PHASES OF CONSTRUCTION. LIMITED CLOSURES OF 24 HOURS OR LESS MAY BE APPROVED BY THE CITY ENGINEER.
19. SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE.

NO SIGN SHOWN AT THIS TIME.

901 N. 47th St., Suite 400
Rogers, Arkansas 72756
Crafton Tull
479.636.4838 t
www.craftontull.com

CERTIFICATE OF AUTHORIZATION:
CRAFTON, TULL & ASSOCIATES, INC. No. 109

GRAPHIC SCALE IN FEET
40' 0 40'

TOWNHOMES AT OZ

BENTONVILLE, ARKANSAS

ALL LSD IMPROVEMENTS WILL BE CONSTRUCTED WITH PRELIMINARY PLAT

Key Plan

No.	Description	Date

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.

PROJECT NO: 24107501
ISSUE DATE: 01/16/26
CONTACT: L.TOPPING
QC by:
QC Date:

ISSUED FOR CONSTRUCTION

STATE OF ARKANSAS ★★★ REGISTERED PROFESSIONAL ENGINEER ★★★ No. 22770 ELIZABETH N. TOPPING

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PP25-0010

OVERALL SITE PLAN (C)

C-101

DRAWING: O:\24107501 - TAHLEQUAH\TOWNHOMES\ARKITECTURE\CIVIL\DWGS\OVERALL SITE PLAN.DWG
LAST PLOTTED BY: MICHAEL LANEY 2/19/2026 7:05:01 AM

	Lots 7-10 of Morningstar Subdivision
	Morning Star Rd and Sears Rd.
	PC Date: 3/3/2026

Staff Report Details

Project Number	(PLA26-0001)
Applicant / Current Owner	Anderson Surveying / D.R. Horton
Site Area	+/- 20.78 Acres
Current Zoning	R1, Low Density Single Family Residential
Requested Zoning	N/A
Current Future Land Use Map Designation	Suburban Neighborhood
Requested Future Land Use Map Designation	N/A
Development Type / Use	Single Family
Related projects	PP24-0002

Property Description

Property Line Adjustment: Lots 3, 4, 5, and 6, Creating New Lots 7, 8, 9, and 10 of Morningstar Subdivision, PLA26-0001

A Property Line Adjustment of Lots 3, 4, 5, and 6, creating new lots 7, 8, 9, and 10 of Morningstar Subdivision. The plat is dedicating a 20-foot utility easement along the east side of Lots 8 and 10, and a 20-foot utility easement along the south side of Lots 9 and 10.

Project Details

Preliminary Plat 24-0002 was approved by the Planning Commission on 3/19/24 for a 144 unit single family detached subdivision. The developer is seeking to enlarge the interior lot to remove some of the sensitive areas from the eventual homeowner lots. The former lot 5 is increasing from 7.33 acres to 7.85 acres as lot 9 of this property line adjustment.

Relationship to the Community Plan

Relationship to the Community Plan

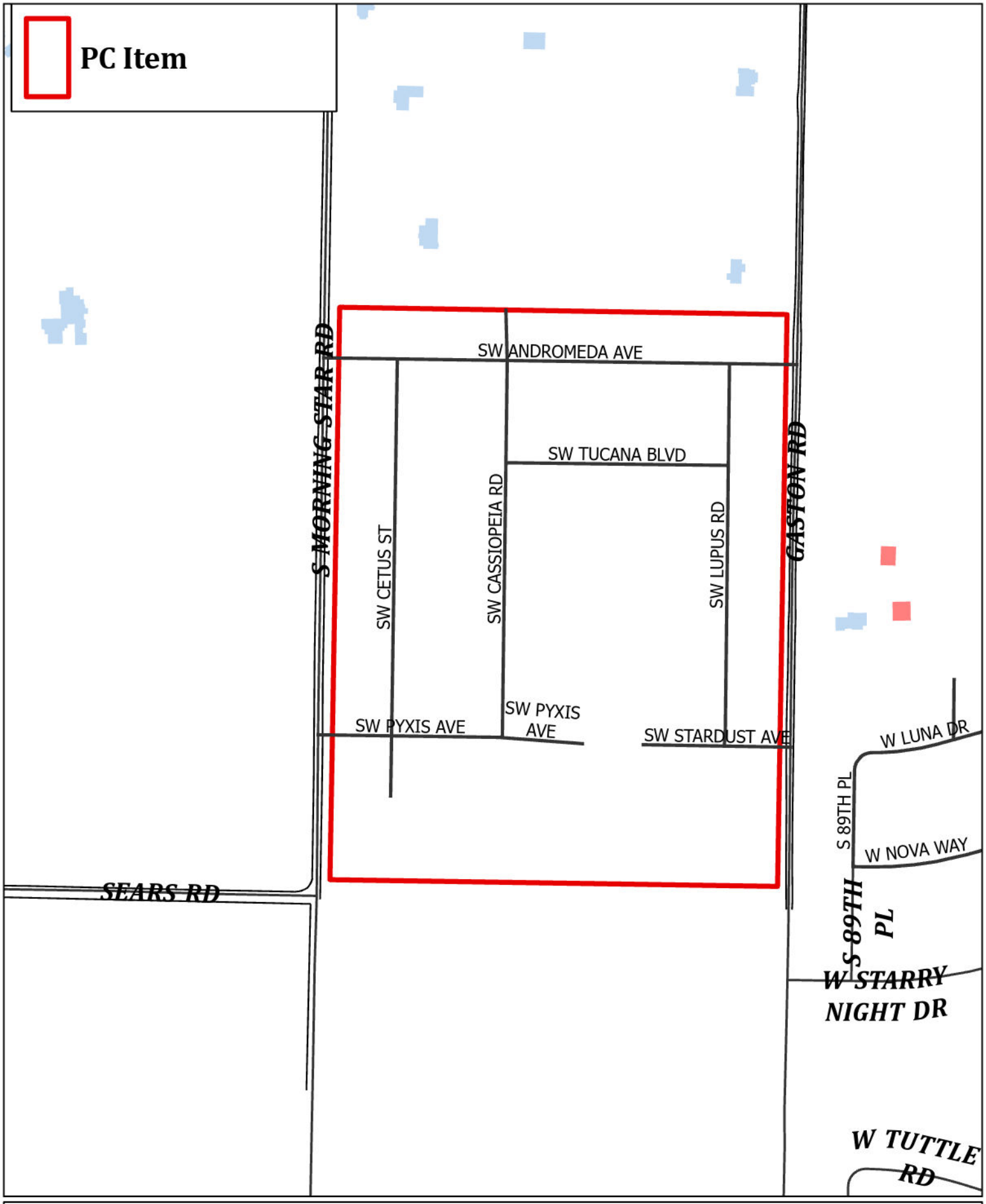
Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

Conclusion

Additional Details



PLA26-0001
Creating Lots 7-10
S. Morningstar Rd

PROPERTY LINE ADJUSTMENT FOR MORNINGSTAR SUBDIVISION CREATING LOTS 7, 8, 9, & 10

MORNINGSTAR SUBDIVISION, AN ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS.

SURVEY DESCRIPTION FOR PARENT TRACTS:

LOTS 3, 4, 5, AND 6 OF MORNINGSTAR SUBDIVISION AS SHOWN ON PLAT RECORD L202403682.

SURVEY DESCRIPTION FOR LOT 7:

PART OF LOT 3, MORNINGSTAR SUBDIVISION, AN ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD L202403682, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING NAIL MARKING THE SOUTHWEST CORNER OF LOT 2 OF SAID MORNINGSTAR SUBDIVISION; THENCE N02°34'44"E, ALONG THE WEST LINE OF SAID LOT 2, MORNINGSTAR SUBDIVISION, 272.28 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, MORNINGSTAR SUBDIVISION; THENCE LEAVING THE WEST LINE OF SAID LOT 2, MORNINGSTAR SUBDIVISION, S87°34'04"E, ALONG THE SOUTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION, 45.00 FEET TO A SET 1/2" REBAR MARKING THE POINT OF BEGINNING; THENCE LEAVING THE SOUTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION, N02°34'44"E, 1364.80 FEET TO A SET 1/2" REBAR ON THE NORTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION; THENCE S87°28'16"E, ALONG THE NORTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION, 630.08 FEET TO A SET 1/2" REBAR; THENCE LEAVING THE NORTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION, S02°34'44"W, 411.57 FEET TO A SET 1/2" REBAR; THENCE S06°12'01"W, 39.58' TO A SET 1/2" REBAR; THENCE S02°34'44"W, 129.50' TO A SET 1/2" REBAR; THENCE S87°25'16"E, 67.36' TO A SET 1/2" REBAR; THENCE S14°51'38"W, 37.47' TO A SET 1/2" REBAR; THENC S08°22'47"W, 14.91' TO A SET 1/2" REBAR; THENCE S03°50'10"W, 53.60' TO A SET 1/2" REBAR; THENCE S13°02'50"W, 23.61' TO A SET 1/2" REBAR; THENCE S02°08'30"W, 115.68' TO A SET 1/2" REBAR; THENCE S03°24'14"W, 251.83'; THENCE S01°58'08"W, 63.73' TO A SET 1/2" REBAR; THENCE S32°18'48"E, 54.86' TO A SET 1/2" REBAR; THENCE S02°34'44", 50.00' TO A SET 1/2" REBAR; THENCE N87°25'16"W, 27.00' TO A SET 1/2" REBAR; THENCE S02°25'56"W, 128.61' TO A SET 1/2" REBAR ON THE SOUTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION; THENCE N87°34'04"W, ALONG THE SOUTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION, 673.41 FEET TO THE POINT OF BEGINNING, CONTAINING 20.522 ACRES, MORE OR LESS, BEING SUBJECT TO PUBLIC ROAD RIGHTS-OF-WAY AND ANY EASEMENTS OF RECORD, ACCORDING TO A SURVEY BY ANDERSON SURVEYING, INC., RLS # 1272, JOB # 23-09-27.

SURVEY DESCRIPTION FOR LOT 8:

PART OF LOT 4, MORNINGSTAR SUBDIVISION, AN ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD L202403682, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING NAIL MARKING THE SOUTHWEST CORNER OF LOT 2 OF SAID MORNINGSTAR SUBDIVISION; THENCE N02°34'44"E, ALONG THE WEST LINE OF SAID LOT 2, MORNINGSTAR SUBDIVISION, 272.28 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, MORNINGSTAR SUBDIVISION; THENCE LEAVING THE WEST LINE OF SAID LOT 2, MORNINGSTAR SUBDIVISION, S87°34'04"E, ALONG THE SOUTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION, 45.00 FEET TO A SET 1/2" REBAR; THENCE S87°34'04"E, 673.41 FEET TO A SET 1/2" REBAR; THENCE S87°34'04"E, 206.79 FEET TO A SET 1/2" REBAR MARKING THE POINT OF BEGINNING; THENCE LEAVING THE SOUTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION, N02°34'45"E, 179.08' TO A SET 1/2" REBAR; THENCE N19°30'35"W, 39.39' TO A SET 1/2" REBAR; THENCE N05°51'52"E, 27.82' TO A SET 1/2" REBAR; THENCE N03°46'28"E, 61.96' TO A SET 1/2" REBAR; THENCE N08°05'41"W, 46.34' TO A SET 1/2" REBAR; THENCE N15°33'52"W, 60.84' TO A SET 1/2" REBAR; THENCE N03°52'38"W, 30.15' TO A SET 1/2" REBAR; THENCE N08°03'38"E, 29.99' TO A SET 1/2" REBAR; THENCE N26°06'39"E, 67.38' TO A SET 1/2" REBAR; THENCE N49°41'35"E, 12.88' TO A SET 1/2" REBAR; THENCE N25°28'33"E, 24.20' TO A SET 1/2" REBAR; THENCE N53°21'18"E, 10.68' TO A SET 1/2" REBAR; THENCE N04°08'41"W, 25.13' TO A SET 1/2" REBAR; THENCE N30°47'57"W, 24.54' TO A SET 1/2" REBAR; THENCE N86°17'39"W, 16.11' TO A SET 1/2" REBAR; THENCE N15°29'52"W, 49.31' TO A SET 1/2" REBAR; THENCE N22°33'12"E, 14.05' TO A SET 1/2" REBAR; THENCE N15°24'10"E, 20.19' TO A SET 1/2" REBAR; THENCE N10°03'04"W, 23.79' TO A SET 1/2" REBAR; THENCE N37°28'28"W, 14.54' TO A SET 1/2" REBAR; THENCE N08°41'18"W, 17.71' TO A SET 1/2" REBAR; THENCE N02°34'44"E, 37.24' TO A SET 1/2" REBAR; THENCE N87°25'16"W, 86.20' TO A SET 1/2" REBAR; THENCE N87°25'16"W, 67.36' TO A SET 1/2" REBAR; THENCE N02°34'44"E, 129.50' TO A SET 1/2" REBAR; THENCE N06°12'01"E, 39.58' TO A SET 1/2" REBAR; THENCE N02°34'44"E, 411.57' TO A SET 1/2" REBAR ON THE NORTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION; THENCE S87°28'16"E, ALONG THE NORTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION, 621.97 FEET TO A SET 1/2" REBAR ON THE WEST RIGHT-OF-WAY OF GASTON ROAD; THENCE LEAVING THE NORTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION, S02°32'52"W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID GASTON ROAD, 1362.69 FEET TO A SET 1/2" REBAR ON THE SOUTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION; THENCE LEAVING THE WEST RIGHT-OF-WAY LINE OF SAID GASTON ROAD, N87°34'04"W, ALONG THE SOUTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION, 372.59 FEET TO THE POINT OF BEGINNING, CONTAINING 15.290 ACRES, MORE OR LESS, BEING SUBJECT TO PUBLIC ROAD RIGHTS-OF-WAY AND ANY EASEMENTS OF RECORD, ACCORDING TO A SURVEY BY ANDERSON SURVEYING, INC., RLS # 1272, JOB # 23-09-27.

SURVEY DESCRIPTION FOR LOT 9:

PART OF LOT 5, MORNINGSTAR SUBDIVISION, AN ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHWON ON PLAT RECORD L202403682, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING NAIL MARKING THE SOUTHWEST CORNER OF SAID LOT 2, MORNINGSTAR SUBDIVISION; THENCE N02°34'44"E, ALONG THE WEST LINE OF SAID LOT 2, MORNINGSTAR SUBDIVISION, 35.00 FEET TO A POINT; THENCE LEAVING THE WEST LINE OF SAID LOT 2, MORNINGSTAR SUBDIVISION, S87°32'24"E, 45.00 FEET TO A SET 1/2" REBAR MARKING THE POINT OF BEGINNING; THENCE N02°34'44"E, 237.28 FEET TO A SET 1/2" REBAR ON THE NORTH LINE OF SAID LOT 2, MORNINGSTAR SUBDIVISION; THENCE S87°34'04"E, ALONG THE NORTH LINE OF SAID LOT 2, MORNINGSTAR SUBDIVISION, 673.41 FEET TO A SET 1/2" REBAR; THENCE N02°25'56"E, 128.61 FEET TO A SET 1/2" REBAR; THENCE S87°25'16"E, 27.00 FEET TO A SET 1/2" REBAR; THENCE N02°34'44"E, 50.00 FEET TO A SET 1/2" REBAR; THENCE N32°18'48"W, 54.86' TO A SET 1/2" REBAR; THENCE N01°58'08"E, 63.73' TO A SET 1/2" REBAR; THENCE N03°24'14"E, 251.83' TO A SET 1/2" REBAR; THENCE N02°08'30"E, 115.68' TO A SET 1/2" REBAR; THENCE N13°02'50"E, 23.61' TO A SET 1/2" REBAR; THENCE N03°50'10"E, 53.60' TO A SET 1/2" REBAR; THENCE N08°27'47"E, 14.91' TO A SET 1/2" REBAR; THENCE N14°51'38"E, 37.47' TO A SET 1/2" REBAR; THENCE S87°25'16"E, 86.20' TO A SET 1/2" REBAR; THENCE S02°34'44"W, 37.24' TO A SET 1/2" REBAR; THENCE S08°41'18"E, 17.71' TO A SET 1/2" REBAR; THENCE S37°28'28"E, 14.54' TO A SET 1/2" REBAR; THENCE S10°03'04"E, 23.79' TO A SET 1/2" REBAR; THENCE S15°24'10"W, 20.19' TO A SET 1/2" REBAR; THENCE S22°33'12"W, 14.05' TO A SET 1/2" REBAR; THENCE S15°29'52"E, 49.31' TO A SET 1/2" REBAR; THENCE S86°17'39"E, 16.11' TO A SET 1/2" REBAR; THENCE S30°47'57"E, 24.54' TO A SET 1/2" REBAR; THENCE S04°08'41"E, 25.13' TO A SET 1/2" REBAR; THENCE S53°21'18"W, 10.68' TO A SET 1/2" REBAR; S25°28'33"W, 24.20' TO A SET 1/2" REBAR; THENCE S49°41'35"W, 12.88' TO A SET 1/2" REBAR; THENCE S26°06'39"W, 67.38' TO A SET 1/2" REBAR; THENCE S08°03'38"W, 29.99' TO A SET 1/2" REBAR; THENCE S03°52'38"E, 30.15' TO A SET 1/2" REBAR; THENCE S15°33'52"E, 60.84' TO A SET 1/2" REBAR; THENCE S08°05'41"E, 46.34' TO A SET 1/2" REBAR; THENCE S03°46'28"W, 61.96' TO A SET 1/2" REBAR; THENCE S05°51'52"W, 27.82' TO A SET 1/2" REBAR; THENCE S19°30'35"E, 39.39' TO A SET 1/2" REBAR; THENCE S02°34'45"W, 179.08' TO A SET 1/2" REBAR ON THE SOUTH LINE OF SAID LOT 1, MORNINGSTAR SUBDIVISION; THENCE S12°19'18"W, 83.42 FEET TO A SET 1/2" REBAR; THENCE S57°40'09"W, 90.94' TO A SET 1/2" REBAR; THENCE S26°33'33"W, 86.84' TO A SET 1/2" REBAR; THENCE S43°04'26"W, 32.09' THENCE N87°32'24"W, 739.86 FEET TO THE POINT OF BEGINNING, CONTAINING 7.853 ACRES, MORE OR LESS, BEING SUBJECT TO PUBLIC ROAD RIGHTS-OF-WAY AND ANY EASEMENTS OF RECORD, ACCORDING TO A SURVEY BY ANDERSON SURVEYING, INC., RLS # 1272, JOB # 23-09-27.

SURVEY DESCRIPTION FOR LOT 10:

PART OF LOT 10, MORNINGSTAR SUBDIVISION, AN ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD L202403682, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING NAIL MARKING THE SOUTHWEST CORNER OF SAID LOT 2, MORNINGSTAR SUBDIVISION; THENCE N02°34'44"E, ALONG THE WEST LINE OF SAID LOT 2, MORNINGSTAR SUBDIVISION, 35.00 FEET TO A POINT; THENCE LEAVING THE WEST LINE OF SAID LOT 2, MORNINGSTAR SUBDIVISION, S87°32'24"E, 45.00 FEET TO A SET 1/2" REBAR; THENCE S87°32'24"E, 739.86 FEET TO A SET 1/2" REBAR MARKING THE POINT OF BEGINNING; THENCE N43°04'26"E, 32.09' TO A SET 1/2" REBAR; THENCE N26°33'33"E, 86.84' TO A SET 1/2" REBAR; THENCE N57°40'09"E, 90.94' TO A SET 1/2" REBAR; THENCE N12°19'18"E, 83.42' TO
A SET 1/2" REBAR; THENCE S87°34'04"E, ALONG THE NORTH LINE OF SAID LOT 2, MORNINGSTAR SUBDIVISION, 372.59 FEET TO A SET 1/2" REBAR ON THE WEST RIGHT-OF-WAY LINE OF GASTON ROAD; THENCE LEAVING THE NORTH LINE OF SAID LOT 2, MORNING SUBDIVISION, S02°32'52"W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID GASTON ROAD, 237.89 FEET TO A SET 1/2" REBAR; THENCE LEAVING THE WEST RIGHT-OF-WAY LINE OF SAID GASTON ROAD, N87°32'23"W, 513.06 FEET TO THE POINT OF BEGINNING, CONTAINING 2.378 ACRES, MORE OR LESS, BEING SUBJECT TO PUBLIC ROAD RIGHTS-OF-WAY AND ANY EASEMENTS OF RECORD, ACCORDING TO A SURVEY BY ANDERSON SURVEYING, INC., RLS # 1272, JOB # 23-09-27.



VICINITY MAP

NOTES

1. 1/2" REBAR W/CAP AR 1272 SET AT ALL LOT CORNERS (UNLESS NOTED OTHERWISE).

FLOOD INFORMATION

THE SUBJECT PROPERTY IS NOT WITHIN THE 100 YEAR FLOOD ZONE.

MAP NUMBER: 05007C0265K
MAP REVISED: JUNE 5, 2012

MAP NUMBER: 05007C0245K
MAP REVISED: JUNE 5, 2012

ZONING INFORMATION

ZONED: R-1 (LOW DENSITY SINGLE FAMILY RESIDENTIAL)

CITY OF BENTONVILLE NOTES

1. THERE ARE NO WAIVERS, VARIANCES, AND/OR CONDITIONAL USES AT THE TIME OF PREPARING THIS PLAT.
2. NO RESIDENTIAL LOT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR OR ARTERIAL STREET. ALL RESIDENTIAL SUBDIVISION DEVELOPMENT CONTIGUOUS TO A COLLECTOR OR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND BACK OF THE PROJECT, WITHOUT ACCESS TO SAID MAJOR STREETS.
3. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND/OR OWNER SHALL OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
4. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER, SEWER, AND ELECTRIC SERVICE.
5. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT THE TIME OF BUILDING PERMIT ISSUANCE.
6. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
7. SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT @ 479-271-3122.
8. ALL SIDEWALKS SHALL BE INSTALLED BY THE TIMEFRAMES SET FORTH IN 900.08 OF THE STREET SPECIFICATIONS.
9. WE HEREBY GRANT TO THE CITY OF BENTONVILLE A BLANKET AVIATION EASEMENT OVER THE ENTIRETY OF THIS SUBDIVISION PURSUANT TO MUNICIPAL CODE SECTION 401.12.

SITE OWNER/DEVELOPER

D.R. HORTON - NW ARKANSAS, LLC
5502 WEST WALSH LANE, SUITE 201
ROGERS, ARKANSAS 72758
479-236-7785

SURVEYOR

ANDERSON SURVEYING, INC.
P.O. BOX 129
VAN BUREN, ARKANSAS 72957

CERTIFICATE OF SURVEYING ACCURACY

I, ANTHONY P. ANDERSON, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

SIGNED

PRELIMINARY

DATE OF EXECUTION

ANTHONY P. ANDERSON
REGISTERED LAND SURVEYOR
NO. 1272, ARKANSAS

CERTIFICATE OF OWNERSHIP

WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION:_____

BY:_____
D.R. HORTON-NW ARKANSAS LLC

_____
(PRINT)

STATE OF ARKANSAS)
) SS
COUNTY OF BENTON)

SUBSCRIBED AND SWORN BEFORE ME THIS ____ DAY OF _____, 2025
MY COMMISSION EXPIRES:

NOTARY PUBLIC_____

CERTIFICATE OF APPROVAL

PURSUANT TO THE BENTONVILLE LAND DEVELOPMENT CODE AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION:_____

SIGNED _____
BENTONVILLE PLANNING COMMISSION CHAIRMAN

SIGNED _____
MAYOR CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

ATLAS PAGE: 565

CITY OF BENTONVILLE PROJECT NUMBER: PLA26-0001

LEGEND

○ = SET 1/2"x18" REBAR	—H— = OVER HEAD POWER LINE
● = EXISTING IRON PIN	OPP = POWER POLE
⊙ = SET RR/SPIKE	MH = MAN HOLE
⊠ = EXISTING RR/SPIKE	= WATER METER
⊠ = SET MAG NAIL	= ELECTRIC/TELEPHONE PEDESTAL
◪ = EXISTING NAIL	= GAS METER
◀ = EXISTING STONE	LP = LIGHT POLE
▣ = EXISTING MONUMENT	-X-X- = EXISTING FENCE
⊠ = EXISTING FENCE POST	

BASIS OF BEARING:
ARKANSAS STATE PLANE NORTH
BASED ON GPS OBSERVATION

80 0 80
Scale in Feet

PRELIMINARY

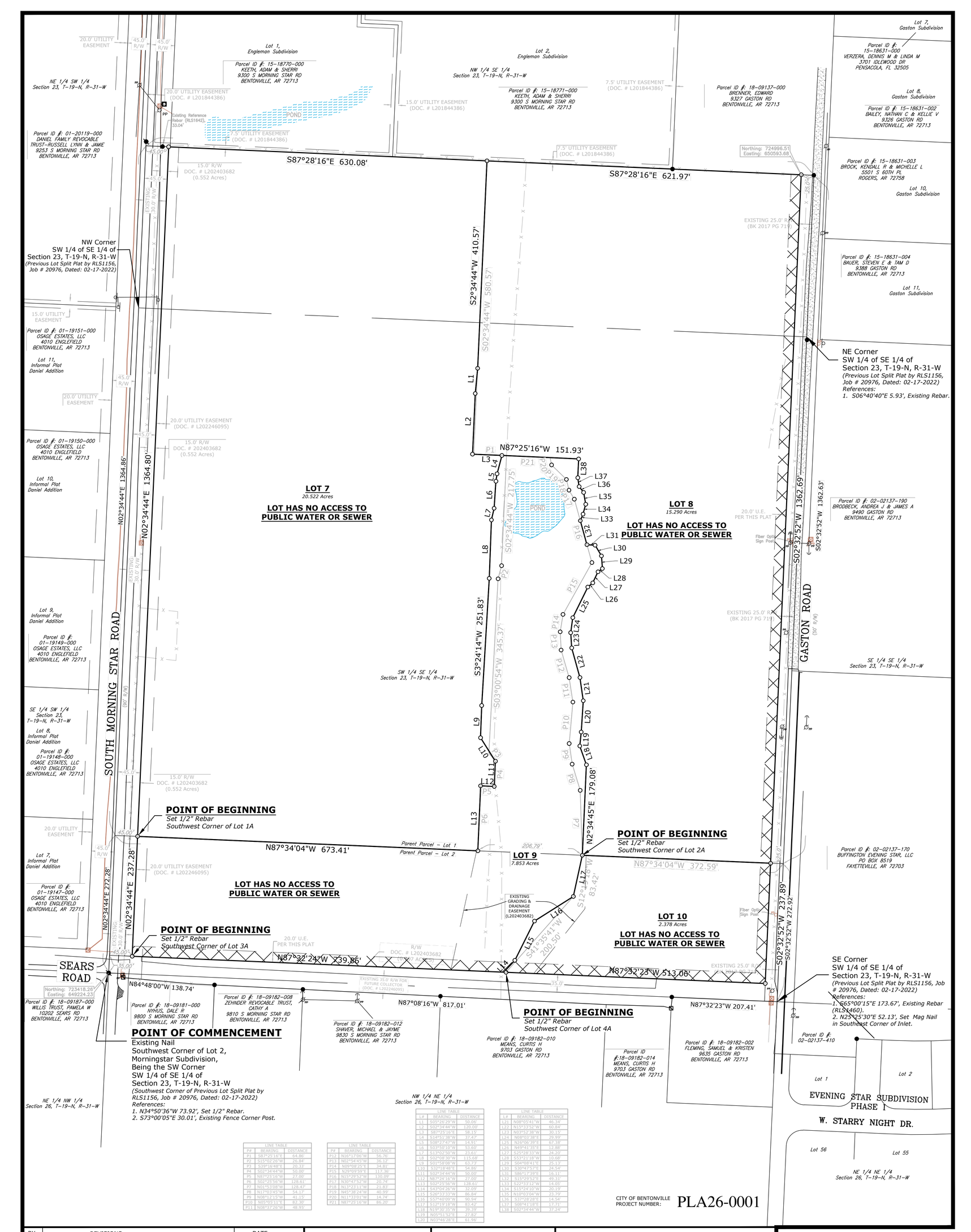
ANDERSON SURVEYING INC.
Arkansas -- Oklahoma
P.O. Box 129
Van Buren, AR 72957
(479)-474-4247
Fax (479)-410-5333
e-mail: tony@and-survey.com

BENTONVILLE, BENTON COUNTY, ARKANSAS
PROPERTY LINE ADJUSTMENT
MORNINGSTAR SUBDIVISION,
LOTS 3, 4, 5, & 6

FOR USE BY:
D.R. HORTON - NW ARKANSAS, LLC

DATE: 10-17-2025
JOB NO:
SCALE: 1" = 80'

BY:	REVISIONS	DATE



BY:	REVISIONS	DATE

BENTONVILLE, BENTON COUNTY, ARKANSAS

PROPERTY LINE ADJUSTMENT

MORNINGSTAR SUBDIVISION,
LOTS 3, 4, 5, AND 6

DATE: 10/17/2025
JOB NO:
SCALE: 1" = 80'

FOR USE BY:
D.R. HORTON - NW ARKANSAS, LLC

ANDERSON SURVEYING INC.
Arkansas -- Oklahoma
P.O. Box 129
Van Buren, AR 72957
(479)-474-4247
Fax (479)-410-5333
e-mail: tony@and-survey.com

PRELIMINARY

	Lot 12 of Demings 2nd Addition
	606 A&B NE A Street, and 204 A NE 7th Street
	PC Date: 3/3/2026

Staff Report Details

Project Number	PLA26-0003
Applicant / Current Owner	Caster & Associates Inc. / Meadowglade II LP
Site Area	+/- .77 Acres
Current Zoning	PRD, Planned Residential Development
Requested Zoning	N/A
Current Future Land Use Map Designation	Walkable Neighborhood
Requested Future Land Use Map Designation	N/A
Development Type / Use	Townhomes, Multi-Family
Related projects	LSD25-0037, PRD24-0001

Property Description

Property Line Adjustment: Lots 2A & 2B, Block 10, Creating New Lot 12, Block 10 of Deming's 2nd Addition. 606 NE A ST, and 204 NE 7th ST. PLA26-0003.

A Property Line Adjustment of Lots 2A & 2B, Block 10, Creating New Lot 12, Block 10 of Deming's 2nd Addition. The plat is dedicating 930.29 square feet of R.O.W. along NE A St, and 142.73 square feet along NE 7th St, along with a 10' utility easement in the northeast corner of the lot.

Project Details

Relationship to the Community Plan

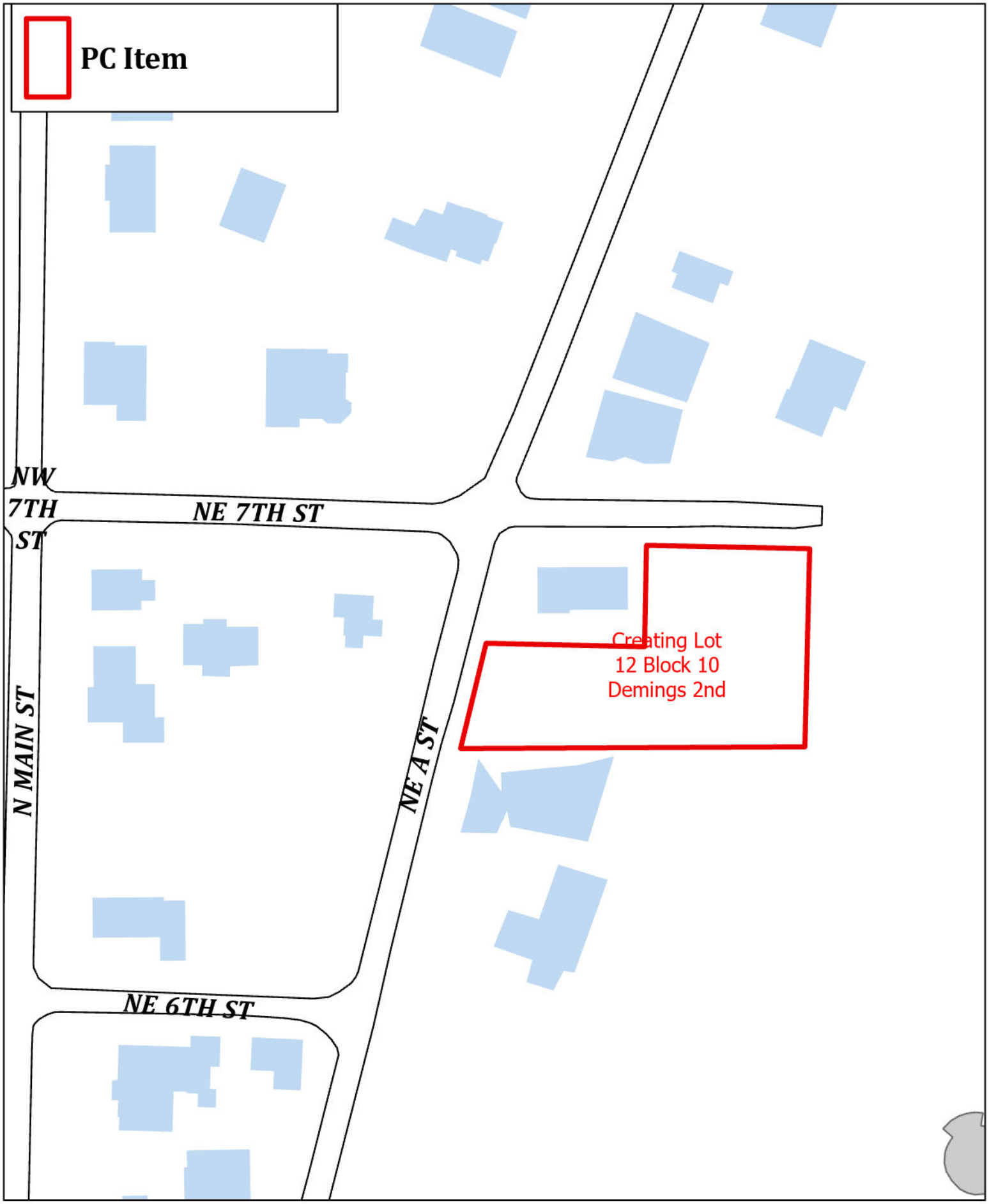
Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

Conclusion

Additional Details



PLA26-0003
Creating Lot 12 Block 10 Demings 2nd Sub
606 NE A ST A

0 30 60 90

SCALE: 1" = 30'

PARENT TRACT 2A - LEGAL DESCRIPTION:

LOT 2A, DEMINGS 2ND ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT BOOK 20, PAGE 57 OF THE BENTON COUNTY PUBLIC RECORDS.

PARENT TRACT 2B - LEGAL DESCRIPTION:

LOT 2B, DEMINGS 2ND ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT BOOK 20, PAGE 57 OF THE BENTON COUNTY PUBLIC RECORDS.

NEW LOT 12 - LEGAL DESCRIPTION:

LOT 12, DEMINGS 2ND ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF BLOCK 10, DEMINGS 2ND ADDITION THENCE S 87°10'57" E A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; THENCE S 87°10'57" E A DISTANCE OF 120.00 FEET; THENCE S 02°49'08" W A DISTANCE OF 146.31 FEET; THENCE N 88°38'09" W A DISTANCE OF 254.11 FEET; THENCE N 15°22'36" E A DISTANCE OF 79.66 FEET; THENCE S 87°10'57" E A DISTANCE OF 116.71 FEET; THENCE N 02°49'03" E A DISTANCE OF 75.00 FEET; TO THE POINT OF BEGINNING, WITH AN AREA OF 27259.66 SQUARE FEET, OR 0.626 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NORTHEAST 7TH STREET - R.O.W. DESCRIPTION:

A PART OF LOT 2A, DEMINGS 2ND ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF BLOCK 10, DEMINGS 2ND ADDITION, THENCE S 87°10'57" E A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING; THENCE S 87°10'57" E A DISTANCE OF 120.00 FEET; THENCE S 02°49'08" W A DISTANCE OF 0.64 FEET; THENCE N 87°42'14" W A DISTANCE OF 59.49 FEET; THENCE N 87°42'14" W A DISTANCE OF 60.52 FEET; THENCE N 02°49'03" E A DISTANCE OF 1.74 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 142.73 SQUARE FEET, OR 0.003 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

NORTHEAST "A" STREET - R.O.W. DESCRIPTION:

A PART OF LOT 2B, DEMINGS 2ND ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2B, THENCE N 15°22'36" E A DISTANCE OF 79.66 FEET; THENCE S 87°10'57" E A DISTANCE OF 12.59 FEET; THENCE S 16°13'00" W A DISTANCE OF 79.63 FEET; THENCE N 88°38'09" W A DISTANCE OF 11.46 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 930.29 SQUARE FEET, OR 0.021 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

OWNERSHIP INFORMATION:

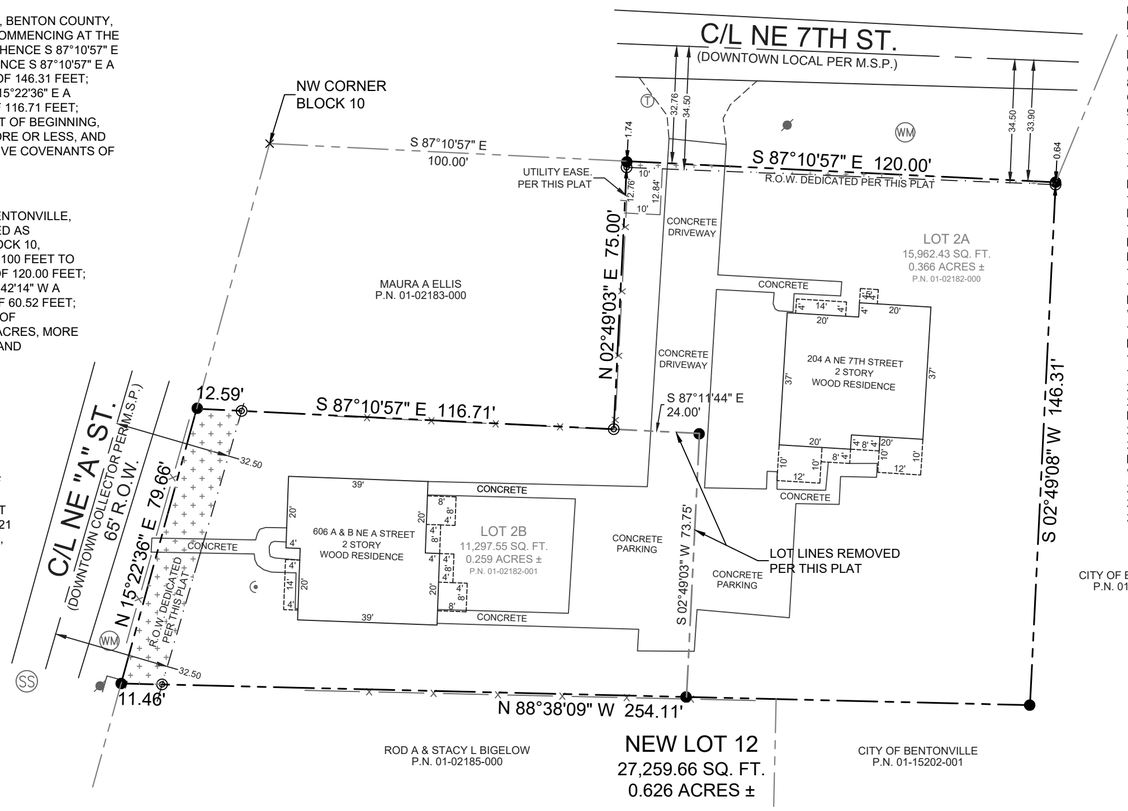
MEADOWGLADE II LTD PARTNERSHIP
808 N MAIN STREET
BENTONVILLE, AR 72712-4834

FLOOD CERTIFICATION:

I CERTIFY THAT I HAVE EXAMINED THE OFFICIAL FLOOD INSURANCE HAZARD RATE MAP PANEL NO. 05007C0090J (EFFECTIVE DATE 09/28/2007) AND FOUND THE DESCRIBED PROPERTY HEREON LIES IN ZONE "X", AN AREA HAVING NO SPECIAL FLOOD HAZARDS.

UTILITY EASEMENT DESCRIPTION:

A UTILITY EASEMENT LYING ON LOT 2A, DEMINGS 2ND ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF BLOCK 10, DEMINGS 2ND ADDITION, THENCE S 87°10'57" E A DISTANCE OF 100 FEET; THENCE S 02°49'03" W A DISTANCE OF 1.74 FEET TO THE POINT OF BEGINNING, THENCE S 87°42'14" E A DISTANCE OF 10.00 FEET; THENCE S 02°51'13" W A DISTANCE OF 12.84 FEET; THENCE N 87°17'10" W A DISTANCE OF 10.00 FEET; THENCE N 02°49'03" E A DISTANCE OF 12.76 FEET TO THE POINT OF BEGINNING, WITH AN AREA OF 127.94 SQUARE FEET, OR 0.003 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.



LEGEND

- FOUND REBAR
- SET 1/2" REBAR W/CAP
- CLEAN OUT
- TELEPHONE VAULT
- WATER METER
- SEWER MANHOLE
- UTILITY POLE
- PROPERTY LINE
- RIGHT-OF-WAY
- CENTERLINE
- FENCE LINE
- EASEMENT

NOTES:

1. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.
2. BASIS OF BEARINGS: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE.
3. DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
4. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE SEAL AND SIGNATURE OF THE SURVEYOR.
5. SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT AT (479) 271-3122.
6. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, ATLAS MAPS AS MAY BE AVAILABLE FROM MUNICIPALITIES OR UTILITY COMPANIES, AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
7. EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON. ONLY THE DOCUMENTS NOTED HEREON WERE SUPPLIED THE SURVEYOR. NO ABSTRACT OF TITLE OR TITLE COMMITMENT WERE FURNISHED THE SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PARCEL.
8. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE COMMITMENT MAY DISCLOSE.
9. THIS SURVEY DOES NOT PROVIDE SURVEY CONTROL FOR FUTURE CONSTRUCTION.
10. FLOOD ZONES SHOWN BY GRAPHIC PLOTTING ONLY.
11. ALL STRUCTURES MUST MAINTAIN A MINIMUM OF 20' CLEARANCE FROM ALL ELECTRIC LINES
12. BEUD'S STANDARD PRACTICE IS TO PLACE UNDERGROUND EQUIPMENT (TRANSFORMERS, SECONDARY PEDESTALS, JUNCTION BOXES, ETC) ON THE LOT LINE OF A DEVELOPMENT. ANY ADJUSTMENTS TO THE PROPERTY LINE THAT RESULT IN OUR EQUIPMENT NOT BEING ON THE LOT LINE WILL REQUIRE THE DEVELOPER TO PAY FOR THE COST OF BEUD TO RELOCATE THE EQUIPMENT TO THE LOT LINE.
13. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO COORDINATE WITH THE NEW SERVICE COORDINATOR @ 479-271-3139 TO DETERMINE IF EQUIPMENT IS IN CONFLICT.
14. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO PAY FOR ANY COSTS ASSOCIATED WITH MOVING OF EQUIPMENT. THIS INCLUDES BUT IS NOT LIMITED TO ANY COSTS ASSOCIATED WITH LOSS OF EQUIPMENT (WIRE AND ELBOWS) AND LABOR AND MATERIAL TO MOVE THE EQUIPMENT TO THE NEW LOT LINE.
15. THERE ARE NO WAIVERS, VARIANCES, AND/OR CONDITIONAL USES AT THE TIME OF PREPARING THIS PLAT OR PLAN.
16. NO RESIDENTIAL LOT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR OR ARTERIAL STREET ALL RESIDENTIAL SUBDIVISION DEVELOPMENT CONTIGUOUS TO A COLLECTOR OR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND BACK OF THE PROJECT WITHOUT ACCESS TO THE SAID MAJOR STREETS.
17. BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND/OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
18. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT THE TIME OF BUILDING PERMIT ISSUANCE.
19. OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER,SEWER, AND ELECTRIC SERVICE.
20. THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
21. WE HEREBY GRANT TO THE CITY OF BENTONVILLE A BLANKET AVIGATION EASEMENT OVER THE ENTIRETY OF THIS PROPERTY LINE ADJUSTMENT PURSUANT TO MUNICIPAL CODE SECTION 401.12 AND 401.13.
22. ALL SIDEWALKS SHALL BE INSTALLED BY THE TIMEFRAMES SET FORTH IN 900.08 OF THE STREET SPECIFICATIONS
23. NO RESIDENTIAL LOT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR OR ARTERIAL STREET. ALL RESIDENTIAL SUBDIVISION DEVELOPMENT CONTIGUOUS TO A COLLECTOR OR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND BACK OF THE PROJECT, WITHOUT ACCESS TO THE SAID MAJOR STREETS. THE ALLEY SHALL BE RECIPROCAL TO EACH OF THE NEW LOTS CREATED.
24. APPROVAL OF THIS PLAT DOES NOT GUARANTEE ARKANSAS HEALTH DEPARTMENT APPROVAL.
25. SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
26. ALL UTILITY LOCATIONS SHOWN HAVE BEEN FIELD VERIFIED.

CERTIFICATE OF APPROVAL:

PURSUANT TO THE BENTONVILLE LAND DEVELOPMENT CODE AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: _____

SIGNED _____
PLANNING COMMISSION CHAIRPERSON

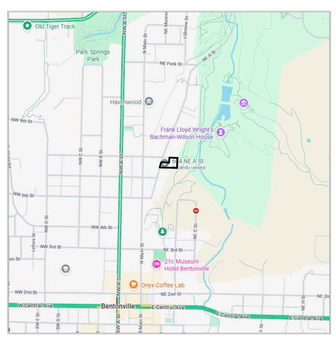
DATE OF EXECUTION: _____

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

UTILITY CONTACT INFORMATION:

a. **Black Hill Energy**: Josh Knight, 1301 Federal Way, PO Box 2129, Lowell, AR 72745, (479) 721-4543, Joshua.knight@blackhillscorp.com
b. **AT&T: Brent Baldwin**, 1133 E. Harold St., Fayetteville, AR 72701, (479) 200-9022 or (479) 571-6609, bb6585@att.com
c. **Cox Communications**: Timothy Goss, 4901 S. 48th Street, Springdale, AR 72762, (479) 651-5583 timothy.goss@cox.com
d. **Fire Dept.**: City of Bentonville, Justin Scantlin, Fire Chief, 800 SW A Street, Bentonville, AR 72712, (479) 271-5927 or (479) 685-1096
e. **Street Dept.**: City of Bentonville, Tony Davis, 3200 SW Municipal Drive, Bentonville, AR 72712, (479) 271 3130
f. **Water Dept.**: City of Bentonville, Beau Thompson, 3200 SW Municipal Drive, Bentonville, AR 72712, (479) 271-3140
g. **Electric Dept.**: City of Bentonville, 3200 SW Municipal Drive, Bentonville, AR 72712, (479)271-3135 ext. 2
h. **Wastewater Dept.**: City of Bentonville, Chris Earl, 1901 NE A Street, Bentonville, AR 72712, (479) 271-3161
i. **Planning Dept.**: City of Bentonville, Tyler Overstreet, 305 SW A Street, Bentonville, AR, (479) 271-3122
j. **Building and Fire Safety**: City of Bentonville, Brad Arnold, 305 SW A Street, Bentonville, AR, (479) 271-3108
k. **City Engineer**: City of Bentonville, Ellen Norvell, 3200 SW Municipal Drive, Bentonville, AR, (479) 271-5993
l. **Stormwater**: City of Bentonville, Alison West, 3200 SW Municipal Drive, Bentonville, AR, (479) 271-6719, jwest@bentonvillear.com



VICINITY MAP
(N.T.S.)

CERTIFICATE OF SURVEY ACCURACY:

I, ROBERT J. CASTER HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND PLANS HAVE BEEN MET.

DATE OF EXECUTION _____

SIGNED: _____
REGISTERED LAND SURVEYOR
NO. 1370
STATE OF ARKANSAS

CERTIFICATE OF OWNERSHIP AND DEDICATION:

WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____

PRINT NAME: _____

SIGNATURE: _____

STATE OF ARKANSAS, COUNTY OF BENTON, SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20__.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATE OF AUTHORIZATION
COA CERTIFICATE NUMBER: 3049

PROJECT NUMBER: PLA26-0003

CASTER & ASSOCIATES
LAND SURVEYING, INC.
2715 SE "I" Street, Suit 5
Bentonville, AR 72712
(479) 268-4464

REGISTERED
STATE OF ARKANSAS
NO.1370
SIGNATURE
ROBERT J. CASTER
PROFESSIONAL LAND SURVEYOR

SCALE: 1" = 30' | DATE: 02/03/2026

PROPERTY LINE ADJUSTMENT
LOTS 2A & 2B, DEMINGS 2ND ADD.
CREATING LOT 12, DEMINGS 2ND ADD.

606 A & B NE A ST., 204 A NE 7TH ST.
BENTONVILLE, BENTON CO., AR

JOB #	DRAWN BY:	CHK'D BY:	PAGE
25-188	JRC	RJC	1 OF 1

	Rainbow Patio Homes Subdivision
	122 SW Winsted Ln
	PC Date: 3/3/2026

Staff Report Details

Project Number	(FP25-0004)
Applicant / Current Owner	Crafton Tull & Associates LLC / Plateau Properties LLC
Site Area	+/- **1.9** Acres
Current Zoning	R3, Medium-High Density Multifamily Residential
Requested Zoning	N/A
Current Future Land Use Map Designation	Urban Corridor
Requested Future Land Use Map Designation	N/A
Development Type / Use	Townhomes
Related projects	PP22-0005

Property Description

Final Plat of Rainbow Patio Homes Subdivision, FP25-0004
A final plat of Rainbow Patio Homes Subdivision. All easements are dedicated as shown on the plat. The preliminary plat, approved on 10/04/2022 consists of 4 lots.

Project Details

Relationship to the Community Plan

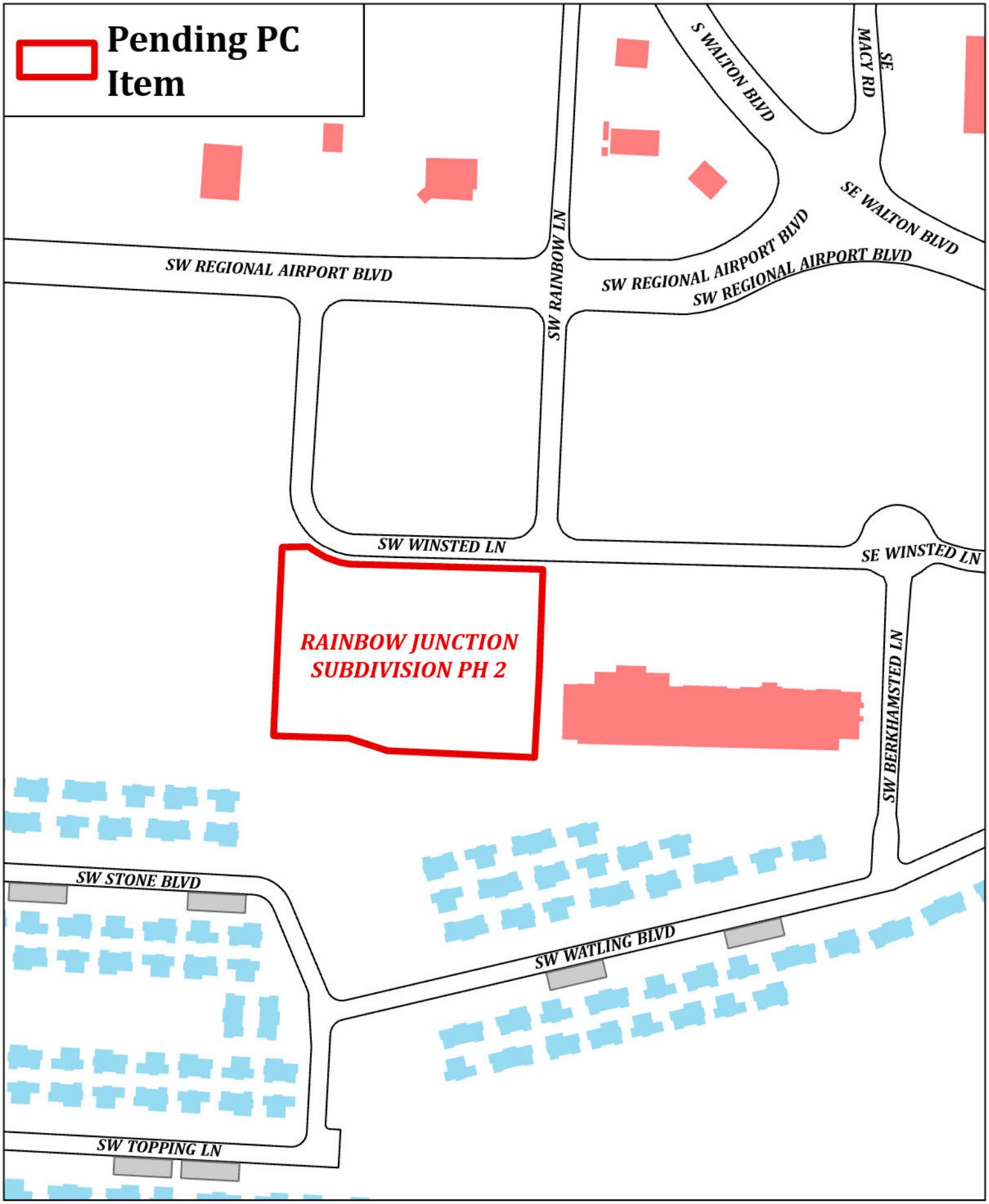
Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

Conclusion

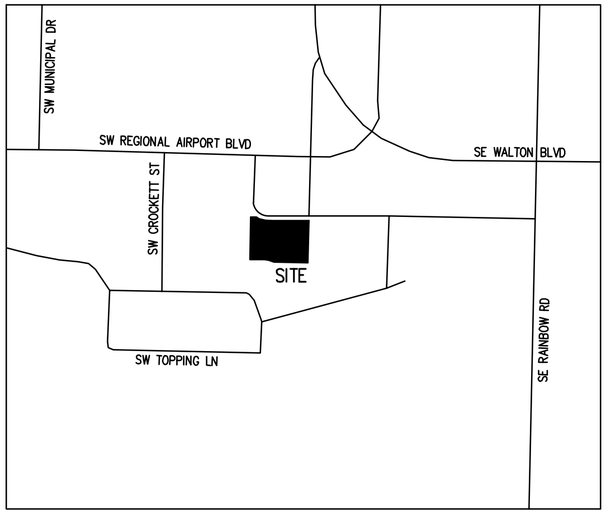
Additional Details



N
W E
S

FP25-0004
RAINBOW JUNCTION SUBDIVISION PH 2
122 SW WINSTED LN

RAINBOW JUNCTION SUBDIVISION PHASE II



VICINITY MAP NTS

CONTACT INFORMATION
OWNER/DEVELOPER:

PLATEAU PROPERTIES LLC
1106 QUAIL MEADOWS AVE
SPRINGDALE, AR 72764

LEGEND

- FOUND 5/8" IRON PIN
- CALCULATED
- SET 5/8" IRON PIN
- PROPERTY LINE
- EXISTING RIGHT OF WAY
- EXISTING EASEMENT
- PROPOSED EASEMENT
- BUILDING SETBACK LINE (BSL)
- STREET CENTERLINE

GRAPHIC SCALE IN FEET
20' 0 20'

BASIS OF BEARING: ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 83 HORIZONTAL DATUM AND NAVD 88 VERTICAL DATUM DETERMINED BY GPS OBSERVATION ON THE CITY OF BENTONVILLE CONTROL MONUMENTS USING THEIR PUBLISHED VALUES.
BEARING: GRID
DISTANCE: GRID
CONVERGENCE ANGLE: -01°17'12.26"
COMBINED SCALE FACTOR: 0.99996034
VALUE CALCULATED AT THE FOLLOWING POINT:
N 735453.175 E 661019.648 Z 1276.245

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	64.24'	101.00'	36°26'42"	S70° 17' 36"E	63.17'
C2	14.59'	21.55'	38°46'59"	S18° 52' 18"W	14.31'
C3	3.12'	4.00'	44°45'35"	S69° 47' 04"W	3.05'
C4	42.87'	68.63'	35°47'36"	N75° 08' 01"W	42.18'
C5	8.37'	4.00'	119°57'39"	N34° 28' 12"E	6.93'
C6	6.08'	4.00'	87°02'02"	S42° 01' 58"E	5.51'
C7	6.28'	4.00'	90°00'00"	S43° 30' 57"E	5.66'
C8	9.55'	6.00'	91°09'39"	S42° 56' 08"E	8.57'

PARCEL LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S8° 12' 31"E	18.85'
L2	S47° 24' 17"W	5.59'

ADJOINING PROPERTY OWNER INFORMATION

1. PARCEL 01-15217-000
PLATEAU PROPERTIES LLC & KAISER LLC
1106 QUAIL MEADOWS AVE
SPRINGDALE AR 72764
2. PARCEL 01-15220-001
CITY OF BENTONVILLE
1000 SW 14TH ST
BENTONVILLE AR 72712
3. PARCEL 01-15220-000
HOUNDS PROPERTIES BENTONVILLE LLC
1818 N TAYLOR ST # 337
LITTLE ROCK AR 72207
4. PARCEL 01-15211-000
County Name: Benton County
MARTIAL ARTS SERVICES INC
5900 LINDSEY RD
LITTLE ROCK AR 72206
5. PARCEL 01-15212-000
GAZZOLA PROPERTIES OF BENTONVILLE LLC
4127 W WEDINGTON DR
FAYETTEVILLE AR 72704

LOT ADDRESS TABLE	
LOT NO.	ADDRESS
1	210 SW WINSTED LN
2	208 SW WINSTED LN
3	206 SW WINSTED LN
4	204 SW WINSTED LN

CONTACT INFORMATION:

BLACK HILL ENERGY: JOSH KNIGHT, 1301 FEDERAL WAY, PO BOX 2129, LOWELL, AR 72745, (479) 333-7005, JOSHUA.KNIGHT@BLACKHILLSCORP.COM

AT&T: BRENT BALDWIN, 1133 E. HAROLD ST., FAYETTEVILLE, AR 72701, (479) 200-9022 OR (479) 571-6609, BB6585@ATT.COM

COX COMMUNICATIONS: CHAD HODGE, 4901 S. 48TH STREET, SPRINGDALE, AR 72762, (479) 717-3796, CHAD.HODGE@COX.COM, TIMOTHY GOSS, (479) 651-5583, TIMOTHY.GOSS@COX.COM

FIRE DEPT.: CITY OF BENTONVILLE, BRENT BOYDSTON, FIRE CHIEF, 800 SW A STREET, BENTONVILLE, AR 72712, (479) 271-5927

STREET DEPT.: CITY OF BENTONVILLE, TROY DAVIS, 3200 SW MUNICIPAL DRIVE, BENTONVILLE, AR 72712, (479) 271-3130

WATER DEPT.: CITY OF BENTONVILLE, BEAU THOMPSON, 3200 SW MUNICIPAL DRIVE, BENTONVILLE, AR 72712, (479) 271-3140

ELECTRIC DEPT.: CITY OF BENTONVILLE, CHARLIE BARNES, 3200 SW MUNICIPAL DRIVE, BENTONVILLE, AR 72712, (479) 271-3159

WASTEWATER DEPT.: CITY OF BENTONVILLE, CHRIS EARL, 1901 NE A STREET, BENTONVILLE, AR 72712, (479) 271-3161

PLANNING DEPT.: CITY OF BENTONVILLE, TYLER OVERSTREET, 305 SW A STREET, BENTONVILLE, AR, (479) 271-3122

BUILDING AND FIRE SAFETY: CITY OF BENTONVILLE, JAKE FEEMSTER, 305 SW A STREET, BENTONVILLE, AR, (479) 271-3108

CITY ENGINEER: CITY OF BENTONVILLE, ELLEN NORVELL, 3200 SW MUNICIPAL DRIVE, BENTONVILLE, AR, (479) 271-5993

STORMWATER: CITY OF BENTONVILLE, JANET PAITH, 3200 SW MUNICIPAL DRIVE, BENTONVILLE, AR, (479) 271-5002, JPAITH@BENTONVILLEAR.COM

DESCRIPTION:

LOT 18 OF RAINBOW JUNCTION SUBDIVISION, AS PER PLAT RECORD 2016-378 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 18;
THENCE ALONG THE OUTER BOUNDS THEREOF THE FOLLOWING EIGHT COURSES:
THENCE S02°39'39"W 247.04 FEET;
THENCE N87°21'18"W 194.47 FEET;
THENCE N72°07'03"W 53.27 FEET;
THENCE N87°21'18"W 96.29 FEET;
THENCE N02°40'03"E 246.58 FEET;
THENCE S87°20'53"E 35.11 FEET;
THENCE 64.24 FEET ALONG A CURVE TO THE LEFT WITH A RADIUS OF 101.00 FEET AND A LONG CHORD OF S70°17'36"E 63.17 FEET;
THENCE S88°30'57"E 246.68 FEET TO THE POINT OF BEGINNING, CONTAINING 1.90 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

CERTIFICATE OF APPROVAL

PURSUANT TO THE BENTONVILLE LAND DEVELOPMENT CODE AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: _____

SIGNED _____
BENTONVILLE PLANNING COMMISSION CHAIRMAN

SIGNED _____
MAYOR CITY OF BENTONVILLE

SIGNED _____
CITY CLERK, CITY OF BENTONVILLE

CERTIFICATE OF OWNERSHIP

WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: _____

SIGNED: _____

NAME & ADDRESS: _____

PRINT NAME: _____

SOURCE OF TITLE: DEED RECORD L202165508 AND PLAT RECORD 2016-379

STATE OF ARKANSAS)
) SS
COUNTY OF BENTON)
SUBSCRIBED AND SWORN BEFORE ME THIS ____ DAY OF _____, 20___
MY COMMISSION EXPIRES:

NOTARY PUBLIC_____

ATLAS PAGE: 485

CITY OF BENTONVILLE
PROJECT NUMBER: FP25-0004

SURVEY NOTES:

THE WORD "CERTIFY" AS SHOWN HEREON IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

THE PROPERTY SURVEYED IS WITHIN THE MUNICIPAL LIMITS OF BENTONVILLE, AR.

ACCORDING TO THE CITY OF BENTONVILLE GIS WEB SITE THE PROPERTY SURVEYED IS ZONED R-3.

THE BOUNDARY DETERMINATION SHOWN HEREON WAS BASED UPON THE FOLLOWING DOCUMENTS AND NO OTHERS: DEED 2014-15338, DEED L202165508, PLAT 2014-118, PLAT 2015-577, AND PLAT 2016-378.

NO ATTEMPT WAS MADE TO SHOW BUILDING SETBACK LINES GRAPHICALLY ON THE SURVEY. THE DESIGNATION OR ORIENTATION OF SETBACKS THAT AFFECT THE USE OF THIS PROPERTY ARE DETERMINED BY THE LOCAL GOVERNING JURISDICTION. SETBACK DIMENSIONS WILL BE BASED ON THE ORIENTATION OF THE BUILDINGS TO BE CONSTRUCTED.

SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT CONSIDERED A PART OF THIS SURVEY AND NO INVESTIGATION OF THESE CONDITIONS WAS MADE.

THERE MAY BE BUILDINGS AND OTHER IMPROVEMENTS ON THE PROPERTY THAT ARE NOT SHOWN ON THIS PLAT.

THE ADJACENT PROPERTY OWNERS NAMES SHOWN ON THIS PLAT WERE OBTAINED FROM THE BENTON COUNTY GIS WEB SITE, AND REPRESENT THE OWNER'S LISTED NAME AT THE TIME OF THIS SURVEY.

THE SURVEYOR HAS NOT MADE A SEPARATE INVESTIGATION OR SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, OR RESTRICTIVE COVENANTS, OR ANY OTHER FACTS WHICH AN ACCURATE AND COMPLETE TITLE SEARCH MAY DISCLOSE. ANY EASEMENTS SHOWN HEREON CAME TO THE ATTENTION OF THE SURVEYOR IN THE COURSE OF HIS RESEARCH OF THE PROPERTY BOUNDARY. OTHER RECORD EASEMENTS, ENCUMBRANCES, OR COVENANTS MAY EXIST ON THE SURVEYED PROPERTY.

NO PART OF THIS PROPERTY IS IN FLOOD ZONE "A" OR "AE", AND NONE OF THE PROPERTY IS INSIDE THE 100-YEAR FLOOD PLAIN AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FIRM PANEL NUMBER 05007C0255K, EFFECTIVE DATE JUNE 05, 2012.

THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S). IN ADDITION, NO INDEPENDENT STUDY OF THE LIKELIHOOD OF FLOODING OF THE SURVEYED PROPERTY HAS BEEN DONE BY THE SURVEYOR AND NO OPINION OF FLOOD HAZARDS IS INCLUDED IN THIS SURVEY. THE FLOOD HAZARD ZONE BOUNDARIES SHOWN HEREON WERE SCALED FROM THE MAPS CITED AND ARE NOT THE RESULT OF INDEPENDENT COMPUTATION OR ANALYSIS.

BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO CONTACT THE CITY OF BENTONVILLE ENGINEERING AND TRANSPORTATION DEPARTMENTS AND NOTIFY SAID DEPARTMENTS ON THE INTENT AND TYPE OF THE WORK THAT WILL TAKE PLACE WITH-IN THE RIGHT-OF-WAY.

BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.

OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO INSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.

SIDEWALK CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE BUILDER OR OWNER/DEVELOPER AT THE TIME OF BUILDING PERMIT ISSUANCE AND IN ACCORDANCE WITH THE CITY OF BENTONVILLE DESIGN STANDARDS. HANDICAP ACCESSIBLE RAMPS AND SIDEWALKS ALONG ALL NON-BUILDABLE LOT FRONTAGES SHALL BE CONSTRUCTED BY THE DEVELOPER. ANY DAMAGE THAT OCCURS WITHIN THE RIGHT-OF-WAY DURING THE HOME/LOT CONSTRUCTION ACTIVITIES SHALL BE THE RESPONSIBILITY OF THE HOMEBUILDER OR OWNER/DEVELOPER TO REPLACE TO CITY STANDARDS. THIS INCLUDES ANY EXISTING SIDEWALKS OR ADA RAMPS THAT ARE DAMAGED.

NO RESIDENTIAL LOT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR, MINOR, OR MAJOR ARTERIAL STREET. ALL RESIDENTIAL SUBDIVISION DEVELOPMENT CONTIGUOUS TO A COLLECTOR, MINOR, OR MAJOR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND BACK OF THE PROJECT, WITHOUT ACCESS TO THE SAID MAJOR STREETS.

THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

SETBACKS SHALL BE PER THE CURRENT ZONING DISTRICT AS STATED IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT @ 479-271-3122.

THERE ARE NO WAIVERS, VARIANCES AND/OR CONDITIONAL USES AT THE TIME OF PREPARING THIS PLAT OR PLAN.

WE HEREBY GRANT TO THE CITY OF BENTONVILLE A BLANKET AVIGATION EASEMENT OVER THE ENTIRETY OF THIS SUBDIVISION PURSUANT TO MUNICIPAL CODE SECTION 401.12 AND 401.13.

NO RESIDENTIAL LOT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR OR ARTERIAL STREET. ALL RESIDENTIAL SUBDIVISION DEVELOPMENT CONTIGUOUS TO A COLLECTOR OR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND BACK OF THE PROJECT, WITHOUT ACCESS TO THE SAID MAJOR STREETS. THE ALLEY SHALL BE RECIPROCAL TO EACH OF THE NEW LOTS CREATED.

SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.

ALL SIDEWALKS SHALL BE INSTALLED BY THE TIMEFRAMES SET FORTH IN 900.08 OF THE STREET SPECIFICATIONS.

CERTIFICATE OF SURVEYING ACCURACY

I, KEVIN J. MONTGOMERY, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

DATE OF EXECUTION: 02/03/2026

CRAFTON, TULL & ASSOCIATES, INC.
BY KEVIN J. MONTGOMERY (AGENT)

SIGNED: _____
KEVIN J. MONTGOMERY (AGENT)
REGISTERED LAND SURVEYOR
NO. 1460
STATE OF ARKANSAS

REGISTERED STATE OF ARKANSAS NO. 1460 SIGNATURE KEVIN J. MONTGOMERY PROFESSIONAL LAND SURVEYOR

ALL COPIES THAT DO NOT BEAR AN ORIGINAL SEAL AND SIGNATURE MAY HAVE BEEN ALTERED. THE ABOVE DECLARATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

RECORD INFORMATION

STATE PLAT CODE:
500-19N-30W-0-07-200-04-1460

SEAL

FINAL PLAT
RAINBOW JUNCTION SUBDIVISION PHASE II

PREPARED FOR:
PLATEAU PROPERTIES, LLC

BENTONVILLE ARKANSAS

DATE: 02/03/2026
PROJECT NO: 21111700
CONTACT: K MONTGOMERY

901 N. 47th St., Suite 400
Rogers, Arkansas 72756
Crafton Tull
479.636.4838 t
www.craftontull.com

CERTIFICATE OF AUTHORIZATION:
CERTIFICATE OF AUTHORIZATION CRAFTON, TULL & ASSOCIATES INC. No. 109 ARKANSAS ENGINEER

© 2026 Crafton, Tull & Associates, Inc.

DELTA	DESCRIPTION	DATE
1	REVISED PER COMMENTS	02/03/2026

SHEET NO.:
1 OF 2

DRAWING G:\21111700_RAINBOWTN\INFRASTRUCTURE\SURVEY\DWG\21111700_FINAL PLAT.DWG
LAYOUT: LAYOUT1, LAST SAVED: KMc76, 1/30/2026 9:17:17 AM
LAST PLOTTED BY: KEVIN MONTGOMERY, 2/3/2026 12:53:13 PM, [PLOTTED BY: VALID ON HARD COPY ONLY]

N = 735760.044
E = 660725.838

GRAPHIC SCALE IN FEET
20' 0 20'

SW WINSTED LN 52' R/W PR 2014-118

S87°20'53"E 35.11'

DRAINAGE EASEMENT PER THIS PLAT

S85°32'59"E 81.79'

S88°30'57"E 246.68'

50.79' 54.00' 54.00' 87.89'

P.O.B.
NE CORNER
LOT 18
PR 2016-378
N = 735730.730
E = 661066.977

20' UTILITY EASEMENT PR 2006-1410

20' DRAINAGE EASEMENT PR 2006-1410

DRAINAGE EASEMENT DOC 2015-6917

30' BSL

10' X 17' UTILITY EASEMENT PER THIS PLAT

LOT 1
±6022 SQ FT
MIN FF 1278.20

LOT 2
±6022 SQ FT
MIN FF 1278.50

LOT 3
±6022 SQ FT
MIN FF 1278.90

LOT 4
±9673 SQ FT
MIN FF 1279.25

10' BSL 25' BSL 20' BSL

S1°29'03"W 89.62'
N1°29'03"E 111.56'
N1°29'03"E 111.51'
N1°29'03"E 111.51'
N1°29'03"E 111.51'
111.53'

30' PUBLIC ACCESS EASEMENT PR 2014-118

20' DRAINAGE & UTILITY EASEMENT PR P1-980

S88°30'57"E 214.58'

54.00' 54.00' 54.00' 85.60'

N88°30'57"W 247.60'

DRAINAGE EASEMENT PER THIS PLAT

S2°39'39"W 247.04'

N2°40'03"E 246.58'

N25°30'38"W 243.84'

S2°38'33"W 89.46'

90.70'

LOT 5
STORM WATER DETENTION
NON-BUILDABLE
±54981 SQ FT
100 YR WSE = 1275.00

DRAINAGE EASEMENT PER THIS PLAT

POND OUTLET STRUCTURE

80' DRAINAGE EASEMENT PR 2006-1410

DRAINAGE EASEMENT PER THIS PLAT

S87°20'41"E 23.97'

L1 C2 C3 L2 44.81'

N87°21'18"W 96.29'

N72°07'03"W 53.27' C4

N87°50'08"W 152.36'

N87°21'18"W 194.47'

30' DRAINAGE EASEMENT PR P1-980

30' DRAINAGE & UTILITY EASEMENT PR P1-980

RECREATION TRAIL

ATLAS PAGE: 485

CITY OF BENTONVILLE
PROJECT NUMBER: FP25-0004

RECORD INFORMATION

STATE PLAT CODE:
500-19N-30W-0-07-200-04-1460

SEAL

REGISTERED
STATE OF ARKANSAS
NO. 1460
SIGNATURE
KEVIN J. MONTGOMERY
PROFESSIONAL LAND SURVEYOR

FINAL PLAT
RAINBOW JUNCTION SUBDIVISION PHASE II

PREPARED FOR:
PLATEAU PROPERTIES, LLC

BENTONVILLE ARKANSAS

DATE: 02/03/2026
PROJECT NO: 21111700
CONTACT: K MONTGOMERY

901 N. 47th St., Suite 400
Rogers, Arkansas 72756
Crafton Tull
479.636.4838 t
www.craftontull.com

CERTIFICATE OF AUTHORIZATION:
CERTIFICATE OF AUTHORIZATION
CRAFTON, TULL & ASSOCIATES, INC.
No. 109
ARKANSAS ENGINEER

© 2026 Crafton, Tull & Associates, Inc.

DELTA	DESCRIPTION	DATE

SHEET NO.:
2 OF 2

DRAWING: G:\21111700_RAINBOW\TH\INFRASTRUCTURE\SURVEY\DWG\21111700_FINAL PLAT.DWG
LAYOUT: LAYOUT2 , LAST SAVED: KM476, 1/30/2026 9:17:17 AM
LAST PLOTTED BY: KEVIN.MONTGOMERY, 2/3/2026 12:54:05 PM ['PLOTTED BY:' VALID ON HARD COPY ONLY]

	Lots 1 & 2, Phase 1 of Crystal Lands Subdivision
	501 NE F Street
	PC Date: 3/3/2026

Staff Report Details

Project Number	(PLA25-0020)
Applicant / Current Owner	Brittany Gillen / Crystal Lands LLC
Site Area	+/- **[4.47]** Acres
Current Zoning	A-1, Agriculture and R-1, Low Density Single Family Residential
Requested Zoning	
Current Future Land Use Map Designation	
Requested Future Land Use Map Designation	
Development Type / Use	
Related projects	

Property Description

Property Line Adjustment: Lots 5, 8, 7 and 10-14 of Demings Addition, Block 1, Lots 3A, 3B, 4, 5, and 6 of Curtis Addition, Lot 8 of Enfield Park, and Parcels 01-00353-000, 01-00354-000, 01-00361-000, 01-00362-000, 01-00363-000, 01-00364-000, 01-00365-000, and 01-00366-000, Creating Lots 1 & 2 of Crystal Lands Subdivision, Phase 1. 501 Northeast F Street, PLA25-0020.

A Property Line Adjustment of Lots 5, 8, 7 and 10-14 of Demings Addition, Block 1, Lots 3A, 3B, 4, 5, and 6 of Curtis Addition, Lot 8 of Enfield Park, and Parcels 01-00353-000, 01-00354-000, 01-00361-000, 01-00362-000, 01-00363-000, 01-00364-000, 01-00365-000, and 01-00366-000, Creating Lots 1 & 2 of Crystal Lands Subdivision, Phase 1. The plat is dedicating a variable width utility easement within Lot 1. The plat is also dedicating a 20-foot-wide utility easement within Lot 1.

Project Details

Relationship to the Community Plan

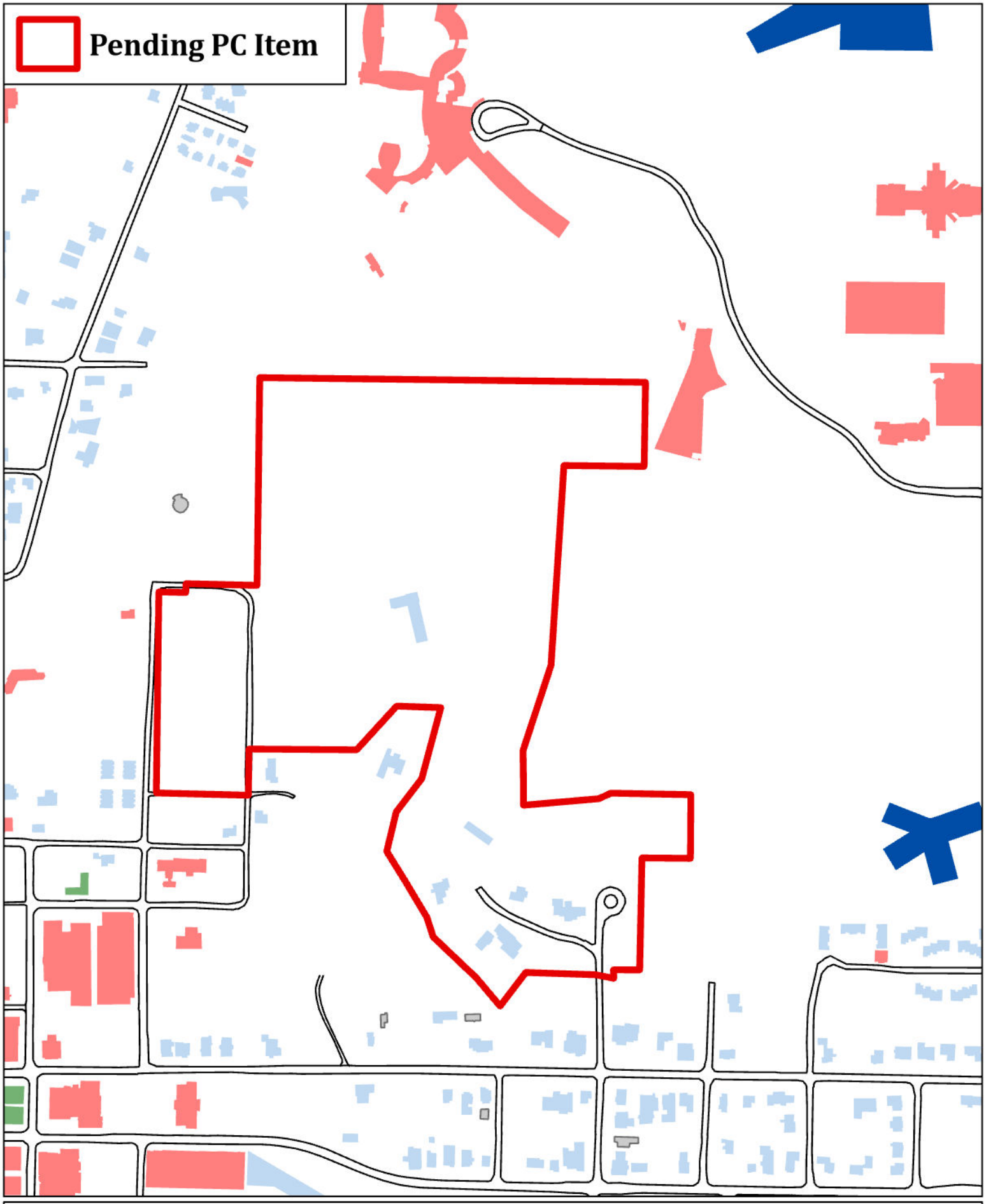
Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

Conclusion

Additional Details



N
W E
S

PLA25-0020
C Street Home & Crystal Lands Replat
501 NE F St

Property Line Adjustment of Lots 5, 8, 7, and 10-14 of Deming's Addition Block 1, Lots 4-6, 3A, and 3B of Curtis Addition, Lot 8 of Enfield Park, and Parcels #01-00353-000, 01-00354-000, 01-00361-000 through 01-00366-000, and 01-00370-000, Creating Lots 1 & 2 of Crystal Lands Subdivision, Phase 1
Crystal Lands, LLC

NE C Street

Bentonville, Benton County, Arkansas

GENERAL NOTES:

1. *Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate: Easements, other than possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.*
2. *Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied to the surveyor.*
3. *This plat represents a Property Line Adjustment of the parcels recorded in Deed Records, Deed Book 2006, Page 4670 & Book 2012, Page 5275 in the public records of Benton County, Arkansas.*
4. *The contractor must determine that proposed structures are clear of all boundary lines, easements, and meet building setback requirements before construction begins.*
5. *Basis of Bearings: All bearings and distances shown hereon are grid based on Arkansas State Plane Coordinate System, NAD83, North Zone.*
6. *This survey is valid only if the drawing includes the seal and signature of the surveyor.*
7. *This survey meets current Arkansas State Standards of Practice for Property Boundary Surveys and Plats.*
8. *This survey is based on a title commitment provided by Chicago Title Insurance Company, File Number190561-106 countersigned by Waco Title Company, Effective Date: Febuary 4, 2019.*
9. *Declaration is made to the original purchaser of the survey and those listed in the certification for the use of this transaction only and is not transferable to any additional institutions or subsequent owners.*
10. *No attempt was made to show building setback lines graphically on the survey. The assignment, vacation, or orientation of setbacks that impact the usage rights of the property are determined by the local governing jurisdictional agency. Setback dimensions will be based on the orientation of the building(s) to be constructed as approved.*
11. *Underground utilities were located by visible above ground markings as marked by utility locators and shown hereon as located by CEI Engineering Associates, Inc. survey field crews. All utility locations shown hereon are approximate. All utilities may not have been marked/located by the appropriate locators. No excavation has taken place as of this date to determine the exact location of existing underground utilities shown on this survey.*
12. *The contractor is advised to contact the 811 One-Call Center before any construction begins, depending on the state there is a possibility of a severe penalty for not making this call. Not all utility companies are members of the One-Call Systems. Therefore the contractor is advised to contact all non-members as well as the One-Call System.*
15. *By scaled map location and graphical plotting only. A portion of this property is located within Flood Zone "AE" as determined by the National Flood Insurance Program which is subject to inundation by the 1% annual chance flood (100-year flood) shown on the Flood Insurance Rate Map for Benton County, Arkansas.*
    Map Number: 05007C0255K
    Map Revised: June 5, 2012
    Revised data provided per Base Level Engineering detailed study found at FEMA Estimated Base Flood Elevation (BFE) Viewer found at https://webapps.usgs.gov/infrm/estbfe/
16. *Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. This property is currently zoned A-1, Agricultural. For more info visit www.bentonvilleplanning.com or call the Planning Department @ 479-271-3122.*
    City of Bentonville approved a setback Variance (VAR21-0041) on December 22, 2021 granting an eleven (11) foot setback where thirty (30) foot is required.
17. *Sidewalks shall be the responsibility of the builder/owner at time of building permit issuance.*
18. *There may not be fences or any other structures built in any drainage easements.*
19. *Before any work in the right-of-way commences, contractor and or owner is to obtain right-of-way permit from the City of Bentonville Transportation Department.*
20. *Owner is to contact New Service coordinator (271-3139) to discuss electric service prior to beginning any construction. Failure to contact BEUD prior to construction will result in delays to electric service.*
21. *All structures must maintain minimum of 20' clearance from all electric lines.*
22. *BEUD's standard practice is to place underground equipment (transformers, secondary pedestals, junction boxes, etc.) on the lot line of a development. Any adjustments to the property line that result in our equipment not being on the lot line require the developer to pay for the cost of BEUD to relocate the equipment to the lot line.*
23. *It is the responsibility of the developer to pay for any cost associated with moving of equipment. This includes but is not limited to any costs associated with loss of equipment (wire and elbows) and labor and material to move the equipment to the new lot line.*
24. *Relocation of any existing electrical facilities shall be at the owner's expense.*
25. *Owner/Developer shall coordinate with all local utilities to insure that each lot has water, sewer and electric service.*
26. *FEMA Base Flood Elevation (BFE) locations are approximate.*
27. *There are no waivers, variances and/or conditional uses at the time of preparing this plat or plan.*
28. *We hereby grant to the City of Bentonville a blanket Avigation Easement over the entirety of this Property Line Adjustment pursuant to Municipal Code Section 401.12 and 401.13.*
29. *No residential lot shall be permitted direct access to a collector or arterial street. All residential subdivision development contiguous to a collector or arterial street shall orient frontage to a local street, and back of the project, without access to the said major streets.*
30. *All sidewalks shall be installed by the timeframes set forth in 900.08 of the Street Specifications*
31. *There are no wetlands on the subject tract as identified by the National Wetlands Mapper. Surveyor is not aware of any wetlands delineation efforts by the Army Corps of Engineers.*



VICINITY MAP

NOT TO SCALE

Latitude: 36°37'75"N
Longitude: 94°20'32"W

Owners

Parcel #01-00361-000, 01-00362-000, 01-00363-000, 01-00364-000, 01-00365-000, 01-00366-000, 01-00370-000, 01-00353-000, & 01-00354-000
Crystal Lands, LLC
PO Box 1860
Bentonville, AR 72712-1860

Owners

Parcel #01-01966-000, 01-01967-000, 01-01968-000, 01-01969-000, 01-02078-003, 01-02079-000, 01-02080-000, 01-02083-00, 01-02084-000, 01-02085-000 & 01-02087-000
C Street Home, LLC
6505 E Central Ave # 289
Wichita, KS 67206

Surveyors:

CEI Engineering Associates, Inc.
2600 NE 11th ST, Suite 300
Bentonville, AR 72712
Phone: (479) 273-9472
Fax:(479) 271-0536
Surveyor: Dustin Riley

Sheet Index

1. *Cover Sheet*
2. *Overview*
3. *Replat: North (Electric Easement)*
4. *Replat: North (Utility Easement)*
5. *Replat: South (Cross Access Easement)*

CERTIFICATE OF OWNERSHIP:

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided and do hereby lay off, plat, subdivide said real estate in accordance with this plat and do hereby dedicate to the use of the public the streets, alleys, drives, easements, etc. as shown on said plat.

Date of Execution: _____ *Signed:* _____

Name & Address: *C. Street Home LLC* _____

_____

Print Name: _____

Source of Title: *Deed Inst. #L202190554, Deed Inst. #L201839608, Deed Inst. #L202190552, & Deed Inst. #L202251132*

Subscribed and sworn before me, this _____ *day of* _____, *20*_____.

_____ _____
Notary Public *My Commission Expires*

Date of Execution: _____ *Signed:* _____

Name & Address: *Crystal Lands, LLC* _____

_____

Print Name: _____

Source of Title: *Deed Bk. 2012, Pg. 5256, Deed Bk. 2012, Pg. 5275, Deed Bk. 2006, Pg. 4670, & Deed Inst. #L202361613*

Subscribed and sworn before me, this _____ *day of* _____, *20*_____.

_____ _____
Notary Public *My Commission Expires*

Certificate of Approval

Pursuant to the Bentonville Subdivision Regulations and all other conditions and approval having been completed, this document is hereby accepted. This Certificate is hereby executed under the authority of said rules and regulations.

Signed: _____
Bentonville Planning Commission Chairman

Signed: _____
Mayor, City of Bentonville

Signed: _____
City Clerk, City of Bentonville

CERTIFICATE OF AUTHORIZATION
CEI Engineering Associates, Inc. No. 118
ARKANSAS ENGINEER

Certificate of Surveying Accuracy

I Dustin Riley, hereby certify that this plat correctly represents a boundary survey made by me and boundary markers and lot corners shown hereon actually exist and their location, type and material are correctly shown and all minimum requirements of the Arkansas Minimum Standards for Land Surveyors have been met.

Date of Execution: _____

Signed: _____
Registered Land Surveyor
No.1618
State of Arkansas

REVISION

NO.	DESCRIPTION	DATE
1	1st Sub Comments	08/13/2025
2	2nd Sub Comments	01/27/2026
3	3rd Sub Comments	01/30/2026

City of Bentonville Project # PLA25-0020

State Survey Code: 500-20N-30W-0-29-304-04-1618

CIVIL ENGINEERING ▪ LANDSCAPE ARCHITECTURE ▪ LAND SURVEYING ▪ PLANNING

BENTONVILLE | DALLAS | FRESNO | HOUSTON | JACKSONVILLE | MINNEAPOLIS | PHILADELPHIA | PHOENIX

CEI Solutions for Land and Life

CEI ENGINEERING ASSOCIATES, INC.
2600 NE 11th ST, Suite 300
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 100
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732
BRANCH TBPLS FIRM #10194234

Lot Combination
Crystal Lands, LLC
NE C Street
Bentonville, Benton County, Arkansas

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	WAP
FIELD WORK	KDM
CEI PROJECT NUMBER	32462
DATE	1/30/2026
REVISION	REV-3

Cover Sheet
SHEET TITLE

SHEET NUMBER
1 OF 5

DRAWING LOCATION - S:\32000\32462\DRAWINGS SURVEY\SURVEY\WORKING\32462LC COMBINED.DWG -- SAVED BY - WPIERSON

© 2026 CEI ENGINEERING ASSOCIATES, INC.

Survey Description

Lot 1 Description

A part of the Northwest Quarter (NW/4) of the Southwest Quarter (SW/4) and part of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section 29, Township 20 North, Range 30 West, and a part of the parcel's described at Deed Book 2012, Page 5275 and Deed Book 2006, Page 4670in the public records of Benton County, Arkansas, and being described by metes and bounds as follows:

COMMENCING at a 5/8" rebar found at the Northwest corner of said NW/4 of the SW/4;
THENCE along the west boundary of aforementioned Section 29, North 02°18'26" East, 285.43 feet to a 5/8" rebar capped LS #1618 set at the northwest corner of the parcel's described at aforementioned Deed Book 2006, Page 4670 and the POINT OF BEGINNING;
THENCE along the north boundary of said parcel's, South 87°42'37" East, 1,308.49 feet to a 1/2" rebar found at the northeast corner of said parcels;
THENCE along the east boundary of said parcel's, South 02°31'35" West, 285.42 feet to a 1/2" rebar found at the southeast corner of said parcels;
THENCE along the south boundary of said parcel's, North 87°44'10" West, 272.14 feet to a 1/2" rebar capped LS #944 found at the northeast corner of the parcel's described at aforementioned Deed Book 2012, Page 5275;
THENCE along the east boundary of said parcels, the following three (3) calls:
1. *South 05°17'23" West, 678.26 feet to a 1/2" pipe;*
2. *South 19°46'41" West, 304.79 feet to a 5/8" rebar capped LS #1618;*
3. *South 00°48'46" West, 101.72 feet to a 1" pipe found at the southeast corner of said parcel's;*

THENCE along the East Line of the parcel described at Deed Instrument #L202361613, South 01°39'17" West, 83.87 feet to a 5/8-inch rebar with cap LS1618;
THENCE continuing along said East Line, North 86°39'00" East, 256.60 feet to a 1/2-inch rebar found at the Northwest Corner of the parcel described at Deed Instrument #L202413077;
THENCE along the North Line of said parcel, North 66°56'59" East, 45.06 feet to a 1/2-inch rebar;
THENCE continuing along said North Line, South 87°19'28" East, 271.29 feet to a 1/2-inch rebar;
THENCE along the East Line of said parcel the following five (5) calls:
1. *South 01°58'30" West, 215.94 feet to a 1/2-inch rebar;*
2. *North 87°54'36" West, 164.43 feet to a 1/2-inch rebar;*
3. *South 02°46'04" West, 379.70 feet to a 1/2-inch rebar;*
4. *North 88°12'55" West, 89.03 feet to a 1/2-inch rebar;*
5. *South 01°05'47" East, 28.90 feet to a 1/2-inch rebar found on the South Line of Lot 8, Enfield Park Subdivision per Plat Instrument #L202218919;*

THENCE along the said South Line the following
1. *North 77°18'39" West, 62.65 feet to a 1/2-inch rebar;*
2. *North 86°30'38" West, 237.17 feet to a 5/8-inch rebar with cap LS1618;*
3. *South 38°59'30" West, 143.44 feet to a 5/8-inch rebar with cap LS529;*
4. *North 38°31'49" West, 125.26 feet to a 5/8-inch rebar with cap LS1618;*
5. *North 44°55'38" West, 201.16 feet to a 5/8-inch rebar with cap LS1618;*
6. *North 16°33'38" West, 71.01 feet to a magnail;*
7. *North 29°17'38" West, 142.40 feet to a 5/8-inch rebar with cap LS1618 set on the East Line of the parcel described at Deed Instrument #L202055087;*

THENCE along said East Line, North 30°13'38" West, 118.52 feet to a 5/8-inch rebar with cap LS1618;
THENCE continuing along said East Line, North 15°08'34" East, passing through a 1/2-inch rebar with cap LS1370 at a distance of 10.67 feet and continuing for a total distance of 137.60 feet to a 5/8-inch rebar with cap LS1618 fond on the East Line of the parcel described at Deed Instrument #L202055671;
THENCE along said East Line North 39°03'58" East, 142.08 feet to a 5/8-inch rebar with cap LS1618;
THENCE continuing along said East Line, North 16°38'49" East, 249.47 feet to a 1/2-inch rebar;
THENCE along the North Line of said parcel, North 86°27'39" West, 150.00 feet to a 5/8-inch rebar with cap LS1618;
THENCE continuing along said North Line, South 44°02'11" West, 200.71 feet to a 5/8-inch rebar with cap LS1618 set on the South Line of the parcel described at Deed Book 2012, Page 5275;
THENCE along said South Line, North 87°59'01" West, 345.19 feet to a 5/8-inch rebar with cap LS1618 set on the West Line of said NW/4 of the SW/4;
THENCE along said West Line, North 02°21'24" East, 974.20 feet to the POINT OF BEGINNING containing 1,870,354 square feet or 42.94 acres, more or less.

Survey Description

Lot 2 Description

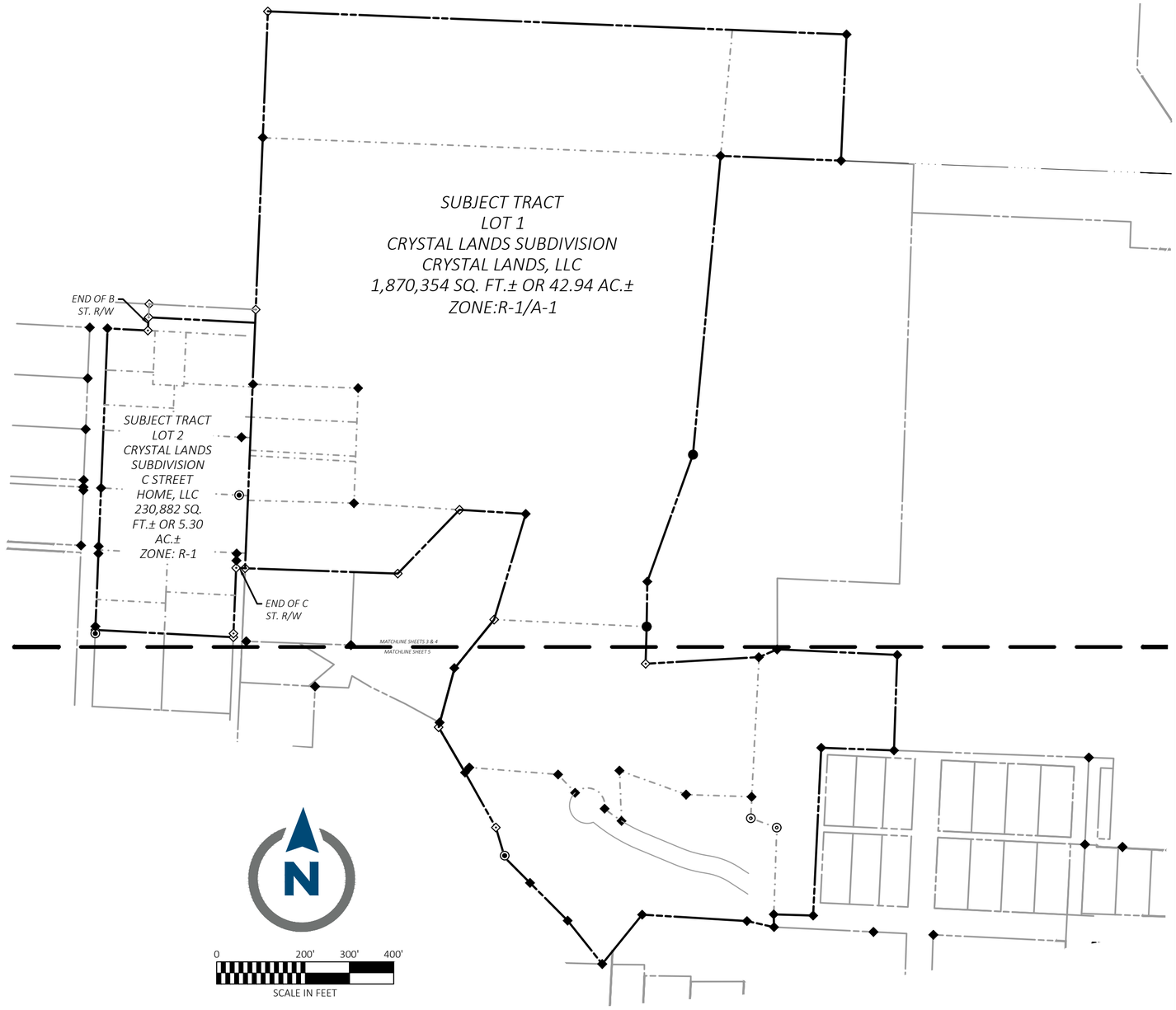
All of Lot 3A, Lot 3B, Lot 4, Lot 5, Lot 6, and the North Half of a Vacated 16-foot Alley per Instrument #L202513026 all in Block 1 Curtis Addition per Plat Book G, Page 283 and the South Half of Lot 2 and all of Lot 8, Block 1, Demings Addition per Plat Book G, Page 163, and Lots 10-14, Block 1, Demings Addition per Plat Book 2004, Page 1286 in the Public Records of Benton County, Arkansas and being described by metes and bounds as follows:

COMMENCING at a 5/8-inch rebar found at the Northwest Corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 30, Township 20 North, Range 30 West;
THENCE along the West Line of said NW 1/4 of the SW 1/4, South 02°22'10" West, 418.46 feet to a 5/8-inch rebar with cap LS1618 the POINT OF BEGINNING;
THENCE continuing along said West Line, South 02°21'24" West, 555.15 feet to a 5/8-inch rebar with cap LS1618;
THENCE along the North Right-of-Way of NE C Street per Ordinance #2025-102 filed at Instrument #L202529153, North 87°57'44" West, 20.14 feet to a 5/8-inch rebar with cap LS1618;
THENCE along the West Right-of-Way of NE C Street, South 02°20'03" West, 148.68 feet to a 5/8-inch rebar with cap LS1618;
THENCE continuing along said West Right-of-Way, South 01°45'23" West, 8.01 feet to a 5/8-inch rebar with cap LS1618 set on the centerline of a vacated 16-foot alley per Ordinance #2025-51 filed at Deed Instrument #L202513026;
THENCE along said centerline, North 86°59'37" West, 312.19 feet to a 5/8-inch rebar with cap LS1618 set on the East Right-of-Way of NE B Street per Plat Book G, Page 163;
THENCE along said East Right-of-Way, North 01°16'04" East, 8.01 feet to a 1/2-inch rebar;
THENCE continuing along said East Right-of-Way, North 02°19'20" East, passing through a 1/2-inch rebar at a distance of 165.04 feet, passing through a 1/2-inch rebar at a distance of 181.04, passing through a 1/2-inch rebar at a distance of 313.14, and continuing for a total distance of 673.98 feet to a 5/8-inch rebar found at the Northwest Corner of Lot 12, Block 1, Demings Addition;
THENCE along the North Line of said Lot 12, South 87°00'11" East, 91.26 feet to a 5/8-inch rebar with cap LS1618;
THENCE along the East Right-of-Way of NE 5th Street, North 03°02'11" East, 29.97 feet to a 5/8-inch rebar with cap LS1618 set on the centerline of a vacated portion of NE 5th Street per Ordinance #2025-101 filed at Instrument #L202529152;
THENCE along said centerline, South 87°02'35" East, 241.13 feet to a 5/8-inch rebar with cap LS1618 to the POINT OF BEGINNING containing 230,882 square feet or 5.30 acres, more or less.

Parent Tract Descriptions:

*(Parcel Nos. 01-00365-000, 01-00363-000, 01-00364-000, 01-00366-000, 01-00362-000)**
Part of the NW 1/4 of the SW 1/4 of Section 29, Township 20 North, Range 30 West, Benton County, Arkansas, described as follows: Begin at a point 1592 feet West of the NE corner of the SW 1/4 of said Section, run thence S 03°19' West 680.8 feet, thence S 17°34' W 302 feet, thence South 102 feet to an iron stake for the point of beginning, and run thence North 102, thence N 17°34' E 302 feet, thence N 03°19' E 680.8 feet to an iron stake on the North line of said SW 1/4 of said Section, thence West 1048 feet to the NW corner of said SW 1/4, thence South 70 rods, thence East 15 rods, thence North 10 rods, thence East 6 rods, thence in a Northeasterly direction to a point 30 rods East and 30 rods North of the SW corner of said SW 1/4, thence S 88°30' E 150 feet, more or less, to the center of Town Spring Branch, thence in a generally Southern course with the center of said branch to a point which is 345 feet, more or less due West of the point of beginning, thence East 345 feet, more or less, to the point of beginning.

*(Parcel Nos. 01-00354-000, 01-00353-000)**
Part of the SW 1/4 of the NW 1/4 of Section 29, Township 20 North, Range 30 West, Benton County, Arkansas, and described as beginning at the SW corner of the SW 1/4 of the NW 1/4 of said Section 29, thence N 02°19'29" E 185.34 feet to a concrete monument; thence S 87°42'06" E 1308.29 feet to a concrete monument; thence S 03°31'29" W 285.34 feet to a found iron pin; thence N 87°42'16" W 1302.31 to a found iron pin and the point of beginning.



Legend

Boundary Line		Irrigation Control Box	
Adjoining Boundary Line		Hose Bib / Spigot	
Right-of-Way Line	R/W	Right-of-Way	
Easement Line	M.S.P.	Master Street Plan	
Lot Line to be removed per this plat	TYP.	Typical	
Found Monument (1/2" Rebar unless otherwise noted)		Unknown Vault	
Set 5/8" Rebar "LS#1618"		Water Riser	
Found Nail (As Noted)		Bearing & Distance Change	
Found Pipe (As noted)		Air Conditioner Unit	
Sewer Manhole (SMH)		Telephone Vault	
Sewer Clean Out		FEMA Zone 'A'	
Guy Wire / Anchor			
Utility Pole		Electric Easement per this document	
Electric Meter			
Water Meter		Utility Easement per this document	
Grate Inlet (GI)			
Fire Hydrant			
Electric Riser			
Water Valve			
Backflow Preventer			

City of Bentonville Project # PLA25-0020

State Survey Code: 500-20N-30W-0-29-304-04-1618

CERTIFICATE OF AUTHORIZATION
CEI Engineering Associates, Inc. No. 118
ARKANSAS ENGINEER

CEI Solutions for Land and Life

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 100
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732
BRANCH TBPLS FIRM #10194234

Lot Combination
Crystal Lands, LLC
NE C Street
Bentonville, Benton County, Arkansas

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	WAP
FIELD WORK	KDM
CEI PROJECT NUMBER	32462
DATE	1/30/2026
REVISION	REV-3

Overview

SHEET TITLE

SHEET NUMBER

2 OF 5

DRAWING LOCATION - S:\32000\32462\DRAWINGS SURVEY\SURVEY WORKING\32462LC COMBINED.DWG -- SAVED BY - WPIERSON

© 2026 CEI ENGINEERING ASSOCIATES, INC.

Detail "A"
1" = 80'

EL49 EL50 S85°05'12"E 207.49' EL51 EL52 20.10' EL54 EL53 EL56 EL55 20.09'

P.O.B.
LOT 1

1200 RFE

UTILITY EASEMENT
PER BK. 2010, PG. 24050

P.O.C.
5/8" REBAR
NW CORNER, NW4, SW4,
S30-T20N-R30W

20' UTILITY EASEMENT
PER PLAT BK. 11, PG. 101

UTILITY EASEMENT
PER BK. 2010 PG. 24053

UE PER INST.
#L202525281

LOT 18
CRYSTAL BRIDGES MUSEUM ADDITION
PARCEL # 01-15202-000
CRYSTAL BRIDGES MUSEUM OF AMERICAN ART, INC.
DEED BK. 2006, PG. 4670
ZONE: R-1

NE 5TH ST.
PUBLIC (ASPHALT) 60' R/W PER PLAT BK. P4, PG. 390
VACATED PER ORD. #2025-101
PER INST. #L202529152

NE 5TH ST.
PUBLIC (ASPHALT) 60' R/W
PER PLAT BK. P4, PG. 390
LOCAL DOWNTOWN 50' R/W PER MSP

5/8" REBAR

P.O.B.
LOT 2

60.0'

30.0'

UE PER INST.
#L202525279

464.9'

NE C ST.
PUBLIC (ASPHALT)
VACATED PER ORDINANCE
#2025-102 (INST. #L202529153)

LOT 2
COMPTON ADDITION
PARCEL # 01-10281-002
PEEL HOUSE FOUNDATION
ZONE: R-1

20.1'

LOT 4, BLOCK 1
DEMINGS ADDITION
PARCEL # 01-02082-000
CINDY SPRINGS, LLC
INSTR. # L202102116
ZONE: R-1

DEMINGS ADDITION
BLOCK 1

9.2'

PARENT TRACT
PARCEL # 01-00365-000
CRYSTAL LANDS, LLC
DEED BK. 2012, PG. 5275
ZONE:A-1

LOT LINE TO BE REMOVED PER
THIS PLAT. (TYP.)

PROPERTY LINE TO BE
REMOVED
PER THIS PLAT. (TYP.)

12' DRIVEWAY PER UNRECORDED
SURVEY FOR SAM WALTON
VACATED PER ORDINANCE FILED
AT INST. #L202540634

45.0' R/W

21.1'

LOT 9 & PART OF VACATED
ALLEY, BLOCK 1
DEMINGS ADDITION
PARCEL # 01-02089-000
CINDY SPRINGS, LLC
DEED BK. 2009, PG. 4802
ZONE: R-1

PARENT TRACT
PARCEL # 01-00363-000
CRYSTAL LANDS, LLC
DEED BK. 2012, PG. 5275
ZONE:A-1

LOT LINE TO BE REMOVED PER
THIS PLAT. (TYP.)

SUBJECT TRACT
LOT 2
CRYSTAL LANDS SUBDIVISION
C STREET HOME, LLC
230,882 SQ. FT.± OR 5.30 AC.±

PARENT TRACT
PARCEL # 01-00364-000
CRYSTAL LANDS, LLC
DEED BK. 2012, PG. 5275
ZONE:A-1

1/2" REBAR
CAP1349

LOT 2
COMPTON ADDITION
PARCEL # 01-10281-002
PEEL HOUSE FOUNDATION
ZONE: R-1

25.0'

18.7'

5.4'

PARENT TRACT
PARCEL # 01-00366-000
CRYSTAL LANDS, LLC
DEED BK. 2012, PG. 5275
ZONE: A-1

5/8" REBAR

UE PER INST. #L202525280

215.1'

20.5'

16' ALLEY VACATED PER
BK. 92, PG. 83269

CURTIS ADDITION

UE PER INST.
#L202525164

20.2' R/W

LOT 18
CURTIS ADDITION
PARCEL # 01-01971-000
WEST BLAKE, LLC
INSTR. # L201938392
ZONE: D-E

20.0'

ACCESS & PARKING
EASEMENT PER PLAT BK.
17, PG. 244

16' ALLEY PER BK. B, PG. 8
VACATED PER ORD. #2025-51
INST. #L202513026

11.5'

UE PER INST.
#L202515164

45.0'

MMF

PARCEL # 01-00367-000
LMJC PROPERTIES, LLC
DEED INSTR. #L202055671
ZONE: R-1

PARCEL # 01-00366-001
MORO DEVELOPMENT
COMPANY, LLC
DEED INSTR.
#L202101046
ZONE: R-1

MATCHLINE SHEETS 3 & 4
MATCHLINE SHEET 5

5/8" REBAR

NE B ST.
PUBLIC (ASPHALT) 40' R/W PER PLAT
BK. G, PG. 163
LOCAL DOWNTOWN 50' R/W PER MSP

UE PER INST.
#L202515163

NOT A PART
LOT 1
CURTIS ADDITION
PARCEL # 01-01963-000
302 NE B STREET, LLC
INSTR. # L201838929
ZONE: DN-3

NOT A PART
NORTH HALF LOT 2
CURTIS ADDITION
PARCEL # 01-01964-000
CINDY SPRINGS, LLC
DEED BK. 2004, PG. 48767
ZONE: R-1

NE C ST.
PUBLIC (ASPHALT) 40' R/W PER PLAT
BK. G, PG. 163
LOCAL DOWNTOWN 50' R/W PER MSP

UE PER INST.
#L202515165

1/2" REBAR
CAP 1317

PARCEL # 01-18939-000
LMJC PROPERTIES. LLC

SUBJECT TRACT
LOT 1
CRYSTAL LANDS SUBDIVISION
CRYSTAL LANDS, LLC
1,870,354 SQ. FT.± OR 42.94 AC.±
ZONE:R-1/A-1

1220 RFE

1230 RFE

PARENT TRACT
PARCEL # 01-00354-000
CRYSTAL LANDS, LLC
DEED BK. 2006, PG. 4670
ZONE: A-1

20' SEWER EASEMENT
PER INST. #L202143508

20' UTILITY EASEMENT
PER THIS DOCUMENT
(SEE SHEET 4 OF 5)

352.9'

LOT 18
CRYSTAL BRIDGES MUSEUM OF
AMERICAN ART, INC.
PARCEL # 01-15202-000
CBMAA, INC.
DEED BK. 2006, PG. 61367
ZONE: A-1

321.1'

PARENT TRACT
PARCEL # 01-00353-000
CRYSTAL LANDS, LLC
DEED BK. 2006, PG. 4670
ZONE: A-1

SEE DETAIL "A"

LOT LINE TO BE REMOVED PER
THIS PLAT. (TYP.)

65.5'

1/2" REBAR
COPELAND 0944

EL28 EL29 EL30 EL31 EL32 EL33 EL34 EL35 EL36 EL37 EL38 EL39 EL40 EL41 EL42 EL43 EL44 EL45 EL46 EL27 EL26 EL25 EL24 EL23 EL22 EL21 EL20 EL19 EL18 EL17 EL16 EL15 EL14 EL13 EL12 EL11 EL10 EL9 EL8 EL7 EL6 EL5 EL4 EL3 EL2 EL1

20.0'

289.9'

20' DRAINAGE EASEMENT
PER BK. 2012, PG. 51164

WATER/SEWER EASEMENT
BOOK 568, PAGE 236

PARENT TRACT
PARCEL # 01-00362-000
CRYSTAL LANDS, LLC
DEED BK. 2012, PG. 5275
ZONE: A-1

ARKANSAS
WESTERN GAS
EASEMENT
BOOK 327,
PAGE 578

N07°38'22"W 146.20'

S07°38'22"E 150.18'

422.7'

ELECTRIC EASEMENT
PER THIS DOCUMENT
27,679 SQ. FT. OR 0.64 AC. ±

1/2" PIPE

250.8'

220.8'

S31°13'58"E 209.31'

N13°08'56"W 255.62'

30.6'

PARCEL # 01-00360-000
F STREET INVESTMENTS LLC
DEED BK. 2005, PG. 71834
ZONE: A-1

1" PIPE

ZONE: A-1
ZONE: R-1

DRIVEWAY EASEMENT
PER INSTRUMENT #94078172

5/8" REBAR
LS1618

ARKANSAS WESTERN
GAS EASEMENT
PER BK. 362, PG. 60

0 100' 150' 200'
SCALE IN FEET

City of Bentonville Project # PLA25-0020

State Survey Code: 500-20N-30W-0-29-304-04-1618

CERTIFICATE OF AUTHORIZATION
CEI Engineering Associates, Inc. No. 118
ARKANSAS ENGINEER

DRAWING LOCATION - S:\32000\32462\DRAWINGS SURVEY\SURVEY\WORKING\32462LC COMBINED.DWG -- SAVED BY - WPIERSON

© 2026 CEI ENGINEERING ASSOCIATES, INC.

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 100
DALLAS, TX 75234
PHONE: (972) 488-3737
FAX: (972) 488-6732
BRANCH TBPLS FIRM #10194234

Lot Combination
Crystal Lands Subdivision
NE C Street
Bentonville, Benton County, Arkansas

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

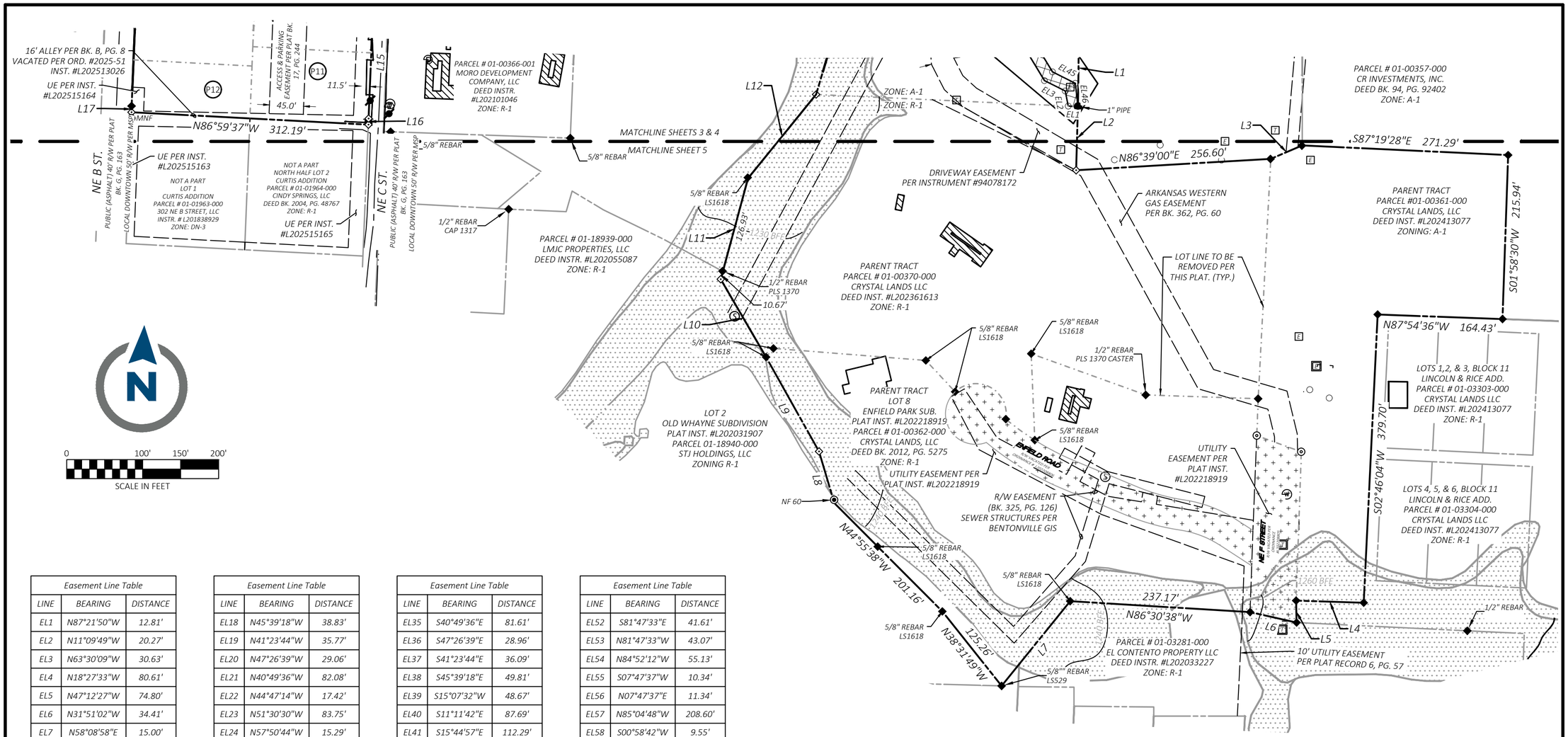
PROFESSIONAL OF RECORD	DGR
DESIGNER	WAP
FIELD WORK	KDM
CEI PROJECT NUMBER	32462
DATE	1/30/2026
REVISION	REV-3

Replat: North
(Electric Easement)

SHEET TITLE

SHEET NUMBER

3 OF 5



Easement Line Table		
LINE	BEARING	DISTANCE
EL1	N87°21'50"W	12.81'
EL2	N11°09'49"W	20.27'
EL3	N63°30'09"W	30.63'
EL4	N18°27'33"W	80.61'
EL5	N47°12'27"W	74.80'
EL6	N31°51'02"W	34.41'
EL7	N58°08'58"E	15.00'
EL8	S31°51'02"E	32.38'
EL9	S47°12'27"E	76.62'
EL10	S18°27'33"E	84.45'
EL11	S31°13'58"E	23.66'
EL12	N58°46'02"E	8.90'
EL13	N10°53'35"E	91.99'
EL14	N06°59'23"E	83.66'
EL15	N15°44'57"W	111.66'
EL16	N11°11'42"W	93.16'
EL17	N15°07'32"E	41.62'

Easement Line Table		
LINE	BEARING	DISTANCE
EL18	N45°39'18"W	38.83'
EL19	N41°23'44"W	35.77'
EL20	N47°26'39"W	29.06'
EL21	N40°49'36"W	82.08'
EL22	N44°47'14"W	17.42'
EL23	N51°30'30"W	83.75'
EL24	N57°50'44"W	15.29'
EL25	S68°34'59"W	69.56'
EL26	N60°02'55"W	27.30'
EL27	N80°22'25"W	15.53'
EL28	N09°37'35"E	20.00'
EL29	S80°22'25"E	19.11'
EL30	S60°02'55"E	21.27'
EL31	N68°34'59"E	70.04'
EL32	S57°50'44"E	26.49'
EL33	S51°30'30"E	86.03'
EL34	S44°47'14"E	19.28'

Easement Line Table		
LINE	BEARING	DISTANCE
EL35	S40°49'36"E	81.61'
EL36	S47°26'39"E	28.96'
EL37	S41°23'44"E	36.09'
EL38	S45°39'18"E	49.81'
EL39	S15°07'32"W	48.67'
EL40	S11°11'42"E	87.69'
EL41	S15°44'57"E	112.29'
EL42	S06°59'23"W	86.93'
EL43	S11°01'30"W	94.99'
EL44	S58°46'02"W	22.01'
EL45	S63°30'09"E	33.66'
EL46	S06°23'31"E	30.80'
EL47	S87°41'34"E	35.64'
EL48	N81°00'15"E	19.94'
EL49	N07°21'04"W	118.45'
EL50	S07°21'04"E	115.98'
EL51	S84°52'15"E	57.29'

Easement Line Table		
LINE	BEARING	DISTANCE
EL52	S81°47'33"E	41.61'
EL53	N81°47'33"W	43.07'
EL54	N84°52'12"W	55.13'
EL55	S07°47'37"W	10.34'
EL56	N07°47'37"E	11.34'
EL57	N85°04'48"W	208.60'
EL58	S00°58'42"W	9.55'
EL59	N90°00'00"W	20.00'
EL60	N00°56'42"E	10.09'
EL61	N88°27'52"W	140.95'
EL62	S00°58'42"W	14.24'
EL63	N89°01'18"W	20.00'
EL64	N00°58'42"E	14.44'
EL65	S60°54'31"W	20.00'
EL66	S81°00'15"W	23.53'
EL67	N87°41'34"W	29.51'

Property Line Table		
Line #	Direction	Length
L1	S00°48'46"W	101.72'
L2	S01°39'17"W	83.87'
L3	N66°56'59"E	45.06'
L4	N88°12'55"W	89.03'
L5	S01°05'47"E	28.90'
L6	N77°18'39"W	62.65'
L7	S38°59'30"W	143.44'
L8	N16°33'38"W	71.01'
L9	N29°17'38"W	142.40'
L10	N30°13'38"W	118.52'

Property Line Table		
Line #	Direction	Length
L11	N15°08'34"E	137.60'
L12	N39°03'58"E	142.08'
L13	N86°27'39"W	150.00'
L14	N87°57'44"W	20.14'
L15	S02°20'03"W	148.68'
L16	S01°45'23"W	8.01'
L17	N01°16'04"E	8.01'
L18	S87°00'11"E	91.26'
L19	N03°02'11"E	29.97'
L20	S87°02'35"E	241.13'

PARENT TRACT INFORMATION			
P1	P4	P7	P10
PARENT TRACT LOT 12 , BLOCK 1 DEMINGS ADDITION PLAT BK. 2004, PG. 1286 PARCEL # 01-02080-000 C STREET HOME, LLC INSTR. # L201839608 ZONE: R-1	PARENT TRACT LOT 10, BLOCK 1 DEMINGS ADDITION PLAT BK. 2004, PG. 1286 PARCEL # 01-02078-003 C STREET HOME, LLC INSTR. # L202190554 ZONE: R-1	PARENT TRACT LOT 8, BLOCK 1 DEMINGS ADDITION PLAT BK. G, PG. 163 PARCEL # 01-02087-000 C STREET HOME, LLC INSTR. # L202190554 ZONE: R-1	PARENT TRACT PART OF LOT 4, BLOCK 1 CURTIS ADDITION PLAT BK. G, PG. 283 PARCEL # 01-01967-000 C STREET HOME, LLC INSTR. # L202190554 ZONE: R-1
P2	P5	P8	P11
PARENT TRACT LOT 11, BLOCK 1 DEMINGS ADDITION PLAT BK. 2004, PG. 1286 PARCEL # 01-02079-000 C STREET HOME, LLC INSTR. # L202190554 ZONE: R-1	PARENT TRACT LOT 14, BLOCK 1 DEMINGS ADDITION PLAT BK. 2004, PG. 1286 PARCEL # 01-02084-000 C STREET HOME, LLC INSTR. # L202190554 ZONE: R-1	PARENT TRACT LOT 7, BLOCK 1 DEMINGS ADDITION PLAT BK. G, PG. 163 PARCEL # 01-02085-000 & 01-02086-000 C STREET HOME, LLC INSTR. # L202190554 ZONE: R-1	PARENT TRACT LOT 3A & B, BLOCK 1 CURTIS ADDITION PLAT BK. 17. PG. 244 PARCEL # 01-01966-000 C STREET HOME, LLC INSTR. # L202190552 ZONE: R-1
P3	P6	P9	P12
PARENT TRACT LOT 13, BLOCK 1 DEMINGS ADDITION PLAT BK. 2004, PG. 1286 PARCEL # 01-02080-000 C STREET HOME, LLC INSTR. # L201839608 ZONE: R-1	PARENT TRACT SOUTH HALF LOT 2, BLOCK 1 DEMINGS ADDITION PLAT BK. G, PG. 163 PARCEL # 01-02083-000 C STREET HOME, LLC INSTR. # L202190554 ZONE: R-1	PARENT TRACT LOTS 5, 6, & N HALF OF ALLEY , BLOCK 1 CURTIS ADDITION PLAT BK. G, PG. 283 PARCEL # 01-01969-000 C STREET HOME, LLC INSTR. # L202190554 ZONE: R-1	PARENT TRACT PART OF LOT 4, BLOCK 1 CURTIS ADDITION PLAT BK. G, PG. 283 PARCEL # 01-01968-000 C STREET HOME, LLC INSTR. # L202251132 ZONE: R-1

CERTIFICATE OF AUTHORIZATION
CEI Engineering Associates, Inc. No. 118
ARKANSAS ENGINEER

City of Bentonville Project # PLA25-0020

State Survey Code: 500-20N-30W-0-29-304-04-1618

DRAWING LOCATION - S:\32000\32462\DRAWINGS SURVEY\SURVEY\WORKING\32462LC COMBINED.DWG -- SAVED BY - WPIERSON

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Lot Combination
Crystal Lands, LLC

NE C Street
Bentonville, Benton County, Arkansas

CEI Solutions for Land and Life

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY PKWY
BENTONVILLE, AR 72712
PHONE: (479) 273-9472
FAX: (479) 273-0844
CORPORATE TBPLS FIRM #10031500

3030 LBJ FREEWAY, SUITE 100
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FAX: (972) 488-6732
BRANCH TBPLS FIRM #10194234

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	DGR
DESIGNER	WAP
FIELD WORK	KDM
CEI PROJECT NUMBER	32462
DATE	1/30/2026
REVISION	REV-3

Replat: South

SHEET TITLE

SHEET NUMBER

5 OF 5

Echelon Subdivision Waiver Request

NW 3rd at NE Peloton Ln

PC Date: 3/3/2026

Staff Report Details

Project Number	(PP25-0003)
Applicant / Current Owner	Amazing Land Company LLC / Leadership Properties
Site Area	+/- 3.27 Acres
Current Zoning	R1, Low Density Single Family Residential
Requested Zoning	N/A
Current Future Land Use Map Designation	Suburban Neighborhood
Requested Future Land Use Map Designation	N/A
Development Type / Use	Single Family Residential
Related projects	

Property Description

Project Details

Applicant requests a waiver from Appendix C Street Specifications Section 600.02 (d) (2) Intersection Design Criteria:

"Vertical: The grade of the street with the higher classification shall prevail at intersections. The lesser street shall adapt to the grade of the major street. When roads are of equal classification, the City Engineer shall determine which street grade prevails. The street profile grade of the lesser street shall not exceed 5% on the approach to the intersection, as measured along the centerline of the street for a minimum distance equal to the tangent length for the street classification. In areas where steep terrain is an issue, the City Engineer may allow a greater approach grade in order to reduce the grading impact on the site."

Relationship to the Community Plan

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

The applicant is requesting a waiver from Appendix C Street Specifications Section 600.02 (d) (2) Intersection Design Criteria requiring the "the lesser street to adapt to the grade of the major street." In their narrative, the applicant proposes instead that the 12-foot path being constructed along NW 3rd St be governed by Section 900.04 (a)(9) which states: "Trails that intersect and cross public streets shall have crosswalk pavement markings. Shared-use paved trails shall have continuous longitudinal grade through driveways, streets, and alleys."

Please see the attached waiver request from the applicant along with the proposal exhibits.

Please see the attached responses from the Engineering and Fire Departments.

Conclusion

Engineering staff recommends disapproval of the waiver request.

Additional Details

RE: Waiver Request for Echelon PP25-0003 – Trail Crossing Grades at NW Peloton Place and NW 3rd Street

To the Bentonville Planning Department:

Please accept this formal request for a waiver regarding the vertical alignment standards applied to the trail crossing at the intersection of NW Peloton Place and NW 3rd Street in preliminary plat PP25-0003.

We request relief from the strict application of **Section 600.02(d)(2)** of the *Minimum Standard Specifications for Streets*, which requires that "The lesser street shall adapt to the grade of the major street." Instead, we propose that 12-foot side path we are constructing along NW 3rd St be governed by **Section 900.04(a)(9)**, which prioritizes the continuity of shared-use trails: "Trails that intersect and cross public streets shall have crosswalk pavement markings. Shared-use paved trails shall have continuous longitudinal grade through driveways, streets, and alleys."

In support of this request, we offer the following justification addressing the four required elements for a waiver:

1. **Undue Hardship and Topographical Constraints**
   Strict adherence to Section **600.02(d)(2)**, as interpreted by Staff, requires the trail (part of the higher classification street, NW 3rd) to lower its grade to meet the flowline of Peloton Place (the lower classification street). Implementing this dip introduces significant design difficulties in maintaining ADA compliance. We face constraints transitioning from the trail—which sits at a 2% cross-slope from the back of the curb—down to the gutter elevation and then transitioning back up through the ADA landing on the west side. The current design allows the trail to maintain a "continuous longitudinal grade" through the intersection as required for shared-use trails, avoiding abrupt compound slopes that are difficult to construct and uncomfortable for wheelchair users and cyclists.

2. **Public Interest and Safety**
   The anticipated volume of cyclist and pedestrian traffic on this corridor far exceeds the vehicular volume turning into Peloton Place, which serves only 19 residential lots. Therefore, the public interest is best served by prioritizing the safety of the vulnerable road users over the convenience of turning vehicles. The proposed vertical geometry acts as a physical traffic-calming device. The 2.5-inch rise over a 25.5-inch apron naturally slows vehicles as they enter the neighborhood. This speed

reduction enhances safety not only for trail users crossing the intersection but also for residents within the subdivision and users of the adjacent bike lane.

3. **Intent of the Regulations and Comprehensive Plan**
   The City's specifications for Shared-Use Paved Trails state that such trails "shall have continuous longitudinal grade through driveways, streets, and alleys". This regulation acknowledges that trails function as independent transportation corridors. Forcing the trail to dip to the grade of a minor local street would violate the intent of Section 900.04 to prioritize trail continuity. Our proposed design maintains NW 3rd Street (including its trail) as the dominant facility, allowing the grading to continue unimpeded while the lower classification street (Peloton) yields. This aligns with the City's broader goals of promoting walkable, bike-friendly infrastructure.

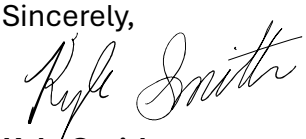
4. **Lack of Negative Impact**
   The granting of this waiver will not be detrimental to the public safety or welfare. We acknowledge the City Engineer's concern regarding emergency vehicle access; however, the constructed geometry—a modified 1.5" curb with a 25.5" apron rising only 2.5"—does not constitute a barrier to emergency services. It functions similarly to raised crosswalks or commercial driveways found elsewhere in the region. Given the low density of the neighborhood (19 lots), the impact on vehicular flow is negligible, while the benefit to the high-volume trail network is significant.

Please see the included attachments for additional reference:

- **Trail Profile Sketch** comparing proposed trail grade (blue) and staff-required trail grade (red)
- **Timeline of the events** in design & review of Peloton Place/NW 3rd St intersection.
- **Standard Detail** - City of Rogers Raised Shared-Use Path Crossing

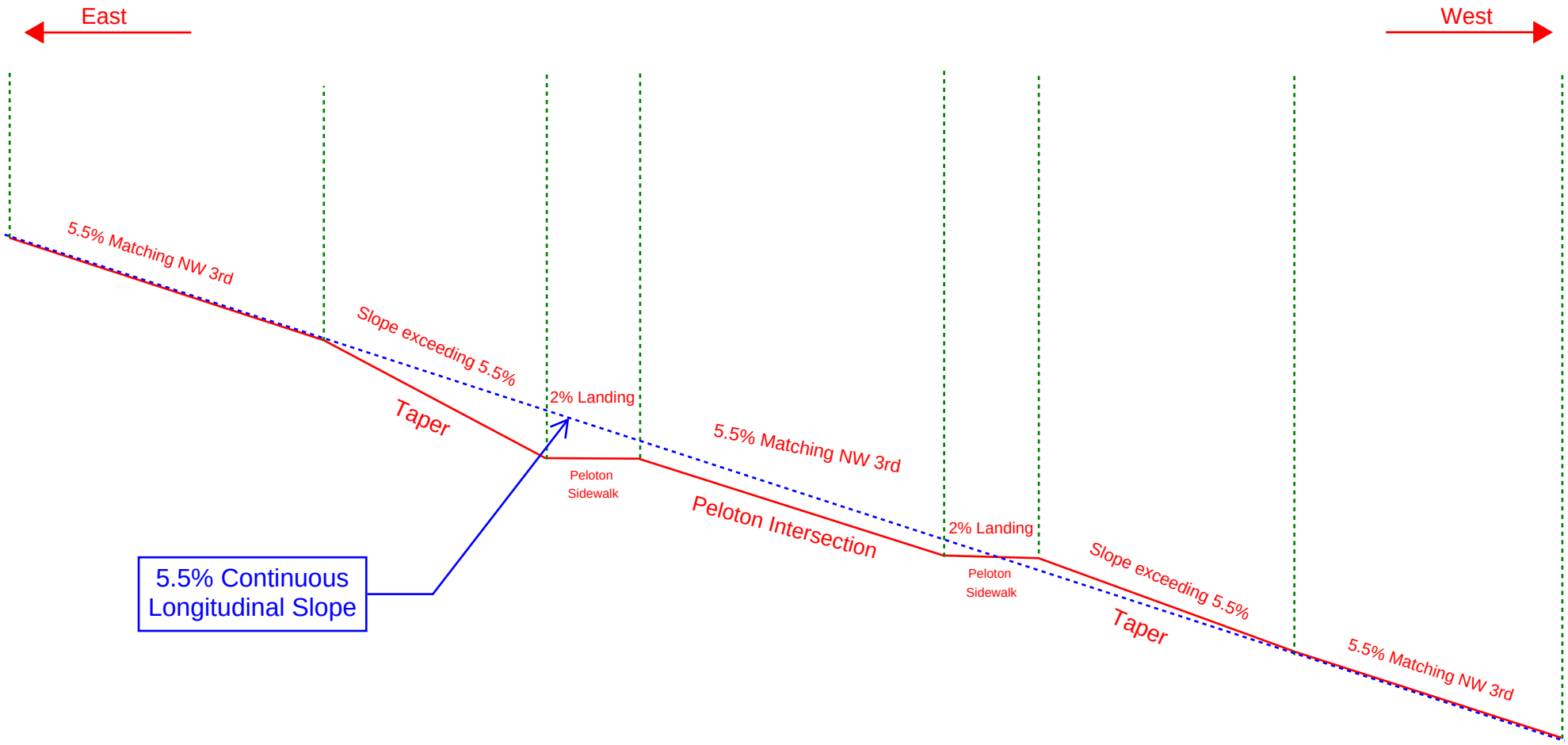
We respectfully request the Planning Commission approve this waiver to allow the trail crossing grades to remain as designed, prioritizing the safety and comfort of Bentonville's active transportation network.

Sincerely,



Kyle Smith
Leadership Properties

Profile of Trail from East to West.

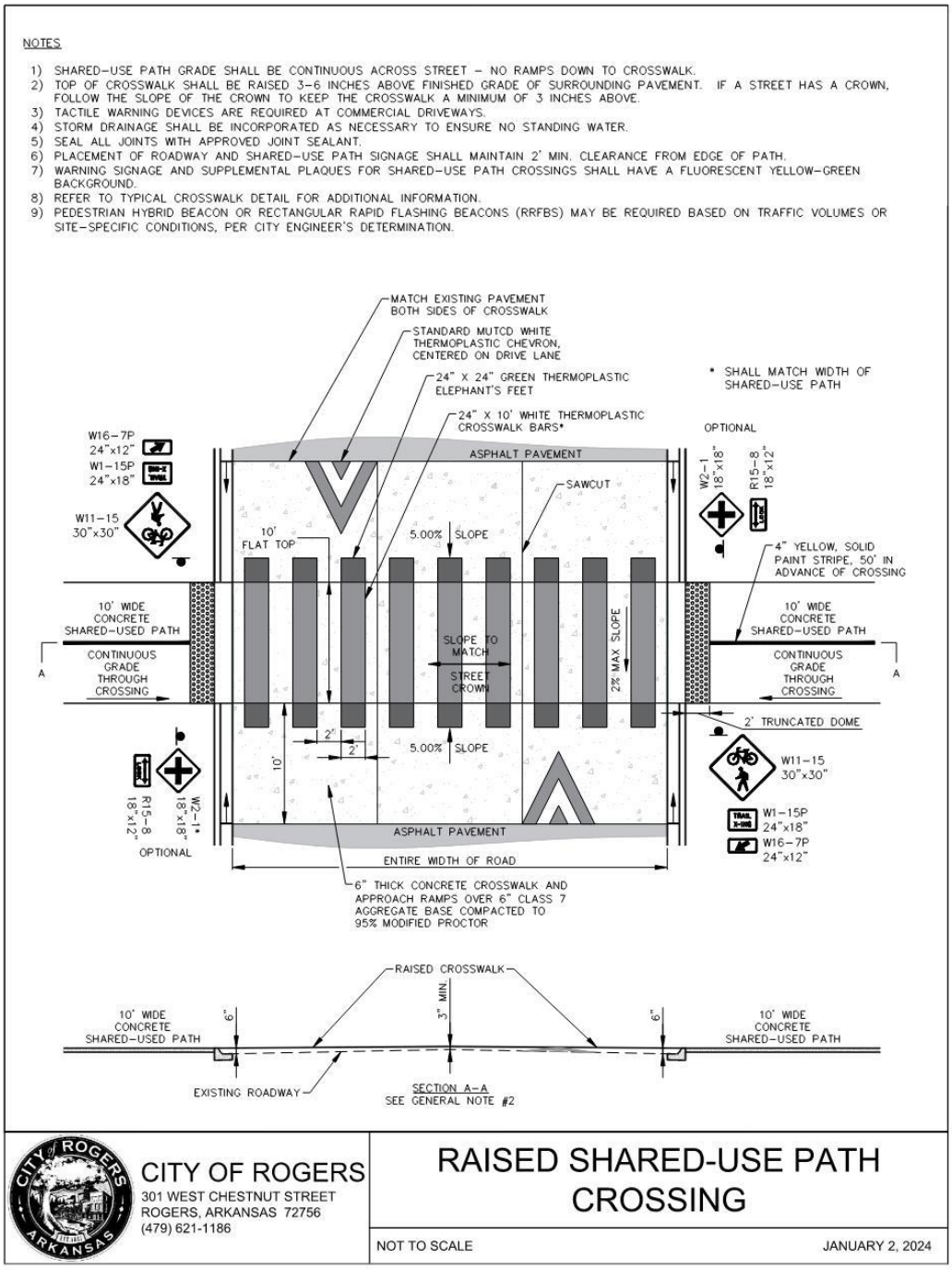


900.04.a.9

Street Crosswalks: Trails that intersect and cross public streets shall have crosswalk pavement markings. Shared-use paved trails shall have continuous longitudinal grade through driveways, streets, and alleys.

Timeline of the events in design & review of Peloton Place/NW 3rd St intersection.

- Plans are approved by Bentonville (after several reviews) on 7/3/2025
    - The plans show the centerline profile of Peloton matching the back of curb elevation of NW 3rd Street
        - This provides for a trail that stays elevated compared to the gutter line of NW 3rd, providing a safer condition for pedestrian users.
        - This design is similar to a commercial driveway prioritizing the pedestrian user over the vehicular user.
- After having to remove the west curb twice for ADA compliance, Jay and I met with Rick, Kyle, and Brenda on site 1/15/2026 to layout the west ADA landing of the trail.
- A PDF of the west ADA layout was sent to and confirmed by the City Engineer Jarrod Brightwell on 1/15/2026
- Trail forms for the west ADA and portion crossing Peloton Place were inspected and approved with the City Inspector (either David Mills or Joe McCoog), S&K, and Chase Henrichs on 1/21/2026
- Due to the prolonged cold weather, density testing of the trail crossing Peloton and placing of the concrete did not occur until 2/2/2026
- DCI received an email (thread attached) from City Inspector Joe McCoog Tuesday morning, 2/3/2026, stating the plans had specified an asphalt trail crossing and any deviation would need to be in writing.
    - DCI responds with the request.
    - Mr. Brightwell responds stating his larger concern is the vertical geometry.
    - 2/4/2026 DCI responds suggesting Peloton Place will operate similar to a commercial driveway.
    - Mr. Brightwell responds asking for more details.
    - DCI responds and asks for meeting on site to be coordinated
- At approximately 8:00 AM 2/5/2026, Chase received a call from Mr. McCoog asking if I could meet him and Mr. Brightwell on site that morning “soonish”.
    - Due to scheduling conflict, DCI could not make the morning but suggested an afternoon or Friday meeting.
    - Mr. McCoog stated that he and Mr. Brightwell would be headed out there shortly and would call DCI upon inspecting the intersection.
    - Chase alerted Rick Luzzi (S&K) and Kyle Smith (Leadership Properties) of the City staff going to the site. Mr. Luzzi was able to attend.
    - Rick called me at approximately 8:45 AM and placed me on speaker with Mr. Brightwell and Mr. McCoog.
    - Mr. Brightwell stated that the trail in current condition would not be approved as it violated the intersection code 600.02.d.2
- DCI informed Kyle Smith of Mr. Brightwell’s decision.
- DCI contacted Mr. Brightwell at approximately 1:45 PM to clarify if code section 900.04.a.9 (continuous longitudinal slope through an intersection) would govern, at which point Mr. Brightwell said it would not.



Section 1.12 Bikeway Crossing Detail 2

This waiver is being requested after concrete has been placed for the shared use path. Engineering construction inspectors raised concerns over the grades at the time of inspection for the forms prior to concrete being placed. Responses to the individual points in the waiver narrative are below.

1. Ada can be achieved even if the grade is lowered. The site should be graded to properly tie Peloton and NW 3rd street grades together.
2. NW 3rd already has a separated on-street bike facility. This shared use path crossing being installed is offset from the vehicles traveling along NW 3rd by roughly 18 feet. This additional distance provides more opportunity to be seen and avoid conflicts with vehicles.
3. The grade of the shared use path can be adjusted to meet the requirements of 900.04 (a)(9). The engineer and contractor for the site placed concrete at a grade that does not allow the grade of Peloton to meet NW 3rd as required. 900.04 (a)(9) is intended to provide a continuous grade of a share use path to traverse through an intersection. This means the path shall conform to the grade of the street that it is crossing, meaning the path is not independent.
4. The grade of the apron exceeds 10% and up to 12% in 5 feet which will damage emergency vehicles and will cause other vehicles that are low to the ground to drag. This will cause damage to city vehicles as well as privately owned vehicles.

NW 3rd street has separated on-street cycle facilities. The shared use path being installed with this development connects to 5-foot sidewalks on either side which prioritizes pedestrian traffic. This site can and should be graded to properly adhere with ADA and all requirements laid out in the street specifications.

2/18/2026 1:38:32 PM

- **Jarrod Brightwell, City Engineer**

See engineering comments concerning grade and slope. Slope and grade cannot be more than 10%.

2/20/2026 8:15:20 AM

- Todd Pearce, Fire Marshall

	Gilmore
	337 NW A Street
	PC Date: 3/3/2026

Staff Report Details

Project Number	(RZ26-0003)
Applicant / Current Owner	Carolyn Gilmore
Site Area	+/- **[.21]** Acres
Current Zoning	DN-4, Downtown Mixed-Use Residential
Requested Zoning	DE, Downtown Edge
Current Future Land Use Map Designation	Urban Neighborhood
Requested Future Land Use Map Designation	N/A
Development Type / Use	Single-family residential
Related projects	N/A

Property Description

The subject property is located at 337 NW A Street. The property is presently zoned DN-4, Downtown Mixed-Use Residential with a future land use map designation of Urban Neighborhood. The applicant is requesting DE, Downtown Edge to bring a nonconforming structure into conformity with setbacks and to increase the buildable area for an addition onto the existing house. **Both the existing zone and the proposed zone will translate to T5.1 under the zoning map translation.**

Project Details

The applicant has requested a rezoning of the property from DN-4 to DE, which is consistent with the Zoning Alignment Policy under **enhanced review.** The property is currently zoned DN-4 and is adjacent to DE townhomes to the south, DE single-family to the east, R-1 to the east, R-3 multifamily to the north, and DN-4 multifamily to the west.

Relationship to the Community Plan

Relationship to the Community Plan

The property is designated as Urban Neighborhood on the Future Land Use Map and is surrounded by Urban Neighborhood and is in close proximity to City Center. This property is currently in alignment with the FLUM, and rezoning to DE would require enhanced review. The Community Plan defines Urban Neighborhood as being made up of multi-family buildings and townhomes but with some single-family and smaller commercial uses mixed in. A rezone to DE would support the goals of the Urban Neighborhood place type by providing a variety of housing options and by supporting walking and biking as viable transportation alternatives.

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

The applicants state in their narrative that they are requesting a zoning change from DN-4 to DE. The reason for requesting a zoning change is to make property improvements: these improvements include items such as adding a laundry room and rebuilding the master bedroom that was not constructed correctly during a past addition,an additional living space and a vehicle covering. The alignment policy calls for the Enhanced Review to consider the following elements:

Consistency

This rezone is consistent with the Urban Neighborhood place type under Enhanced Review.

Impact

The proposed zone change is negligible in light of the upcoming zoning map amendments since DN4 and DE both translate to T5.1 under the new code. If the new zong code and map are not adopted, the impact will be largely be in the allowable uses, as DE begins to add more non-residential uses, smaller setbacks and 10' of additional height.

Compatibility

This lot is surrounded by DE to the south and east, R-1 to the east, R3 to the north, and DN-4 to the west. With NW A street being a Downtown Collector per the master street plan, this rezone would allow for future mixed use along a busy corridor increasing walkability and convenience. With the adoption of the new code and zoning map, this property will be automatically rezoned to T5.1 which has less restrictive setbacks than DN-4 currently does.

Intensity

The proposed zone, DE, is adjacent to existing DE to the south. This rezone request, DE and the the existing zone DN-4 will both translate to T5.1 after the adoption of the new zoning map, meaning that the intensity will be the same,

Orderly Transition

This rezone would facilitate a gradient of zoning intensity from the City Center place type to the south as it is located near the border between City Center and Urban Neighborhood. The proposal continues the transition from the City Center (higher intensity place type) to the south. The property to the north is proposed to translate to T4.2, again an orderly transition as we lower intensity moving north.

Conclusion

Staff recommends approval as the application is consistent with the goals of the community plan and alignment policy under enhanced review.

Additional Details

Water/Sewer Comments:
This site falls under the enhanced review criteria. This rezone is currently upstream of a public sewer interceptor line that is at capacity. Future development may require downstream upgrades.



RZ26-0003
Gilmore
337 NW A St

Ty & Carolyn Gilmore as the owners of 337 NW A Street, Bentonville, AR 72712 is requesting a zoning change from DN-4 to DE. The reason for requesting a zoning change is to make property improvements: these improvements include items such as adding a laundry room and rebuilding the master bedroom that was not constructed correctly during a past addition. These also include adding additional living space and the construction of proper parking and vehicle covering. In addition to this the property will be improved aesthetically to fit more in line with the surrounding area and properties.

Other key factors regarding the requested zoning change include:

- Consistency: This rezone is consistent with the Urban Neighborhood place type under Enhanced Review.
- Impact: The use of this lot is currently single-family residential and would not be changing due to this rezone.
- Compatibility: This lot is surrounded by DE to the south and east, R-1 to the east, R-3 to the north, and DN-4 to the west. With NW A street being a Downtown Collector per the master street plan, this rezone would allow for future mixed use along a busy corridor increasing walkability and convenience. With the adoption of the new code and zoning map, this property will be automatically rezoned to T5.1 which has less restrictive setbacks than DN-4 currently does. Rezoning now would only allow me to initiate the building permit process for my residential addition, even though I will be able to do the same thing in the future as DN-4 and DE both translate to T5.1. My goal is to increase the buildable area of my lot.
- Intensity: The proposed zone, DE, is adjacent to existing DE and there is extensive Urban Neighborhood to the north allowing property owners to rezone to DN-2 through DE. There are also 6 townhomes directly to the south of this property, a multifamily development to the north, and 2 duplexes directly to the west.
- This rezone would facilitate a gradient of zoning intensity from the City Center place type to the south as it is located near the border between City Center and Urban Neighborhood.
- The DE place type conforms closer to the future T5.1 transect setbacks and allows me to move forward with my residential addition building permit. With this permit I will also be dedicating right of way and building sidewalk in conformity with the master street plan.

- This request is consistent with the development pattern in the downtown area and consistent with the upcoming code changes.

  The property will remain a single family structure which is allowed under DE zoning therefore it will remain best use of land. The number of occupants will not increase therefore it will not affect or require an increase in public utilities or facilities. The rezone and building permit will trigger a increase in the right of way for the city therefore allowing the sidewalk to be widened and assist in easier movement of pedestrians near the town center.

	Bentonville Community Code
	PC Date: 3/3/2026

Staff Report Details

Property Description

The Bentonville Community Code is the City's unified framework for guiding growth and development, designed to protect public health, safety, and welfare while ensuring that new development reflects the community's vision. At its core, the Code safeguards the character of established neighborhoods, historic districts, and natural areas, while advancing the goals of the Future Land Use Plan. It emphasizes compact, mixed-use centers and neighborhoods that are accessible to pedestrians, cyclists, and drivers alike, supported by reliable infrastructure, interconnected streets, diverse housing choices, and parks and civic spaces within walking or biking distance. At the block and building scale, it ensures that design prioritizes safety, walkability, and neighborhood character, reinforcing Bentonville's commitment to creating places that are both functional and welcoming.

Organized into nine articles, the Code brings together most of the City's development rules in one document. Noted elements are bulleted below:

Article 50-1 General Provisions implements Bentonville's Community Plan by establishing the legal foundation, authority, and structure of the Bentonville Community Code.

Article 50-2 Future Land Use Plan establishes the relationship between the Bentonville Community Code, the Bentonville Community Plan, and the City's adopted Future Land Use Map.

- **Table 2.1** - Identifies Zones allowed within each place type (the alignment policy)

Article 50-3 Land Development guides the development of subdivisions and large sites to ensure orderly growth and land use, regardless of differences in development type, process, and timing.

- **302References other specifications** not included within the BCC, such as the SWPPP Ordinance, Street Specification, Storm Water Manual and the municipal code for other sections such as the Flood Damage Prevention Code.
- **302 Exemptions**- the following project types on a single platted lot, not needing off-site improvements, are exempt from the Land Development section of the code, but must still adhere to the building code and the zoning and design standards set forth in Articles 50-4 and 50-5:
    - Residential developments of four dwelling units or less;
    - Non-residential developments with less than 10k sf disturbance;
    - Accessory structures and agricultural buildings
- **302 Development paths** are established

Property Description

- **303 Site developments**, no subdivision of lands
    - **(b) Small Scale** - if less than 1 acre of disturbance and there are no off-site public improvements
    - **(c) Large Scale** - required if there are off-site public improvements or exceeding 1 disturbed acre.
    - **(d) Sites 3 acres or less** - in addition to cross access requirements, must add a circulation connection through the site for widths over 400' and situate buildings appropriately along a major driveway. Parking aisles must connect to a driveway.
    - **(e) Sites between 3 and 6 acres** - Circulation requirements scale with the "future lot" requirement, releases big box developments of the "built to" line in the General Commercial zone.
    - **(f) Sites over 6 acres** - in addition to all the requirements of the smaller sites, now there is a required Civic Space and future lots must be organized into future blocks.
    - **(g) Future lots** - The intent of future lots, which are unrecorded and not subdivided, is to ensure that sites not formally subdivided at this time have the ability to create a grid of circulation.
    - **(h) Future blocks** - The intent of future blocks is to ensure that larger sites, not formally subdivided at this time, have the ability to divide the site to provide external and internal circulation, equivalent to streets and trails in subdivisions. Future blocks are non-binding.
- **304 Minor Subdivisions:** Lot splits, property line adjustments, and lot combinations (Section 304)
    - Must be 7 lots or less.
    - Must not propose any off-site utilities.
- **305 Major Subdivisions** - The Preliminary Plat / Final Plat Process with opportunities for early build agreements.
    - Subdivisions larger than 20 acres are required to have two zones, subdivisions over 40 acres must have 3 zones and follow the zoning mix requirements of Table 3.1 unless within the Surburban Neighborhood place type in which case only 2 zones are required.
    - Zoning districts are to be similar across the street from each other.
    - Additional requirements for the Neighborhood Center Place Type: T5 is limited to within 660' of an arterial or collector and all properties along a collector or arterial must be T4 or T5
- **306 Phase Developments** - Phasing, if approved by the Planning Commission, requires all off-site public improvements with the first phase. Both subdivision and site phasing requirements are outlined.
- **307 Campus Plans** - A Campus Development Plan is an option for sites anchored by a corporate or institutional use and larger than 8 acres to provide flexible development standards and support cohesive master planning, shared infrastructure, and long-term phasing that would not be possible under conventional development regulations while still adhering to the goals of the BCC (grid connectivity and building orientations) as specified in the Campus Development Standards of Section 50-507.
- **308 Off-Site Infrastructure** - Standards are established

Article 50-4 Zoning sets the rules for how land and buildings can be used and arranged in Bentonville through zoning districts. These zoning rules are intended to protect public health, safety, and general welfare. Any deviations proposed from this section, beyond those identified in Table 7.2, are processed by the Board of Adjustments as a variance (see Section 717).

Property Description

- **405 Standards for Zoning Districts** - Details provided for height, setback, and built to lines.

Table 4.1 Sets forth the Zone standards for each of the following districts (stories and max height identified below):

T2.1 **Rural** - 3 stories (40')	T5.1 **Town Center Low** - 4 stories (60')
T2.2 **Rural Node** - 3 stories (40')	T5.2 **Town Center High** - 6 stories (96')
R-1 **Suburban Single-Family** (36')	T6 **Urban Center** - 10 stories (150')
T3.1 **Neighborhood Edge** (36')	GC **General Commercial** - 4 stories (60')
T3.2 **Neighborhood Transition** (36')	MH **Manufactured Home** (36')
T4.1 **Neighborhood General** - 3 stories (40')	LI **Light Industrial** (60')
T4.2 **Neighborhood Node** - 3 stories (50')	LFI **Large Format Industrial** (60')

Table 4.2 sets forth the **uses for each zone**, with any specific use restrictions outlined in the table.

- **Accessory dwellings units** are allowed in R-1, and zones T2-T3. ADU's may be attached, detached or interior to the principal dwelling, one per lot and not larger than 1k sf, per the new state law. Setbacks are the same setbacks as the principal dwelling.
- Generally, **non-residential uses** are located in zones T5 and higher, with provisions for live/work in zones T4 and higher [406 (18)(c)]
- **Duplexes and single family attached (townhomes)** are allowed with restrictions in T3.2;
- T6 does not allow townhomes; Duplexes are not allowed in zones T5.2 and higher (Table 4.2)
- The **missing middle housing types**: 3-4 dwelling units per building and 5-12 dwelling units per building show up in zones T4.1 and T4.2 respectively. (Table 4.2)
- There are both **maximum stories and maximum heights** established for each zone.
- Both a **maximum building footprint and a maximum impervious footprint** (pavement and sidewalks) are identified.
- **Minimum glass / storefront percentages** for ground floors and other stories are identified with the T4.1 and higher zones. (Figure 5.11 describes how to calculate glass areas)
- **Maximum distances between entry doors** (60' commercial, 100' other) are outlined for the more intense zones:T5.1-T6.1
- **Parking structures** have maximum heights identified for zones T5.1 through GC.
- **Setbacks for parking** (garages) are established for all zones

Article 50-5 Design Standards sets the design rules for development at all scales and sizes, including subdivisions, streets, site design, buildings, signs, landscape, and special areas. The goal is to bring all rules together to create walkable, attractive, and environmentally responsible places that fit well with their surroundings and make efficient use of public resources.

- **502Land Development**
  - **502(e)(1) Civic Space Required**: none for sites under 6 acres, 5% of the project over 6 acres with separate civic space required for every 30 acres. Civic Spaces are an open space intended for active of passive recreational use and gathering that complies with specific design requirements.
  - **Table 5.1 Identifies Civic Space Types**
- **503 Site Design**- pedestrian, bike and trail facilities; landscaping requirements, drive-thru standards, public art and drainage provisions; car and bike parking standards established
  - **503(g) Bicycle Parking** - Table 5.3 specifies minimum bike parking spaces.

Property Description

- **503(h) Car Parking / Driveway locations -** Table 5.9 specifies minimum car parking spaces.
- **503(j) Dumpsters and mechanical equipment** - must be 25' from all R-1 and T-3 property.

- **504 Vertical Construction**
  - **504(e)Parking Structuresvertically stacked with other uses** in T5, T6 and GC may count multiple levels of parking as one story but cannot exceed the maximum overall building height in feet as specified in the zone.
  - **504(f)(3)Building Materials:** Primary materials identified:
    - Brick, natural stone, cast stone, Natural or architectural concrete; High-quality architectural metals (aluminum composite, copper, bronze, marble, granite); and Fiber cement board and wood siding with a minimum 25-year warranty, (only permitted in T2, R-1, T3, and T4 zoning districts).
    - Prohibited materials are listed: Vinyl, masonite, non-architectural CMU, EFIS, plywood, T1-11, faux stone with exposed edges and metal panel thinner than 24 gauge.
    - Bright and saturated colors ar permitted only as an accent.
    - Provisions are outlined for alternative materials to be requested if performance standards meet or exceed the durability of the primary materials
  - **504(f)(4) Active Uses:** ground floor buildings in T5 and T6 must have active uses 12' into the building such as: Entrances, lobbies, or reception areas; Shared spaces in multi-tenant buildings; Merchandise or product display areas; Dining areas or food preparation areas; Manufacturing production or preparation areas; Spaces for performances or events; Meeting rooms or gathering areas; Spaces for art galleries or art exhibitions; Any other space intended for regular use and frequent occupancy.
  - **504(f)(5) Garage Door Locations** - New buildings are not allowed to orient garage doors toward a front or side street
- **505 Zone Transitions**
  - T5.1, T5.2 and T6.1 are limited to 36' height for a distance of 50' from the property line when adjacent to R-1.
  - T5.2 is limited to the max height of the adjacent zone plus 1 story (the story not to exceed 15') for a distance of 50' from the property line when adjacent to T3 and T4.
  - T6 is limited to 2 additional stories (not to exceed 30' for the two stories) above the adjacent zone for a distance of 50' to 100' from the property line.
  - A variance is required for any proposed modification per section 717.
- **506Overlay Districts** regulations are codified, and a variance is required for any proposed modification per section 717.
- **507 Campus Development Standards** are established for parking, access management, building orientation and entry, connectivity, landscaping and lighting.
- **508 Sign Standards** regulations are codified, and a variance is required for any proposed modification per section 717.
- **509 Tree Preservation -** applicable to all preliminary plats, development plans and public projects.
  - **A tree preservation plan** is required for a site containing "significant trees": those required per this code after adoption, any species on the US Fish and Wildlife endangered list, and those within natural resource protection areas (Section 511) meeting the size standards outlined in Table 5.14.
- **510 Landscaping screening and buffering**
  - Table 5.16 provides **screening requirements**.
  - 510(e) specifies **fence standards by zoning district.**

Property Description

    - Table 5.19 outlines the **site landscape requirements by zoning district.**
- **511Natural Resource Protection** - governs development in sensitive areas and provides incentives for conserving areas 1/2 acre and larger.

Article 50-6 Streets Trails and Utilities- sets the regulations for street and trail design and the location of utilities, in coordination with the surrounding built environment.

- **601 (h) Sidewalk Construction** - required with new residential, commercial or industrial building permits (all other development types, such as preliminary plats, large and scale also require sidewalk construction). ADU's are exempted per state law. Internal alterations and frontages larger than 150' only seeking building permits for single-family and two-family dwellings are also exempted. Fee-in-lieu criteria are established.
- **601 (m) Alleys** - construction requirements and minimum paved widths established, with provisions for not dedicating additional alley right of way beyond the widths of existing alleys, unless the project is a subdivision.
- **602 References the Master Street Plan,** the Drainage Manual and the Street Specifications
- Table 6.1 sets forth the **street types** for each zoning district. Table 6.4 established Trail Design Standards and Table 6.5 identifies **Bikeway Design Standards** (width of paved bikeway by bikeway type).
- Figure 6.3 Identifies **typical utility locations**.
- **605** References the **BEUD and BWUD specifications**

Article 50-7 Administration establishes the procedures for review and approval of development activities, protects the public interest through consistent and thorough review of development proposals, and provides clear and predictable review processes that comply with state law.

- **Table 7.1** sets out the **approval authority** for each project type.
    - **City Council** to approve vacations, rezones, Future Land Use Amendments and annexations, after Planning Commission recommendation.
    - **Planning Commission** to approve Large Scale Developments, Campus Plans, waivers, subdivisions, accepting rights of way and easement dedications.
    - **Departments** to approve small scale developments and construction documents.
- **704 Small Scale** Development Process
- **705 Large Scale** Development Process
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- **717 Variances**
- **718 Appeals**
- **719 Project Review Procedures**
- **720 Public Hearings**
- **721** Various **permits are codified** for encroachments, fences, grading, land disturbance, outdoor

Property Description

vendor, right of way, signs, and temporary uses.

- **723 Expiration and amendment** provisions outlined
- **724 Public Improvement and Dedication** - Construction timing, fee-in-lieu, and acceptance provisions specified for public infrastructure.

Article 50-8 Nonconformities establishes the rules for the continued use, maintenance, modification, or replacement of structures, uses, PUD's PRD's and sites that were legally established but no longer conform to the standards of the Bentonville Community Code.

Article 50-9 Terminology provides clear and consistent definitions for all technical and regulatory terms used throughout the Bentonville Community Code.

Project Details

Relationship to the Community Plan

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

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PLAN BENTONVILLE

Bentonville, Arkansas

Community Code

02/27/2026

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ARTICLE 50-1 GENERAL PROVISIONS

SEC . 50-101 . TITLE

(a) The title of this Chapter is the “Bentonville Community Code of the City of Bentonville, Arkansas” (BCC).

(b) This Chapter is also referred to as “BCC” and “this Code” throughout.

(c) This Code consists of the text provided in this Chapter and the zoning districts referenced in City of Bentonville Official Zoning Map, available through the Planning Department or on the City’s website.

SEC . 50-102 . AUTHORITY

(a) The City of Bentonville adopts these regulations under the authority granted by the General Assembly of the State of Arkansas, as outlined in Arkansas Code Annotated (A.C.A.) §14-56-402 through §14-56-425.

SEC . 50-103 . APPLICABILITY

(a) This Chapter applies to all land and structures within the city limits of Bentonville, Arkansas (City), including any areas annexed into the City after its adoption.

(b) If there are contradictions of regulations within this Code, the most restrictive standards apply.

SEC . 50-104 . INTERPRETATIONS

(a) Interpreting regulations

(1) Terms are interpreted as follows:

a. Definitions in Article 50-9 Terminology apply in place of any other definition of the same term.

b. Terms not defined in Article 50-9 Terminology are defined by the latest edition of the Merriam-Webster Dictionary.

c. This Code follows Plain Language Guidelines, as published by the United States General Services Administration.

d. The term “rule” or “rules” refers to both “regulations” and “standards” collectively.

e. The term “must” is equal to “shall” for standard requirements.

f. The term “follow” or “following” indicates that all rules listed or referred to apply.

g. The term “residentially zoned district” indicates R-1, T3.1, T3.2, and T4.1, inclusive.

(2) Numbers, tables, diagrams, and illustrations are interpreted as follows:

a. Numerical standards control over graphic representations.

b. Where a fractional number occurs, numbers of 0.5 or greater are rounded up to the next whole number, and numbers less than 0.5 are rounded down.

c. A blank cell in a table means that the use or condition is not allowed.

d. Tables, which may include text, diagrams, and illustrations, are regulatory.

e. Figures are examples only and not regulatory.

(3) References to the Director mean:

a. The Planning Director; or

b. A designee of the Planning Director.

(4) A reference to any titled position includes that position's duly authorized designee.

(5) Abbreviated terms are expanded in Sec 50-903 Abbreviations.

(b) Interpreting district boundaries

(1) Where zoning district boundary location on the Official Zoning Map is uncertain or unclear, the following rules apply:

a. Zoning district boundaries are assigned to entire parcels of land.

b. District assignments are determined by parcel ID as maintained in the City of Bentonville Geographic Information System (GIS) and apply to the entire parcel as established through a professional boundary survey. Inquiries regarding parcel assignments should be directed to the Planning Department.

c. Any land annexed into the City without an assigned zoning district at the time of annexation, or otherwise not assigned a zoning district, is deemed to be assigned to the T2.1 District.

d. District boundaries that do not follow parcel lines are interpreted as follows:

1. Boundaries following streets, alleys, railroads, streams, rivers, or lakes are interpreted as following the center lines of those features;

2. Boundaries following City limit lines are interpreted as following the official City limit lines;

3. Boundaries following lot lines or future lot lines are interpreted as following those features;

4. Distances not specifically indicated on the Official Zoning Map are determined by using the map scale; and

5. Where a boundary cannot be determined by any of the above methods, the Planning Commission is authorized to determine the location of the boundary.

(c) Measurements

(1) Horizontal distances

a. Distances are measured in a straight line between the nearest points of the subject lots, parcels, or structures, unless otherwise specified.

b. Where a property line, street right-of-way, or public easement lies between two uses or structures, the measurement is made from the nearest point of each boundary line.

c. Curved boundaries are measured along the arc.

d. Distances are measured in a straight line from the building or leased space to the lot line of the protected use.

SEC . 50-105 . PURPOSE AND INTENT

(a) The purpose of this Article is to implement Bentonville's Community Plan by establishing the legal foundation, authority, and structure of this Code.

(b) The intent of this Article is to support development that reflects the City's vision across multiple geographic and physical scales:

(1) Purpose generally:

a. To promote public health, safety, and general welfare;

b. To protect the character of established neighborhoods, historic districts, and sensitive natural areas; and

c. To fulfill the vision established in the Future Land Use Plan, which directs the desired future character and intensity of each part of the City.

(2) Purpose at the City scale:

a. To promote compact and mixed-use development in the form of centers and neighborhoods;

b. To design new developments for pedestrians, cyclists, and automobiles;

c. To limit the amount and scale of districts focused on single uses;

d. To encourage a variety of housing options and price points, accommodating different ages and income levels;

e. To provide daily activities within walking or biking distance of homes whenever feasible;

f. To ensure streets are interconnected, distributing car traffic and shortening travel distances for all users;

g. To design streets that accommodate pedestrians, cyclists, vehicles, trees, and utilities adequately and safely;

h. To coordinate water, sewer, and electrical systems with development, providing safe drinking water, effective collection and treatment of wastewater, and a dependable electrical supply while minimizing long-term maintenance costs; and

i. To distribute parks and civic spaces of various sizes and functions throughout the city, within walking or biking distance of most homes.

(3) Purpose at the block and building scale:

a. To enhance pedestrian comfort and encourage slower driving speeds by framing street edges with landscaping and buildings;

b. To prioritize pedestrian and cyclist safety while accommodating vehicle access; and

c. To enhance public safety by following Crime Prevention Through Environmental Design (CPTED) principles.

ARTICLE 50-2 FUTURE LAND USE PLAN

SEC. 50-201 . PURPOSE AND INTENT

(a) The purpose of this Article is to establish the relationship between the Bentonville Community Code and the City's adopted Future Land Use Map (FLUM).

(b) The intent of this Article is to ensure that development decisions support the long-term vision for growth, land use, and community character established in the Community Plan. The standards in this Article are intended to govern zoning map amendments, subdivision patterns, and infrastructure investments in a coordinated and transparent manner.

SEC . 50-202 . COMPLIANCE WITH THE FUTURE LAND USE PLAN

(a) The Bentonville City Council has adopted the Future Land Use Map (FLUM) through Res. No 02/11/25M.

(b) Zoning districts are limited by the FLUM place type, as regulated by Table 2.1 Place Type Correlation with Zoning Districts.

SEC . 50-203 . PLACE TYPES AND ZONING

(a) Zoning district assignment is evaluated for appropriateness based upon the assigned Future Land Use Category, referred to as place type, as specified in Table 2.1 Place Type Correlation with Zoning Districts.

(b) Place types define the intended form, scale, and character of different areas. They serve as a bridge between the community's vision and the zoning standards needed to support it. The place types are described in the Community Plan.

(c) Standard Review (SR), as assigned in Table 2.1 Place Type Correlation with Zoning Districts, means a zoning district is conforming to the place type and subject to Sec. 50-708(e)(1) Standard review criteria.

(d) Enhanced Review (ER), as assigned in Table 2.1 Place Type Correlation with Zoning Districts, means a zoning district may potentially conform within the place type, but a careful evaluation of the surrounding area is required for approval, subject to Sec. 50-709(e)(2) Enhanced review criteria.

(e) Blank cells in Table 2.1 Place Type Correlation with Zoning Districts mean a zoning district is nonconforming will not create the intended place type and will not be considered for rezoning.

TABLE 2.1 PLACE TYPE CORRELATION WITH ZONING DISTRICTS

Place Type	Zones Allowed													
	T2.1	T2.2	R-1	T3.1	T3.2	T4.1	T4.2	T5.1	T5.2	T6.1	GC	LI	LFI	MH
Centers														
Regional Center							SR	SR	SR	SR	ER	ER		
City Center							SR	SR	ER					
Neighborhood Center						SR	SR	ER						
Neighborhoods														
Urban Neighborhood					SR	SR	SR	ER						
Walkable Neighborhood				SR	SR	SR	ER							
Traditional Neighborhood			SR	SR	SR									
Suburban Neighborhood			SR	SR	ER									ER
Corridors														
Urban Corridor							SR	SR	SR	ER	ER			
Walkable Corridor							SR	SR	ER		ER			
Suburban Corridor								SR			SR	ER		ER
Recreation														
Outdoor Entertainment	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER
Parks and Public Spaces	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER
Specialized														
Rural and Estates	SR	ER		ER										ER
Industry and Technology											SR	SR	ER	
Civic and Institutional	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER	ER

SR: Standard review applies in accordance with Sec. 50-709(e) Review criteria. Zoning district is appropriate for place type.

ER: Enhanced review applies in accordance with Sec 50-709(e) Review criteria. Zoning district may be appropriate for the place type with a positive compliance review.

Blank: Zoning district is not appropriate for place type and will not be considered for rezoning.

ARTICLE 50-3 LAND DEVELOPMENT

SEC. 50-301. PURPOSE AND INTENT

(a) This Article guides the development of minor subdivisions, major subdivisions, and large sites to ensure orderly growth and land use, despite differences in development type, process, and timing, by applying the design standards in Sec. 50-502. Land Development according to the site size and development approach.

(b) The intent of this Article is to:

(1) Implement the Community Plan;

(2) Apply rules to subdivisions, non-subdivided development, and sites of different sizes to result in similar built outcomes, all of which achieve the intent of Sec. 50-502. Land Development;

(3) Rely on the rules in Article 50-4 Zoning to direct building and site design, ensuring consistency in zoning districts across the City;

(4) Allow phased development to adjust over time while upholding these goals; and

(5) Ensure that these goals cannot be circumvented through multiple land divisions.

SEC. 50-302. APPLICABILITY

(a) General requirements

(1) All subdivisions and land divisions must comply with this Article. These rules apply to any action that creates, modifies, or reconfigures lots, blocks, streets, or public improvements.

(2) All proposed uses of the site must comply with the zoning standards in Article 50-4 Zoning and the design standards in Article 50-5 Design Standards.

(3) All development must comply with applicable engineering, stormwater, and erosion control requirements in the City of Bentonville Stormwater Pollution Prevention and Erosion Control Ordinance, City of Bentonville Street Specification, Stormwater Management and Drainage Manual, and all other requirements of the Bentonville Municipal Code.

(4) All development must comply with Sec. 50-511. Natural Resource Protection.

(5) Development must follow one of the paths listed in subsection (c) Development types, based on project type and the functional outcome of the proposal, including whether the development creates, enables, or relies upon multiple legal lots or public streets intended to serve future lots.

(6) Any development proposal intended to create, or reasonably expected to result in, multiple legal lots, tracts, or parcels shall comply with the subdivision procedures of this Article, regardless of whether development plan approval is also required.

(b) Exemptions

(1) The following are exempt from this Article, but remain subject to Article 50-4 Zoning and Article 50-5 Design Standards:

a. Residential development of no more than four (4) dwelling units on a single lot of record that does not require off-site public improvements;

b. Agricultural buildings that meet the zoning requirements for the site;

c. Accessory structures that meet zoning requirements and do not require utility extension;

d. Non-residential changes of use, additions, or exterior alterations with less than ten thousand (10,000) square feet of cumulative land disturbance that do not require subdivision or new buildings;

e. Projects eligible for review solely through permit-level review under Sec. 50-721. Permits; or

f. Projects that are otherwise exempt under this Code.

(2) Projects exempt from this Article must still be reviewed as part of a building permit or other applicable permit to confirm compliance with zoning, access, and design standards.

(c) Development types

(1) Development must follow one of the following sections, based on the scope and type of work proposed:

a. Sites not being subdivided that are not exempt under subsection (b) Exemptions must follow Sec. 50-303. Development Plans;

b. Lot splits, property line adjustments, and lot combinations must follow Sec. 50-304. Minor Subdivisions;

c. Sites being subdivided must follow Sec. 50-305. Major Subdivisions;

d. Sites involving phased development must follow Sec. 50-306. Phasing; or

e. Sites involving campus plans must follow Sec. 50-307 Campus Development Plan.

SEC . 50-303 . DEVELOPMENT PLANS

(a) General

(1) Rules vary by site size, as specified in subsections (d) Sites 3 acres or less, (e) Sites over 3 and under 6 acres, and (f) Sites 6 acres and larger.

(2) Development plans are reviewed as small-scale or large-scale development under Article 50-7 Administration, based on subsections (b) and (c).

(3) Development plans are reviewed according to the thresholds in subsections (d) through (h).

(4) Development plan approval does not authorize the creation, conveyance, or recordation of legal lots.

(5) Any proposal intended to result in multiple legal lots shall comply with the applicable subdivision procedures of this Article.

a. Where a development plan proposes or would reasonably result in seven (7) or fewer lots, the lots may be created through a minor subdivision in accordance with Sec. 50-304 Minor Subdivision, following development plan approval.

b. Where a development plan proposes or would reasonably result in more than seven (7) lots, a preliminary plat is required. The Director may authorize concurrent review of the development plan and preliminary plat in accordance with Article 50-7 Administration.

(6) Condominiums, or horizontal and vertical property regimes, must comply with applicable state law.

(7) The following rules apply :

a. The following subsections explain how Sec. 50-502. Land Development applies to organize the overall development into blocks, streets, and major driveways, and civic space;

b. Rules related to buildings and specific site design follow Article 50-4 Zoning, which may be to the overall site or through future lots, following subsection (e) Future lots;

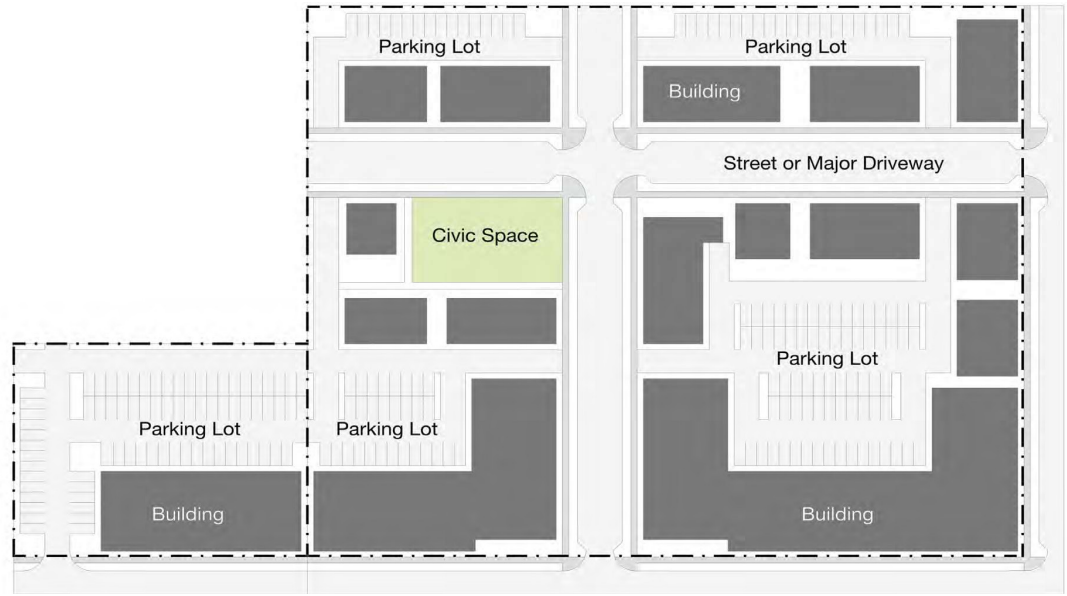
c. Sec. 50-506. Overlay Districts applies when a site is located within an overlay district;

d. Streets and alleys must follow Sec. 50-602. Street Design;

e. Major driveways must follow the dimensional standards for streets in Sec. 50-602. Street Design; and

f. Sec. 50-509. Tree Preservation, Sec. 50-511. Natural Resource Protection, Sec. 50-510. Landscape, Screening, and Buffering, Sec. 50-606. Communications Equipment, and the City's Flood Damage Prevention Code apply to all sites.

FIGURE 3.1 DEVELOPMENT PLAN



Site less than 3 acres See (d) Sites 3 acres or less	Site 3 to 6 acres See (e) Sites over 3 and under 6 acres

(b) Small-scale development

(1) Small-scale development is used for any development that meets all of the following:

a. One (1) acre or less of land disturbance; and

b. Does not require off-site public improvements.

(2) The Director may waive the requirement if the work clearly follows a previously approved plan or permit.

(3) See Sec. 50-704 Small-Scale Development Process for development review procedures.

(c) Large-scale development

(1) Large-scale development applies to any development that does not qualify as small-scale development, including but not limited to development that:

a. Have a land disturbance exceeding one (1) acre; or

b. Requires off-site public improvements.

(2) See Sec. 50-705. Large-Scale Development Process for review procedures.

(d) Sites 3 acres or less

(1) Circulation

a. Through lots must add a connection through the site, based on the lot width:

1. Less than 400 feet wide: No through connection required;
2. 400 to 600 feet wide: One (1) mid-block trail or major driveway;
3. 600 feet or wider: at least one (1) major driveway; and
4. Mid-block trail must follow the design standards in Sec. 50-502 (4) Mid-block trails.

b. Circulation outside of the site must be extended:

1. Streets that end at the site boundary must be extended with a major driveway or street through the site;
2. Trails that end on the site must be extended following Sec. 50-604. Trails and Bikeways;
3. Parking lot drive aisles that end on the site must be connected to an internal driveway; and
4. Where the Master Street Plan shows a street through or along the site, it must be provided as specified in Sec. 50-502 (c) (2) Street network.

(2) Future Lots

a. Where a street or major driveway is provided through the site, buildings must be sited according to subsection (g) Future lots.

b. All rules in Article 50-4 Zoning apply, evaluated for each future lot or for the site as a whole if there are no future lots.

(e) Sites over 3 and under 6 acres

(1) Circulation

a. Circulation must be provided through the site to abutting streets and properties, except to developed properties, as follows:

1. At least one (1) major driveway is required;
2. A mid-block trail is required if the distance between the major driveway and property lines exceeds five hundred (500) feet; and
3. Mid-block trail must follow the design standards in Sec. 50-502 (4) Mid-block trails.

b. Circulation outside of the site must be extended:

1. Streets that end at the site boundary must be extended with a major driveway or street through the site;
2. Trails that end on the site must be extended with a dedicated bicycle facility, following Sec. 50-604. Trails and Bikeways;
3. Parking lot drive aisles that end on the site must be connected to an internal driveway; and
4. Where the Master Street Plan shows a street through or along the site, it must be provided as specified in Sec. 50-502 (c) (2) Street network.

(2) If contiguous open space greater than one-half acre is provided, excluding any required buffers, it must follow Sec. 50-502 (e) Civic space standards.

(3) Buildings must be sited according to subsection (g) Future lots.

(4) In GC and the Suburban Corridor place type, build-to area requirements under Table 4.1 Zone Standards do not apply.

(f) Sites 6 acres and larger

(1) A connected circulation network is required, using major driveways or streets, as specified by Sec. 50-502 (c) Circulation network.

(2) Civic space is required as specified in Sec. 50-502 (e) Civic space standards.

(3) A future lot layout is required following subsection (g) Future lots.

(4) Future lots must be organized into future blocks, following subsection (h) Future blocks.

(5) In GC and the Suburban Corridor place type:

a. Up to 50% of major driveways, by center line length, may be designated service streets; and

b. The build-to area requirements under Table 4.1 Zone Standards do not apply along service streets.

(g) Future lots

(1) The intent of future lots is to ensure that sites not formally subdivided have similar built outcomes to sites that are subdivided, by applying design standards consistently.

(2) Future lots are used to apply rules from Article 50-4 Zoning, such as building setbacks, to sites not formally subdivided but reviewed through Sec. 50-705. Large-Scale Development Process.

(3) Future lots do not establish legal lots, do not imply subdivision approval, and shall not be recorded. Legal subdivision of land shown as future lots shall require approval and recording of a plat in accordance with this Article.

(4) A future lot layout must be provided, as shown in Figure 3.2 Future Blocks and Lots.

(5) The future lot layout must meet the requirements specified in Sec. 50-502 (d) Lot layout.

(6) Site design and vertical construction must comply with Article 50-4 Zoning standards using future lot lines shown on the future lot layout as though they are actual lot lines.

(h) Future blocks

(1) The intent of future blocks is to ensure that sites not formally subdivided provide similar circulation networks as sites that are subdivided, by applying design standards consistently.

(2) Future blocks divide the site to provide external and internal circulation, equivalent to streets and trails in subdivisions, as shown in Figure 3.2 Future Blocks and Lots.

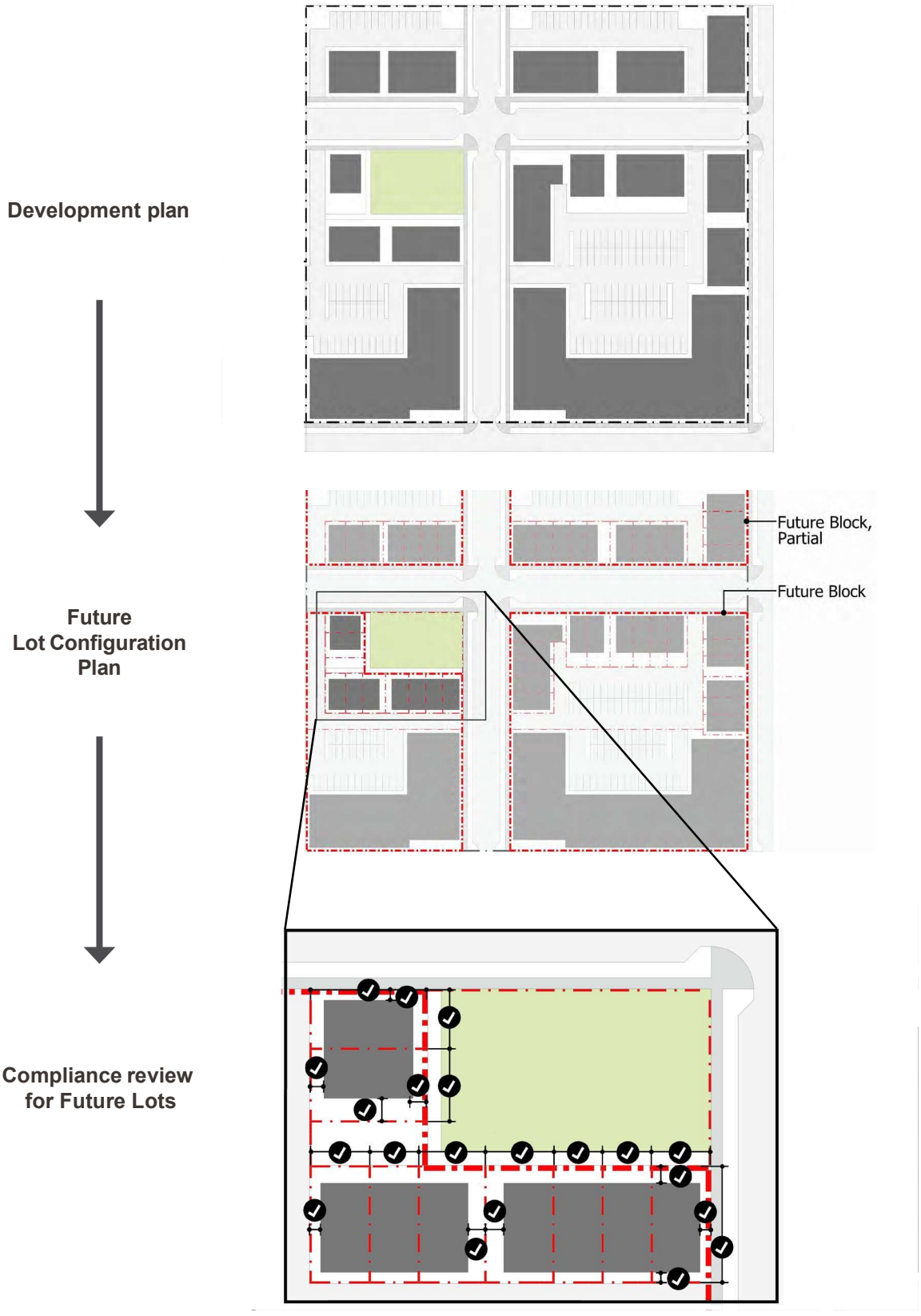
(3) Future blocks are not binding for future ownership or legal subdivision.

(4) All development must be within future blocks, other than development allowed in civic spaces.

(5) Future blocks must follow the standards for blocks in Sec. 50-502 (b) Blocks.

(6) The Director may exempt a site from providing future blocks in accordance with Sec. 50-716. Administrative Adjustments and Waivers and Table 7.2 Administrative Adjustment Criteria.

FIGURE 3.2 FUTURE BLOCKS AND LOTS



SEC . 50-304 . MINOR SUBDIVISIONS

(a) Applicability

(1) Minor subdivisions include lot splits, property line adjustments, and lot combinations that create no more than seven (7) lots or tracts.

(b) General

(1) The Director is responsible for determining whether a subdivision requires public improvements. That determination governs whether a preliminary plat and construction documents are required.

(2) See Sec. 50-706. Minor Subdivision Process for development review procedures.

(c) Lot splits, property line adjustments, and lot combinations

(1) Lot splits cannot be used to avoid subdivision regulations.

(2) A parcel may only be split into a maximum of seven (7) lots or tracts in a five (5)-year period.

a. Parcels that have been split in the maximum amount according to the above restriction, may be further divided through the major subdivision process according to Sec. 50-305. Major Subdivisions.

(3) Each lot resulting from a split, adjustment, or combination must follow Sec. 50-502 (d) Lot layout.

(4) Any utility easements, eligible for vacation, may be vacated and new or expanded utility easements may be required.

(5) Where the Master Street Plan shows a new street on the site, and if an existing street stub abuts the site, the lot layout must comply with Sec. 50-502 (c) (2) Street network, except block size requirements. Adequate right-of-way must be dedicated to meet the requirements of the Master Street Plan.

(6) No lot splits are permitted if they result in a land locked property.

(7) The lot split must not conflict with:

a. Neighboring land use or transportation patterns; or

b. Any plans adopted by the City.

(8) All lots must have direct access to public water, sewer, and electric, or an approved source of water and sewer.

(9) Applications must follow Sec. 50-707 (e) Final plats.

SEC . 50-305 . MAJOR SUBDIVISIONS

(a) Applicability

(1) Major subdivisions include all other divisions of land not eligible as minor subdivisions.

(b) General

(1) Building permits and development plan approvals may be obtained after a final plat has been approved and filed.

a. Where early-building permits are proposed prior to final plat approval, applicants must comply with the provisions of Sec. 50-707 (d) Early-build permits.

b. The Director may authorize concurrent review of a development plan and preliminary plat according to Sec. 707(f) Concurrent review of subdivision and development applications.

(2) Major subdivisions may be rezoned in advance of, or concurrent with a subdivision following subsection (b) Subdivision zoning.

(3) The Director is responsible for determining whether a subdivision requires public improvements according to Sec. 50-308 Off-Site Infrastructure Improvements and Sec. 50-724 Public Improvements and Dedications. That determination governs whether a preliminary plat and construction documents are required.

(4) See Sec. 50-707. Major Subdivision Processfor development review procedures.

(c) Subdivision zoning

(1) Major subdivisions may require multiple zones, by size:

a. Less than twenty (20) acres: May choose to rezone to one (1) or multiple zones;

b. Between twenty (20) and forty (40) acres: Must include two (2) or more zones; and

c. Between forty (40) and one hundred sixty (160) acres: Must include three (3) or more zones, except in Urban Corridor, Walkable Corridor, Suburban Corridor, Regional Center, and Suburban Neighborhood place types which only require two (2) zones.

(2) Zoning approval may be obtained ahead of subdivision.

(3) Zones must be assigned following these rules:

a. Each lot must be assigned only one (1) zone;

b. All lots must be assigned zones consistent with the FLUM place type;

c. Civic space and open space must be zoned with Transect Zones;

d. Zone transitions should occur across alleys or along streets, not across streets, as illustrated in Figure 3.3 Zone Transitions;

e. Transect zones must not transition by more than one (1) main category (like T3 to T4);

f. Sites over forty (40) acres must follow the zoning mix requirements in Table 3.1 Zoning Mix for Subdivisions over 40 Acres; and

g. Within Neighborhood Center place type, zones must be assigned following the rules below, as shown in Figure 3.4 Zone Transitions for Neighborhood Center Place Types:

1. T5 is limited to lots within six hundred sixty (660) feet of an arterial or collector intersection; and

2. T5 or T4 must be assigned to all lots abutting existing arterials or collectors.

FIGURE 3.3 ZONE TRANSITIONS

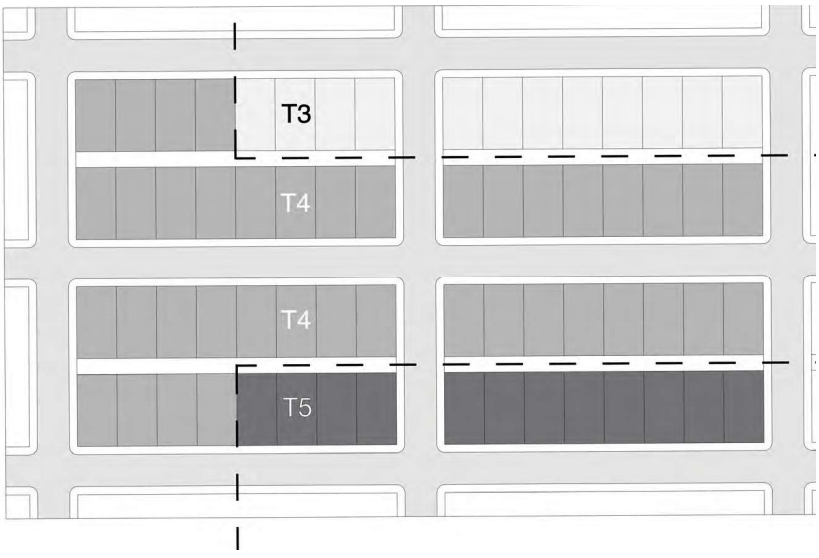
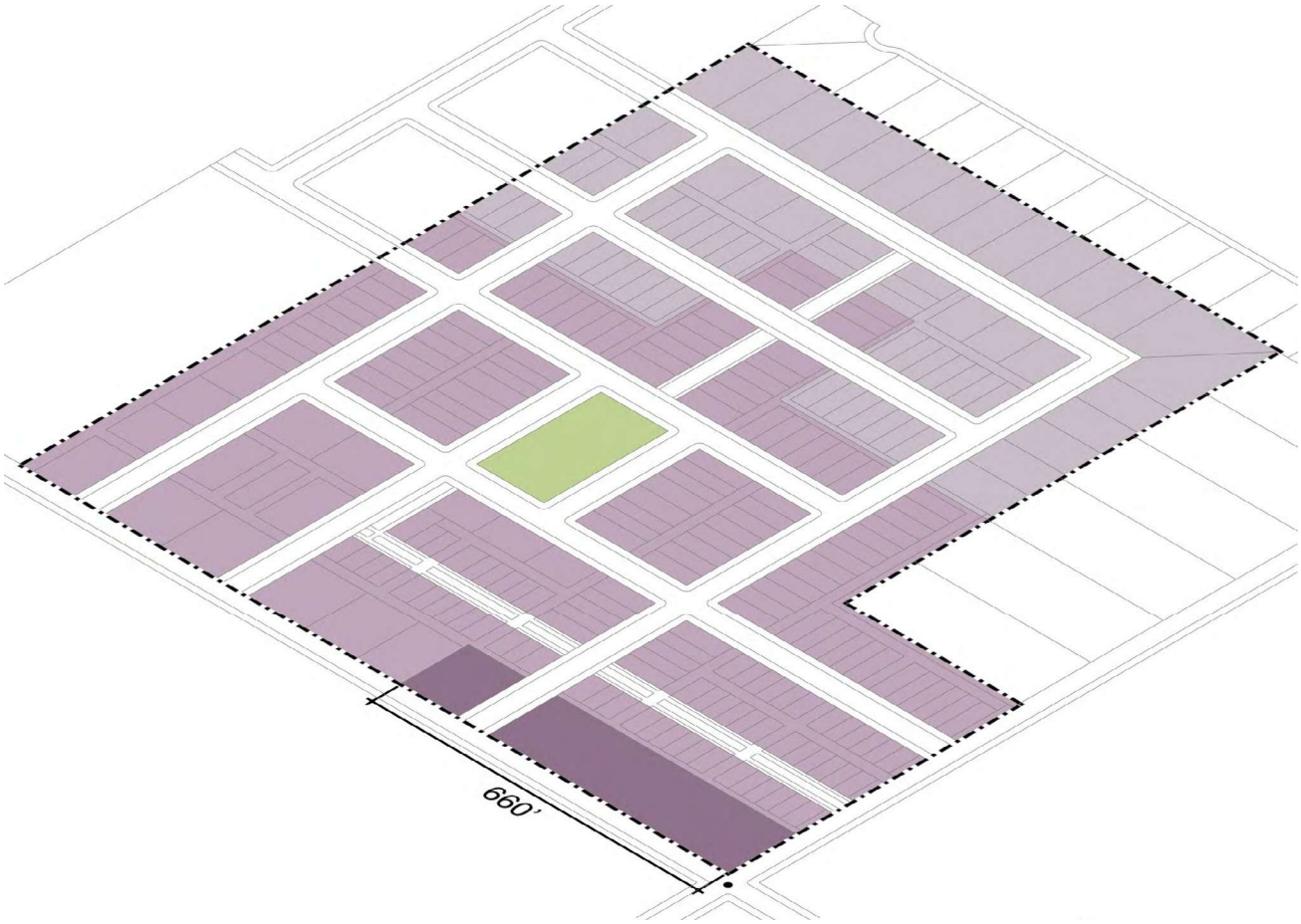


FIGURE 3 .4 ZONE TRANSITIONS FOR NEIGHBORHOOD CENTER PLACE TYPES



T3 T3 Zone T4 T4 Zone T5 T5 Zone

TABLE 3.1 ZONING MIX FOR SUBDIVISIONS OVER 40 ACRES

Place Type	Zones Allowed												
	T2.1	T2.2	R-1	T3.1	T3.2	T4.1	T4.2	T5.1	T5.2	T6	GC	LI	LFI
Centers													
Regional Center	E							20% max.	60% max.	60% max.	ER	ER	
City Center							40% max.	No max.	50% max.		E		
Neighborhood Center						20% max.	50% max.	60% max.					
Neighborhoods													
Urban Neighborhood	E				20% max.	40% max.	60% max.	ER					
Walkable Neighborhood			ER	20% max.	40% max.	60% max.	ER						
Traditional Neighborhood			40% max.	60% max.	60% max.								
Suburban Neighborhood			40% max.	No max.	40% max.								
Corridors													
Urban Corridor	E						40% max.	No max.	No max.		ER		
Walkable Corridor							60% max.		ER				
Suburban Corridor									No max.		No max.	20% max.	
Recreation													
Outdoor Entertainment	ER												
Parks & Public Spaces													
Specialized													
Rural and Estates	No max.		20% max.	E	SR								
Industry and Technology	E										No max.	No max.	No max.
Civic and Institutional	ER												

SR: Standard review applies in accordance with Sec. 50-708(e)(1) Standard review criteria. Zoning district is appropriate for place type.
ER: Enhanced review applies in accordance with Sec 50-708(e)(2) Enhance review criteria. Zoning district may be appropriate for the place type with a positive compliance review.

E: Zone only applies to existing lots, not available for rezoning.

SEC . 50-306 . Phasing

(a) General

(1) Development may be phased to coordinate construction over time.

(2) Any development or subdivision proposed to be constructed in phases shall include a phasing plan at the time of development plan or preliminary plat application.

(3) Phasing plans are approved by the Planning Commission concurrently with development plan or preliminary plat approval.

(4) Submittal of a phasing plan after development plan or preliminary plat approval is considered a major revision and requires approval by the Planning Commission following Sec. 50-723 Duration, Expiration and Amendment of Approvals.

(5) All off-site public improvements must be completed within the first phase.

(6) Each phase must meet the requirements for streets, utilities, stormwater, and civic space without reliance on undeveloped phases.

(7) Areas intended to satisfy civic space minimum standards must not be deferred to later phases unless approved by the Planning Commission.

(8) Approval of a phasing plan authorizes the City to administer each phase as a separate project for purposes of permitting, inspection, fee assessment, financial guarantees, and acceptance of improvements.

(9) Phasing requirements differ according to development type:

a. Development plans follow subsection (c) Site phasing; and

b. Subdivisions follow subsection (d) Subdivision phasing.

(b) Temporary improvements

(1) Temporary improvements may be allowed to ensure safe and functional infrastructure in early phases, provided they:

a. Maintain emergency access and circulation;

b. Do not conflict with later phases; and

c. Are clearly identified in the phasing plan.

(2) Examples of allowed temporary improvements may include:

a. Temporary turnarounds or hammerheads;

b. Temporary drainage systems that connect to future permanent infrastructure;

c. Temporary utility stubs and easements to serve early phases; and

d. Gravel or paved surface treatments for future street corridors.

(3) The phasing plan must include details and time lines for removal or conversion of temporary infrastructure to permanent systems.

(4) Temporary improvements may require financial surety or guarantees under Sec. 50-724. Public Improvement and Dedication to ensure completion.

(c) Site phasing

(1) Site phasing may involve building different parts of the site in sequence or completing portions of the work in stages within the same area.

(2) Phasing plans must indicate:

a. Site and phase boundaries;

b. Public improvements to be completed with each phase;

c. Utility extensions, stormwater systems, and shared infrastructure to support each phase;

d. Sequencing and estimated timing of phases, including anticipated start and completion dates;

e. Civic space locations, sizes, and types, with a description of how open space will be proportionally provided with each phase;

f. Building location, size, and use for buildings to be constructed with each phase; and

g. Circulation for each phase, demonstrating safe access to all buildings for pedestrians, bicycles, and vehicles.

(3) Phasing must prioritize building construction along existing streets and new civic spaces to the greatest extent possible.

(4) Phasing plans are approved concurrently with development plan approval.

(5) Each approved phase shall be processed as a separate project for purposes of pre-construction review, fee assessment, bonding, inspections, and issuance of certificates of occupancy.

(6) Phasing plan modifications that alter phase boundaries, sequencing, or required improvements may be approved by the Director, unless such modification materially increases impacts or defers required infrastructure, in which case Planning Commission approval is required.

(d) Subdivision phasing

(1) Phasing plans must indicate:

a. Subdivision and phase boundaries;

b. Public improvements to be completed with each phase;

c. Utility extensions, stormwater systems, and shared infrastructure to support each phase;

d. Sequencing and estimated timing of phases, including anticipated start and completion dates; and

e. Civic space locations, sizes, and types, with a description of how open space will be proportionally provided with each phase.

(2) Phasing plans are approved concurrently with preliminary plat approval.

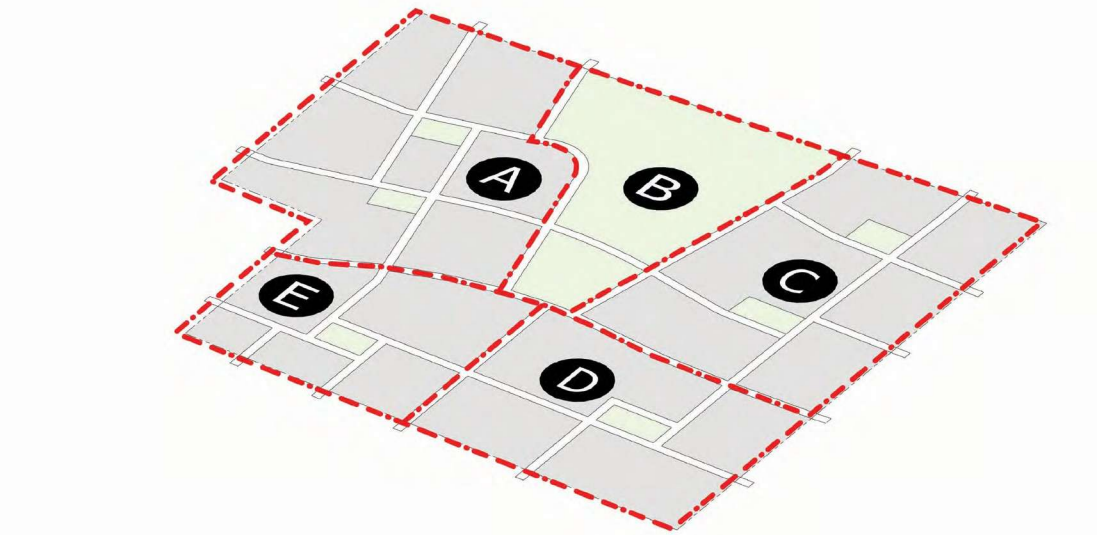
(3) Phasing plan modifications require approval by the Director.

(4) Final plat approval and recording shall be required for each phase.

(5) Each approved phase shall be processed as a separate project for purposes of pre-construction review, fee assessment, bonding, inspections, and issuance of certificates of occupancy.

(6) Phasing plan modifications shall be processed as amendments to approved plans in accordance with Sec. 50-723 Duration, Expiration and Amendment of Approvals.

FIGURE 3.5 PHASING ILLUSTRATION



Letter A, C, D, E: Phase
Letter B: Civic space, developed alone or with other phases

Figure depicting a phasing plan divided into 4 phases plus a large civic space. The phasing plan indicates the main circulation network and most prominent civic space in each phase.

(e) Enforcement of phasing schedules

(1) The Director may suspend further development activity in any phase if the applicant fails to meet the phasing schedule without good cause.

(2) A delay that results in expiration of a development approval is governed by Sec. 50-723. Duration, Expiration, and Amendment of Approvals. Any reactivation after expiration must follow the resubmittal or extension process in that section, in addition to the revised phasing plan required by subsection (2).

SEC. 50-307 CAMPUS DEVELOPMENT PLAN

(a) Applicability

(1) Campus development plans are available for any development that elects to apply the alternative standards in Sec. 50-507. Campus Development Standards.

(2) To qualify for this process, the development must:

a. Include an institutional or corporate anchor use; and

b. Contain a minimum of 8 acres under unified ownership or long-term control.

(b) Review. See Sec. 50-708. Campus Development Plan Review for development review procedures.

SEC. 50-308 OFF-SITE INFRASTRUCTURE IMPROVEMENTS

(a) On-site versus off-site improvements

(1) On-site improvements are adjacent to or within a project site; such as widening the street along the project street frontage, constructing interior streets and utilities, etc. as required by this Code.

(2) Off-site improvements are not adjacent or interior to a project; such as the extension of an off-site sewer line to the property boundary, off-site stormwater improvements, or an off-site intersection improvement, etc. as determined by this section.

(b) Required off-site infrastructure improvements

(1) Off-site improvements are required where they are roughly proportional and bear a rational nexus to the impacts of the proposed development. The developer must install on and off-site improvements where the need for such improvements is created by the proposed development.

(c) Standards applicable

(1) On and off-site improvements required must be made according to City standards. The developer is responsible for that portion of the cost of off-site improvements with a rational nexus and is roughly proportional to the impacts of the development.

(d) Proportionate share for off-site improvements

(1) At the time of development approval, the approval body will determine whether the proposed development creates or contributes to the need for off-site improvements and whether there is an essential nexus and rough proportionality between the impacts of the development and the off-site improvements required.

(2) In determining that portion of the cost of off-site improvements which is the developer's responsibility, the approval body may consider:

a. The relative demand generated by the proposed development as compared to the total anticipated demand on the improvement at build-out;

b. Acreage within the development as a percentage of the acreage reasonably expected to benefit from the improvement;

c. Trip generation, utility demand, drainage contribution, frontage, or other industry-recognized methodologies appropriate to the type of improvement; or

d. Any combination of the above, supported by competent evidence as documented in the applicant's submitted analysis.

(3) The applicant shall provide a written analysis demonstrating:

a. The nature and extent of the development's impact on the off-site improvement;

b. The methodology used to calculate the development's proportionate share; and

c. Supporting data, studies, or industry-recognized standards upon which the calculation is based.

(4) The approval body shall review the applicant's submitted analysis and any other required studies and shall make written findings to determine whether the proposed proportionate share reasonably reflects the impacts of the development. If the approval body determines that the submitted methodology does not reasonably reflect the impacts of the development, it may require revision of the analysis prior to approval.

(e) Necessity for off-site improvements

(1) Streets

a. When a proposed development has access to paved streets only by way of substandard or unimproved streets leading from the development to the paved streets, the developer is responsible for contributing their proportionate share of the cost to improve the substandard streets to city standards with a minimum pavement width of twenty (20) feet.

b. Street widening, intersection improvements, and/or new street construction off-site may be required to address traffic impacts identified in a traffic impact analysis based on the rough proportionality and rational nexus of the impacts of the project.

(2) Drainage

a. Off-site drainage improvements are required where a proposed development creates or contributes to the need for such improvements.

(3) Curbs and gutters.

a. Curbs and gutters off-site may be required to address drainage and/or stormwater impacts based on the rough proportionality and rational nexus to impacts of the project. Curbs and gutters according to existing City standards and specifications as adopted by the City Council.

(4) Utilities

a. Off-site utility improvements, such as extensions of new infrastructure or upgrades to existing infrastructure, are required whenever a development causes the need for such improvements.

(5) Sidewalks

a. Sidewalks may be required to be installed off-site to connect to the nearest sidewalk network based on the rough proportionality and rational nexus of the impacts of the development.

(6) Alleys

a. Alleys may be required to be extended off-site to connect to an existing public street within the same block to provide access, service circulation, or block connectivity, based on the rough proportionality and rational nexus of the impacts of the development.

(7) Other infrastructure improvements

a. Other infrastructure improvements may be required where the need for such improvements is created by the proposed development as determined by the Planning Commission, based on an essential nexus and rough proportionality to the impacts of the development.

(f) Delayed Improvements

(1) The approval body may determine a required on-site or off-site improvement may be delayed or payment-in-lieu contributed in accordance with Sec. 50-724 Public Improvements and Dedications.

(g) Waiver

(1) A waiver of off-site improvements may be granted in accordance with Sec. 50-716 Administrative Adjustments and Waivers.

(h) Performance Guarantee

(1) At or prior to the pre-construction conference with the City, the developer shall provide a performance guarantee in accordance with Sec. 50-724 Public Improvements and Dedication.

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ARTICLE 50-4 ZONING

SEC . 50-401 . PURPOSE AND INTENT

(a) This Article sets the rules for how land and buildings can be used and arranged in Bentonville through zoning districts. These zoning rules are intended to protect public health, safety, and general welfare.

(b) Bentonville uses two types of zoning districts and a series of overlay districts:

(1) Transect Districts, which focus on how buildings relate to each other to form safe, walkable streets and neighborhoods, from rural areas to the center of downtown.

(2) Special Purpose Districts, which are used for areas that need specific rules based on their function, such as large campuses and industrial areas.

(3) Overlay Districts, which provide additional standards for specific locations, including two (2) overlays for the downtown area and two (2) overlays for the airport area, to guide development and protect the character and function of those areas. Standards are located in Sec. 50-506. Overlay Districts.

(c) Transect districts intend to:

(1) Support historic neighborhoods and downtown areas;

(2) Guide growth in the form of walkable, bikeable, drivable, and transit-friendly places;

(3) Help new building fit in with its surroundings;

(4) Protect rural and natural areas by encouraging compact development;

(5) Align the intensity of development with appropriate infrastructure investment, so that more urban transect zones help lower long-term costs for streets and utilities by supporting compact, efficient service delivery.

(d) Special Purpose Districts intend to:

(1) Set aside space for businesses and services that depend on driving or large format operations;

(2) Support campuses that are designed around walking and biking; and

(3) Make sure uses are appropriately located and follow rules to fit in with the surrounding context.

SEC . 50-402 . TRANSECT DISTRICTS

(a) The City utilizes the following transect districts for zoning, shown on the City of Bentonville Official Zoning Map:

(1) T2.1: Rural;

(2) T2.2: Rural Node;

(3) T3.1: Neighborhood Edge;

(4) T3.2: Neighborhood Transition;

(5) T4.1: Neighborhood General;

(6) T4.2: Neighborhood Node;

(7) T5.1: Town Center Low;

(8) T5.2: Town Center High; and

(9) T6: Urban Center.

(b) Rules may specify district names using a main category (like T3 or T5) and sometimes a sub-category (like T3.1 or T5.2). They apply as follows:

(1) If only the main category is listed, like T4, the rule applies to all sub-categories under it: T4.1 and T4.2;

(2) If both the main and sub-category are listed, like T4.2, the rule applies only to that specific district, not to T4.1;

(3) If a rule includes a mix, like "T4 and T3.2", apply each part individually: it applies to T4.1 and T4.2, and also to T3.2, but not to T3.1;

(4) Rules may include transect districts along with special purpose districts, or specify only one or the other; and

(5) Rules that do not specify a transect district or special purpose district apply to all districts.

SEC . 50-403 . SPECIAL PURPOSE DISTRICTS

(a) The City utilizes the following special purpose districts for zoning, shown on the City of Bentonville Official Zoning Map:

(1) R-1: Suburban Single-Family;

(2) GC: General Commercial;

(3) LI: Light Industrial;

(4) LFI: Large Format Industrial; and

(5) MH: Manufactured Housing.

(b) Rules may include special purpose districts along with transect districts, or specify only one or the other.

(c) Rules that do not specify a transect district or special purpose district apply to all districts.

SEC . 50-404 . OVERLAY DISTRICTS

(a) Overlay districts apply additional design rules to specific areas of the City to protect character, guide redevelopment, or address special conditions.

(b) Overlay districts are shown on the Bentonville Official Zoning Map.

(c) Because overlay districts regulate design rather than use, their standards are located in Article 50-5 Design Standards, Sec. 50-506. Overlay Districts.

(d) The following overlay districts are established:

(1) Bentonville Municipal Airport Overlay; and

(2) Northwest Arkansas National Airport Overlay.

SEC . 50-405 . STANDARDS FOR ZONING DISTRICTS

(a) General

(1) All development must follow these sections in Article 50-5 Design Standards:

a. Sec. 50-503. Site Design related to driveways, walkways, parking, and similar site specifics;

b. Sec. 50-504. Vertical Construction related to building and fence design and placement;

c. Sec. 50-505. Zone Transitions specifying transition rules between different districts;

d. Sec. 50-506. Overlay Districts specifying rules for overlay districts;

e. Sec. 50-508. Signs;

f. Sec. 50-509. Tree Preservation and Sec. 50-510. Landscape, Screening, and Buffering for landscape requirements, materials, and installation; and

g. Sec. 50-511. Natural Resource Protection specifying rules for natural resources and hazards.

(2) Table 4.1 Zone Standards provides a summary of the basic rules for each zoning district.

(3) Rules for the use of properties and buildings are found in Sec. 50-406. Use Standards.

(4) Lot splits and other land subdivisions must follow the rules of Article 50-3 Land Development.

(5) Sites one (1) acre or larger may have additional rules imposed in Article 50-3 Land Development.

(6) Setbacks, lot width, building footprint, and impervious area may be available for administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers.

(b) Height

(1) Maximum height

a. The maximum allowed height for buildings and other structures is regulated by both:

1. A maximum number of stories; and

2. A maximum overall height in feet ("not-to-exceed" height), as established by zoning district and listed in Table 4.1 Zone Standards.

b. Height is measured according to the rules in subsection (2) Height measurement.

1. Maximum heights in single-family zoning districts are also capped by maximum feet.

c. The following features are allowed to extend above the maximum overall height, provided they comply with the limitations below and do not include habitable floor area unless expressly allowed:

1. Chimneys, up to four (4) feet above the roof ridge or parapet;

2. Rooftop equipment on flat roofs, up to six (6) feet above the parapet, if:

i. It is set back at least ten (10) feet from the edge; and

ii. It is screened from view along public sidewalks.

3. Parapets, up to four (4) feet above a flat roof or above the eave of a sloped roof;

4. Elevator overruns and bulkheads necessary to house mechanical equipment;

5. Stair enclosures providing roof access, up to ten (10) feet above the flat roof; and

6. Limited rooftop habitable space is permitted on buildings with flat roofs in T4, T5, and T6 zoning districts, subject to the following standards:

i. No more than one (1) additional level of habitable space is permitted above the primary roof plane;

ii. The rooftop level shall not exceed twelve (12) feet in height, measured from the roof surface to the top of the roof or parapet of the rooftop level;

iii. The total floor area of rooftop habitable space shall not exceed four hundred (400) square feet; and

iv. The rooftop level shall be set back a minimum of ten (10) feet from all roof edges.

d. The rooftop level shall be designed to minimize visibility from public streets through setbacks, roof form, and architectural integration with the primary structure. Special architectural features, including but not limited to clock towers, steeples, bell towers, and decorative parapets, may exceed the maximum overall building height if approved as an administrative adjustment pursuant to Sec. 50-716. Administrative Adjustments and Waivers and Table 7.2 Administrative Adjustment Criteria.

(2) Height measurement

a. Height is measured:

1. From the front lot line sidewalk grade for buildings located within thirty (30) feet of the front lot line;
2. From the highest adjacent existing grade for buildings located more than thirty (30) feet from the front lot line;
3. Once for the entire building if the building footprint if it is less than one hundred (100) feet wide or deep;
4. At intervals of every one hundred (100) feet of building length or depth for larger building;
5. At each street frontage for buildings on through-lots; and
6. More frequent if requested by the applicant or required by staff for complex sites or building configurations.

b. Height measured by number of stories:

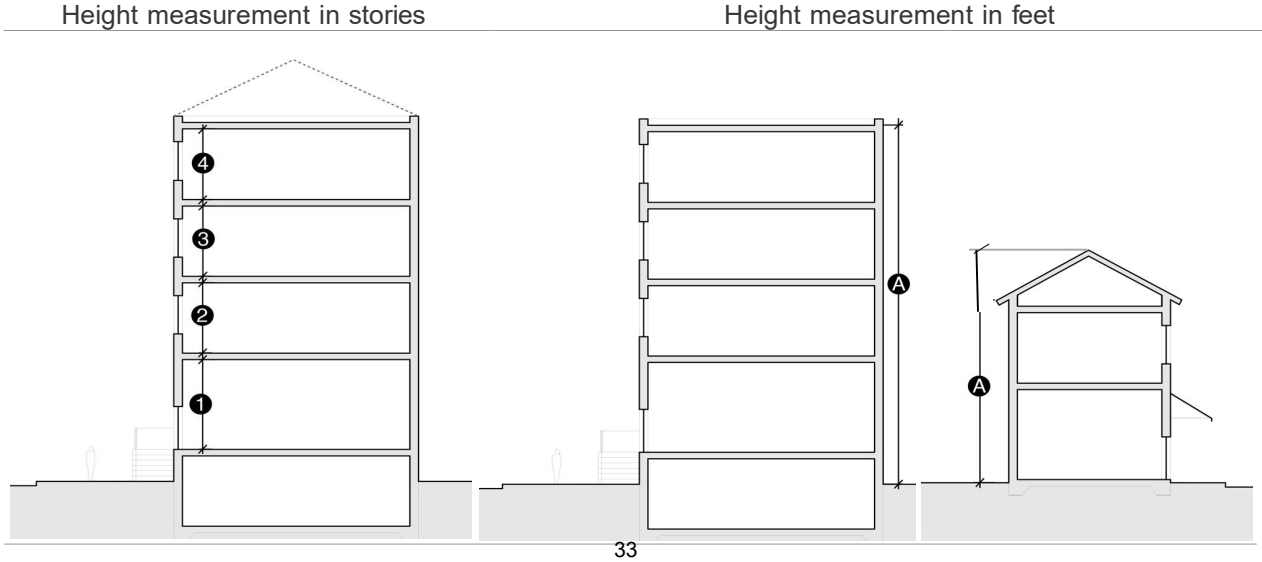
1. A story is defined as a level of a building between finished floor surfaces that contains occupiable space.
2. The total number of stories is counted vertically from the grade plane used for height measurement to the highest occupied floor level.
3. Mezzanines exceeding forty (40) percent of the floor area of the level below are counted as an additional story.
4. Stories located entirely below grade do not count toward building height, provided they extend no more than four (4) feet above finished grade.
5. Finished attics under sloped roofs are not counted as a story if:
   i. The attic floor area does not exceed thirty (30) percent of the floor area below; and
   ii. The space does not exceed the maximum overall height in feet.

c. Height measured by feet:

1. Overall building height is measured to the highest point of the roof structure, as illustrated in Figure 4.1, Height Measurement.
2. The measured height shall not exceed the maximum overall height in feet listed in Table 4.1 Zone Standards, regardless of the number of stories provided.

d. A minimum ground floor height applies where specified in Table 4.1 Zone Standards.

FIGURE 4.1 HEIGHT MEASUREMENT



(c) Setbacks

(1) Minimum Setbacks

a. Buildings must be set back from lot lines as listed in Table 4.1 Zone Standards.

b. Parking within buildings must be set back from lot lines following parking setbacks in Table 4.1 Zone Standards. Additional parking structures rules are in Sec. 50-504 (e) Parking structures.

c. The location of each setback is determined as follows, and shown in Figure 4.2 Setbacks for Typical Lot Conditions and Figure 4.3 Setbacks for Special Lot Conditions:

1. Front Setback: Measured from the front lot line, typically the side with the street address, or from a trail or civic space if applicable, as determined by the Director;
2. Side Street Setback: Measured from any street-facing lot line that is not the front;
3. Side Setback: Measured from lot lines shared with neighboring properties, with the following considerations:

i. If the side lot line borders an alley, the alley setback applies;

ii. If the zoning standard allows zero (0) feet or another number (e.g., zero (0) ft. or six (6) ft. min.), you may:

(i) Use zero (0) feet for attached buildings; or

(ii) Use the larger minimum setback if the building is not attached.

iii. In T4 zones, side setbacks of zero (0) feet are only allowed for attached townhomes. End units must provide the larger minimum setback listed for the zone.

4. Alley Setback: Measured from any lot line bordering an alley, a shared parking area, or an access easement providing vehicle access to the lot; and
5. Rear Setback: Measured from the rear lot line, usually opposite the front lot line. If the rear lot line borders an alley, the alley setback applies.

d. If a street or alley is located within an easement or right-of-way that overlaps the lot boundary, the setback is measured from the edge of the easement or right-of-way, not the property line.

e. Utility and other easements may require additional setbacks beyond the minimums listed.

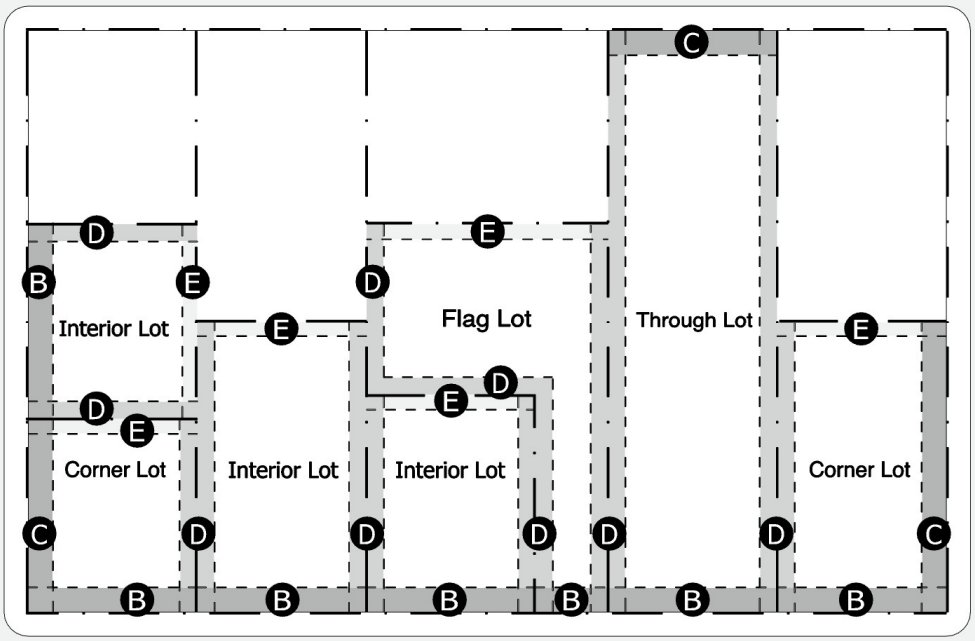
f. Setbacks are measured from lot lines to the foundation, wall finishes, eaves, and other projections are not allowed within easements.

g. Setbacks as required by Table 4.1 Zone Standards may be reduced from the minimum setback if approved as an administrative adjustment according to Sec. 50-716. Administrative Adjustments and Waivers and Table 7.2 Administrative Adjustment Criteria.

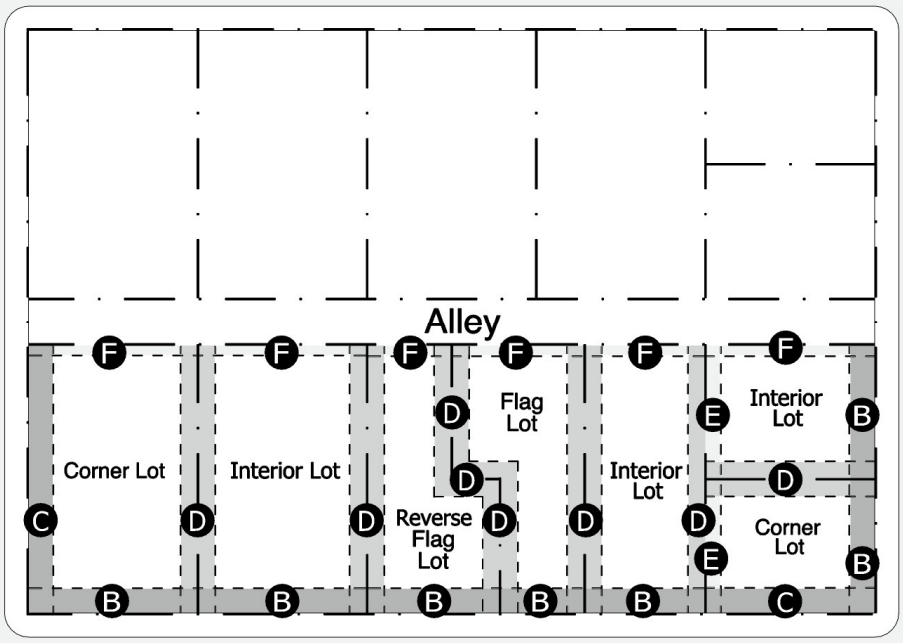
(2) Pools, Patios, Decks, and Accessory Structures

a. Minimum setbacks are as listed in Table 4.1 Zone Standards.

FIGURE 4.2 SETBACKS FOR TYPICAL LOT CONDITIONS



Setbacks for common lot conditions without an alley

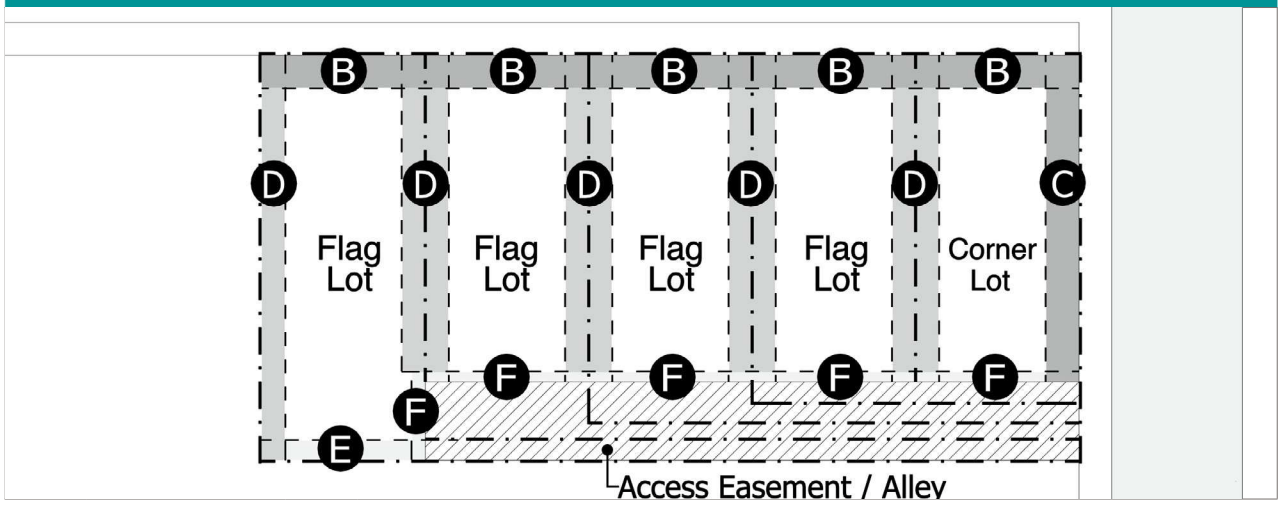


Setbacks for common lot conditions with an alley

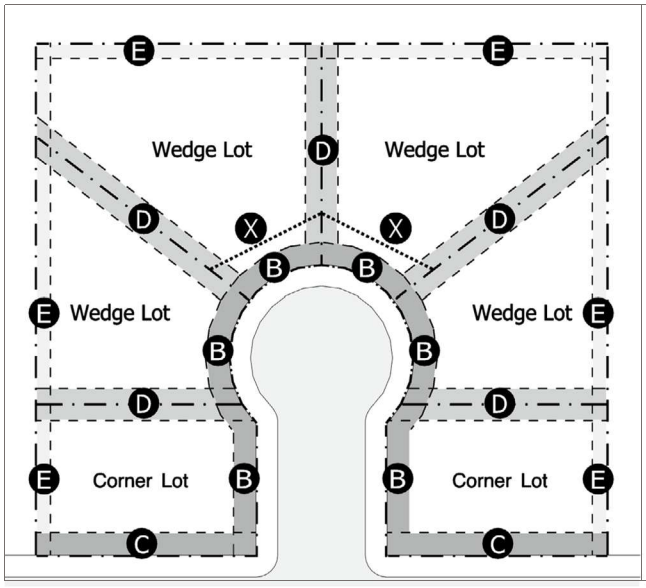
A	Buildable Area (white)	D	Side Setback (interior) [1]
B	Front Setback [1]	E	Rear Setback [1]
C	Side Street Setback [1]	F	Alley Setback [1]

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.

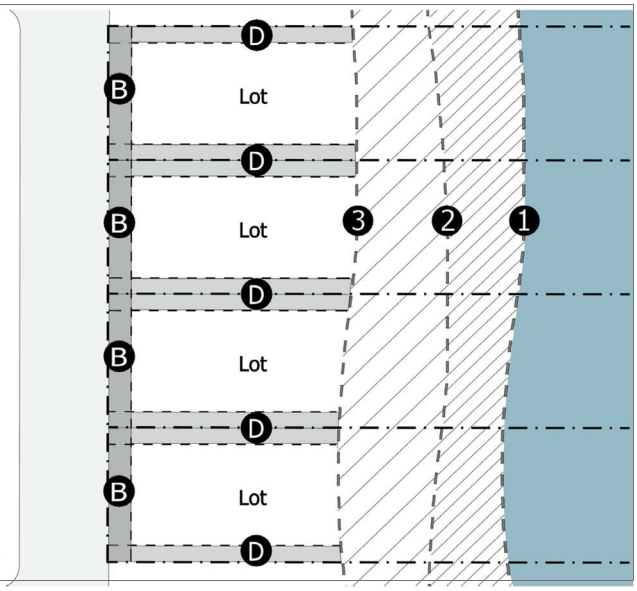
FIGURE 4.3 SETBACKS FOR SPECIAL LOT CONDITIONS



Setbacks for trail fronting lots with utility access flag lots



Setbacks from cul-de-sac



Setbacks from water bodies7

A	Buildable Area (white)	D	Side Setback (interior) [1]
B	Front Setback [1]	E	Rear Setback [1]
C	Side Street Setback [1]	F	Alley Setback [1]
X	Wedge setback is the greater of B or where the lot is fifty (50) feet wide tangent to the wedge (X). [1]		
1	Floodway	2	Flood Hazard Area
3	Base Flood Elevation		

The closest boundary of #1, #2, or #3 serves as the Rear Setback or Side Setback, as appropriate.

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.

(3) Maximum Setbacks

a. If a maximum front or side street setback is listed in Table 4.1 Zone Standards, it establishes a build-to area between the minimum and maximum, as shown in Figure 4.4 Build-to Area.

b. In T5 and T6 zoning districts, buildings must occupy at least seventy percent (70%) of the width of the build-to area. This percentage does not include side setbacks, side street setbacks, driveways, or forecourts, as shown in Figure 4.5 Build-to Area Occupation.

c. The maximum front setback may be exceeded when a forecourt is located along the front lot line or at the corner of a corner lot, as long as these conditions are met:

1. The forecourt area is no larger than one thousand eight hundred (1,800) square feet in T5 and T6;
2. The forecourt area is no larger than three thousand two hundred (3,200) square feet in T4;
3. The forecourt width is no more than forty percent (40%) of the lot width;
4. Corner forecourts have buildings along two (2) sides;
5. Interior forecourts have building along three (3) sides;
6. Any building sides that face the forecourt must meet minimum entry, glazing, and active use requirements; and
7. At least sixty percent (60%) of the forecourt surface must be paved.

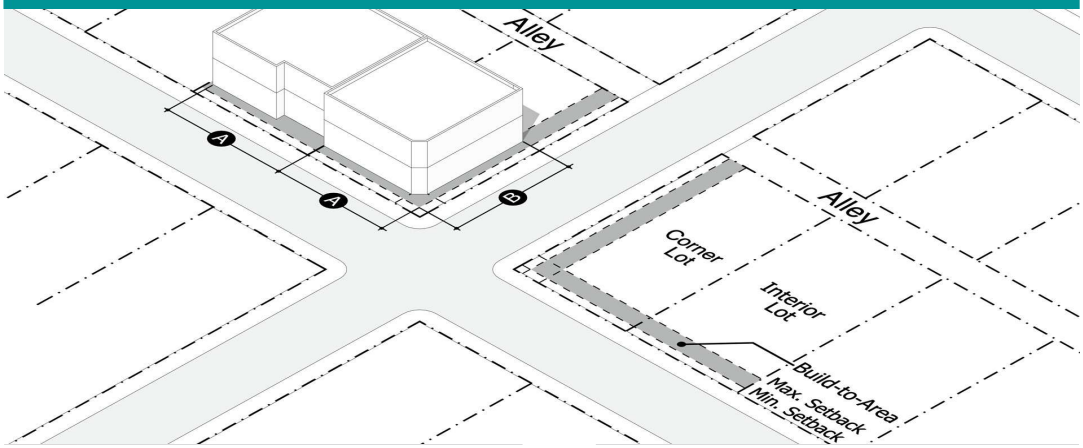
d. If an utility or access easement is deeper than the maximum setback, the setback is adjusted to be two (2) feet behind the edge of the easement.

e. Where front parking is allowed under Sec. 50-503 (h) Car parking and circulation, the maximum setback is measured as two (2) feet from the interior edge of the front parking area. The front parking area includes the sidewalk and planting area as well as parking and drive aisles.

f. Flag lots with a front or side street lot width less than sixty (60) feet are exempt from the relevant maximum setback requirement and build-to area occupation.

g. Institutions and places of assembly may exceed the maximum front setback if approved as an administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers.

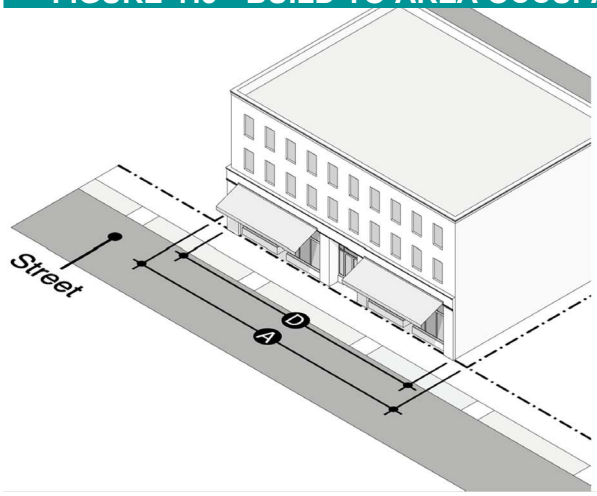
FIGURE 4.4 BUILD-TO AREA



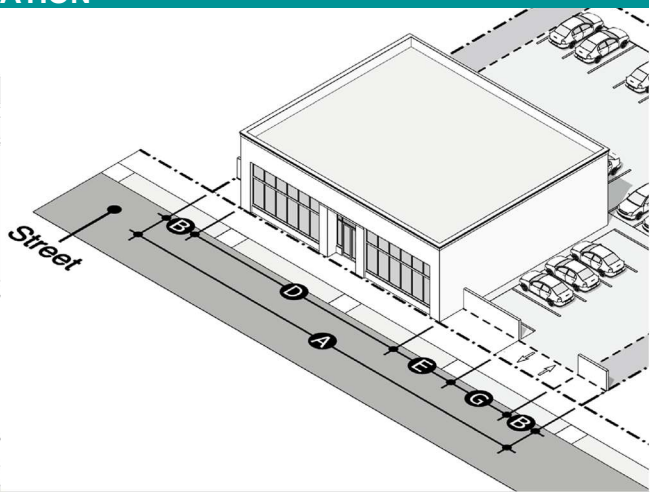
A Building within the Front build-to area

B Building within the Side Street build-to area

FIGURE 4.5 BUILD-TO AREA OCCUPATION



Example with Alley
(approximately ninety percent [90%])



Example with Driveway
(approximately eighty-five percent [85%])

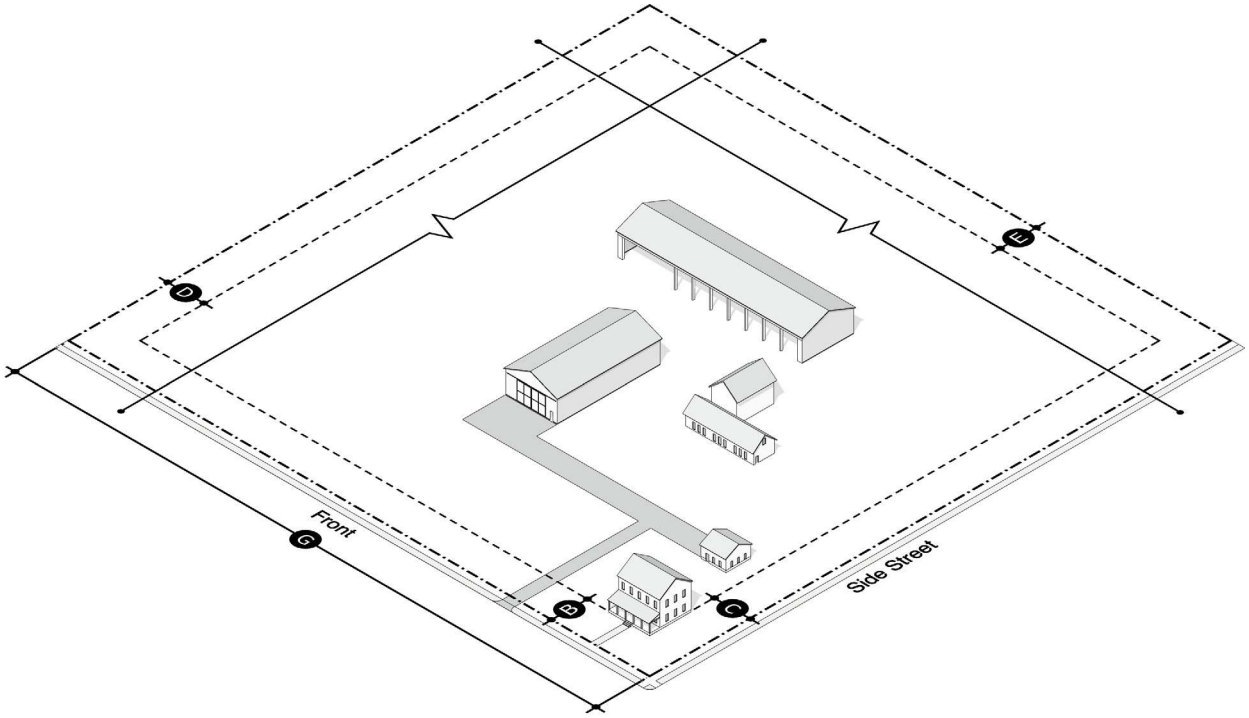


Interior Forecourt Example with Driveway (approximately ninety percent [90%])

A	Lot Width	E	Build-to Area without a Building
B	Required Setbacks	F	Forecourt
C	[reserved]	G	Driveway
D	Building in the Build-to Area	Occupation % = D / (A - B - F - G)	

TABLE 4.1 ZONE STANDARDS

T2.1: RURAL



T2.1 applies to rural areas with large lots, few homes, and mostly open space or agriculture. It is used for very low-intensity development. In some cases, this zoning is temporary until the land is ready to be rezoned to match the City's long-term growth plan.

Buildings

Location*		Height	
A Building Footprint	30% max.	Buildings	3 stories max. not to exceed 40 ft., farm buildings exempt
B Front Setback [1]	30 ft. min.		
C Side Street Setback [1]	30 ft. min.		
D Side Setback [1]	30 ft. min.		
E Rear Setback [1]	30 ft. min.		
Accessory Structures and Pools	Not allowed within setbacks		

T2.1: RURAL

Building Elevations

Required Entries		Required Glass	
Entry Frequency	N/A	Ground Floor	N/A
Required Active Uses		Upper Floor	N/A
N/A			

Site Design

Lot Size		Parking Location	
G Lot Area	5 acres min.	H Front Setback	50 ft. min.
Fencing and Walls		J Side Street Setback	30 ft. min.
See Sec. 50-510 (e) Fences and walls.		K Side Setback	30 ft. min.
Impervious Areas		L Rear Setback	30 ft. min.
Impervious Area	45% max.		

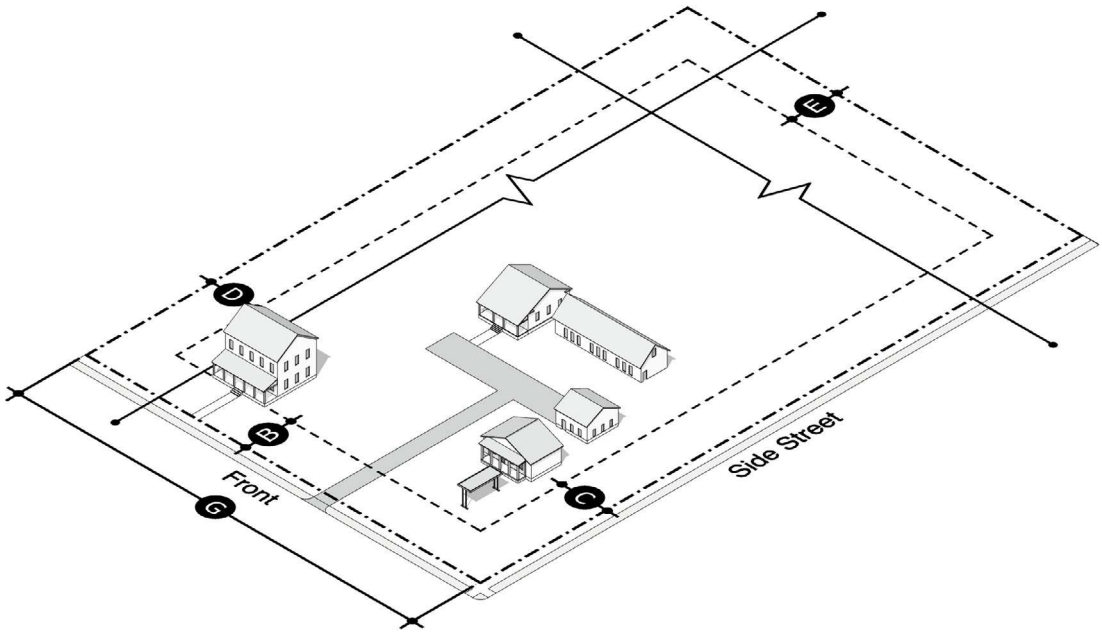
Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.

T2.2: RURAL NODE



T2.2 provides a location for small shops, services, and civic uses that support surrounding rural neighborhoods and farms. Development is limited in scale and designed to fit the rural landscape, forming a small cluster of services and amenities.

Buildings

Location*		Height	
A Building Footprint	30% max.	Buildings	3 stories max. not to exceed 40 ft., farm buildings exempt
B Front Setback [1]	15 ft. min.		
C Side Street Setback [1]	15 ft. min.		
D Side Setback [1]	15 ft. min.		
E Rear Setback [1]	25 ft. min.		
Accessory Structures and Pools	Not allowed within setbacks		

T2.2: RURAL NODE

Building Elevations

Required Entries	
Entry Frequency	N/A

Required Glass	
Ground Floor	N/A
Upper Floor	N/A

Required Active Uses

N/A

Site Design

Lot Size	
G Lot Area	1 acre min.

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

impervious Areas	
Impervious Area	45% max.

Parking Location	
H Front Setback	30 ft. min.
J Side Street Setback	15 ft. min.
K Side Setback	15 ft. min.
L Rear Setback	15 ft. min.

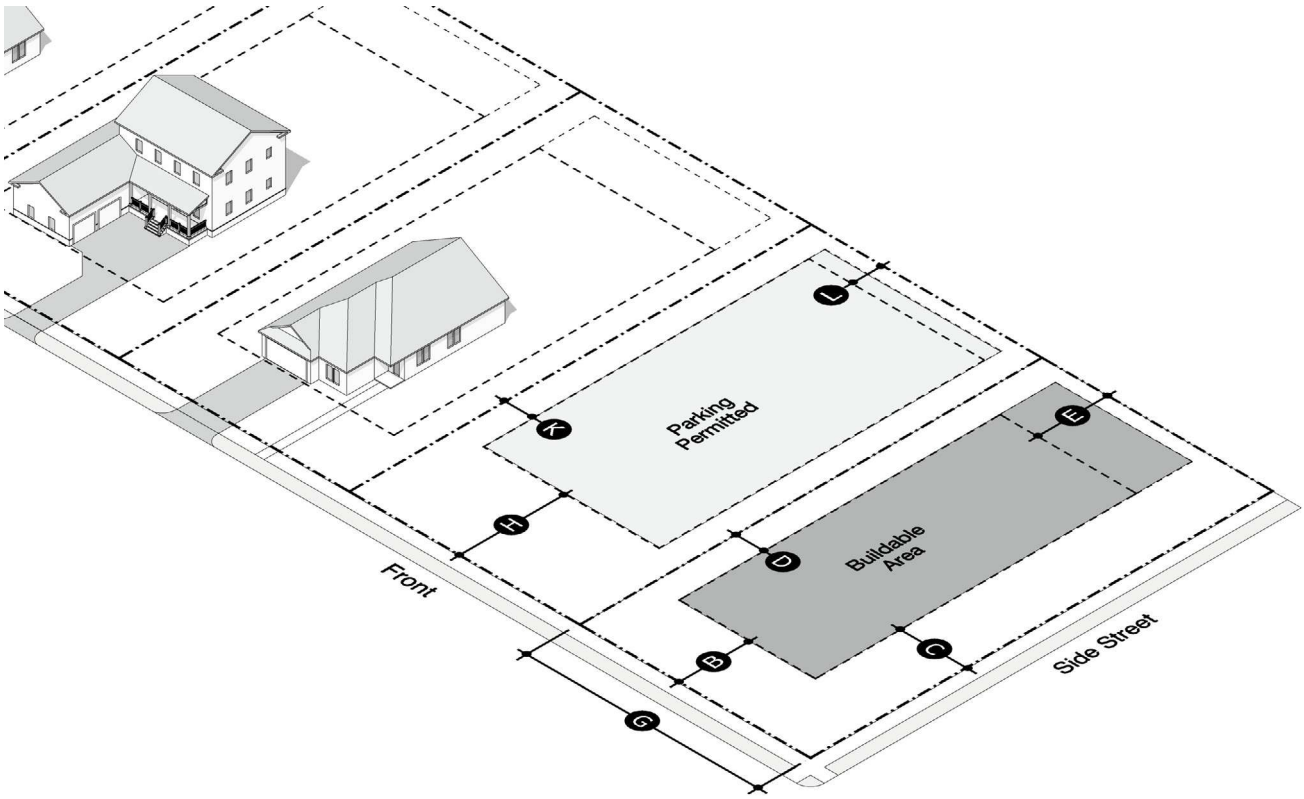
Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.

R-1: SUBURBAN SINGLE-FAMILY



R-1 is a residential zone for neighborhoods with larger lots and single-family homes where parking is almost exclusively accessed from the street. Nonresidential uses are not allowed, other than home occupations as otherwise allowed by this code.

Buildings

Location*

A	Building Footprint	40% max. / 45% max. corner lot
B	Front Setback [1]	20 ft. min.
C	Side Street Setback [1]	20 ft. min.
D	Side Setback [1]	7 ft. min.
E	Rear Setback [1]	25 ft. min.
F	Alley Setback [1]	15 ft. from the alley centerline
	Accessory Structures and Pools	Not allowed in front or side street setbacks, 7 ft. min. for all other setbacks

Height

Buildings	36 ft. max.

R-1: SUBURBAN SINGLE-FAMILY

Building Elevations

Required Entries	
Entry Frequency	N/A

Required Glass	
Ground Floor	N/A
Upper Floor	N/A

Required Active Uses

N/A

Site Design

Lot Size	
G Lot Width	60 ft. min.
Lot Area	6,000 sq. ft.

Parking Location	
H Front Setback	20 ft. min.
J Side Street Setback	20 ft. min.
K Side Setback	7 ft. min.
L Rear Setback	12 ft. min.
M Alley Setback	0 ft. min.

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

impervious Areas	
Impervious Area	75% max.

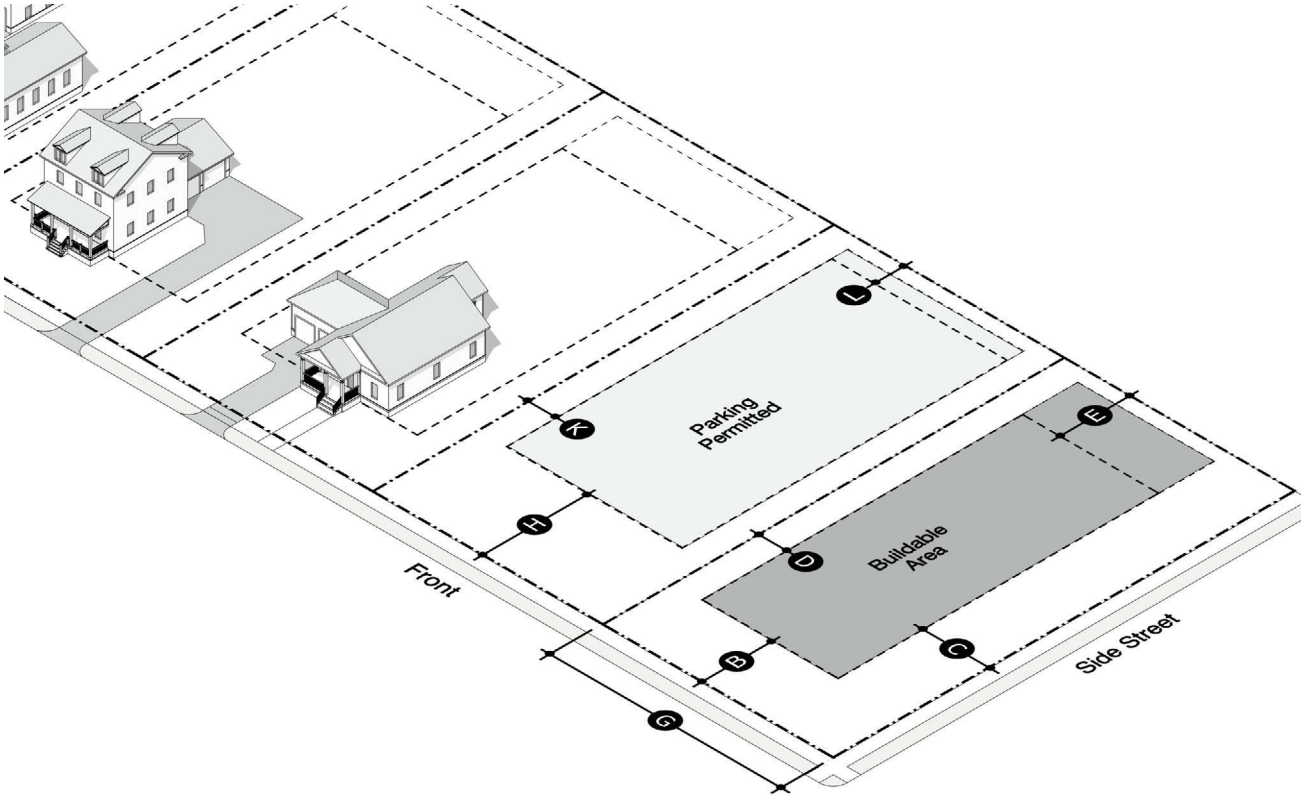
Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.

T3.1: NEIGHBORHOOD EDGE



T3.1 is a residential zone for low-intensity neighborhoods with single-family homes on medium to large lots. Parking is normally accessed from the street.

Buildings

Location*

A	Building Footprint	50% max.
B	Front Setback [1]	15 ft. min.
C	Side Street Setback [1]	12 ft. min.
D	Side Setback [1]	7 ft. min.
E	Rear Setback [1]	25 ft. min.
F	Alley Setback [1]	15 ft. from the alley centerline, min.
	Accessory Structures and Pools	Not allowed in front or side street setbacks, 7 ft. min. for all other setbacks

Height

Buildings	36 ft. max.

T3.1: NEIGHBORHOOD EDGE

Building Elevations

Required Entries	
Entry Frequency	N/A

Required Glass	
Ground Floor	N/A
Upper Floor	N/A

Required Active Uses

N/A

Site Design

Lot Size		
G	Lot Width	60 ft. min. no alley 50 ft. min. with alley

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

Impervious Areas

	Impervious Area	80% max.

Parking Location		
H	Front Setback	20 ft. min.
J	Side Street Setback	12 ft. min.
K	Side Setback	7 ft. min.
L	Rear Setback	12 ft. min.
M	Alley Setback	0 ft. min.

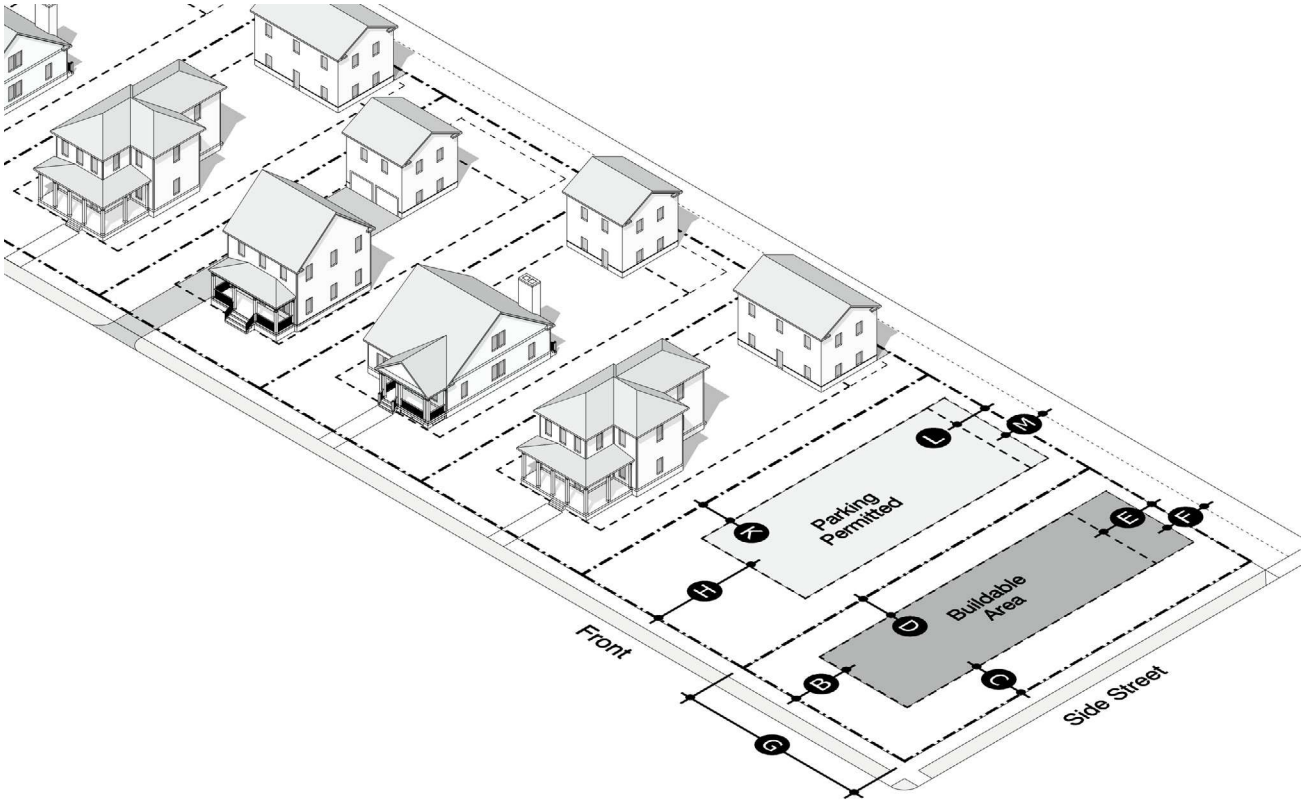
Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.

T3 .2: NEIGHBORHOOD TRANSITION



T3.2 is a residential zone for low to medium-intensity neighborhoods with single-family homes on medium-sized lots. Parking may be accessed from the street or from alleys.

Buildings

Location*

A	Building Footprint	55% max.
B	Front Setback [1]	15 ft. min., 25 ft. max.
C	Side Street Setback [1]	12 ft. min.
D	Side Setback [1, 2]	0 ft. or 7 ft. min.
E	Rear Setback [1]	15 ft. min.
F	Alley Setback [1]	15 ft. from the alley centerline, min.
	Accessory Structures and Pools	Not allowed in front or side street setbacks, 7 ft. min. for all other setbacks

Height

Buildings	36 ft. max.
Parking Structures	N/A
Ground Floor Height	N/A

T3 .2: NEIGHBORHOOD TRANSITION

Building Elevations

Required Entries	
Entry Frequency	N/A

Required Glass	
Ground Floor	N/A
Upper Floor	N/A

Required Active Uses

N/A

Site Design

Lot Size	
G Lot Width	50 ft. min. no alley 40 ft. min. with alley

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

Impervious Areas	
Impervious Area	80% max.

Parking Location	
H Front Setback	30 ft. min.
J Side Street Setback	12 ft. min.
K Side Setback	7 ft. min.
L Rear Setback	12 ft. min.
M Alley Setback	0 ft. min.

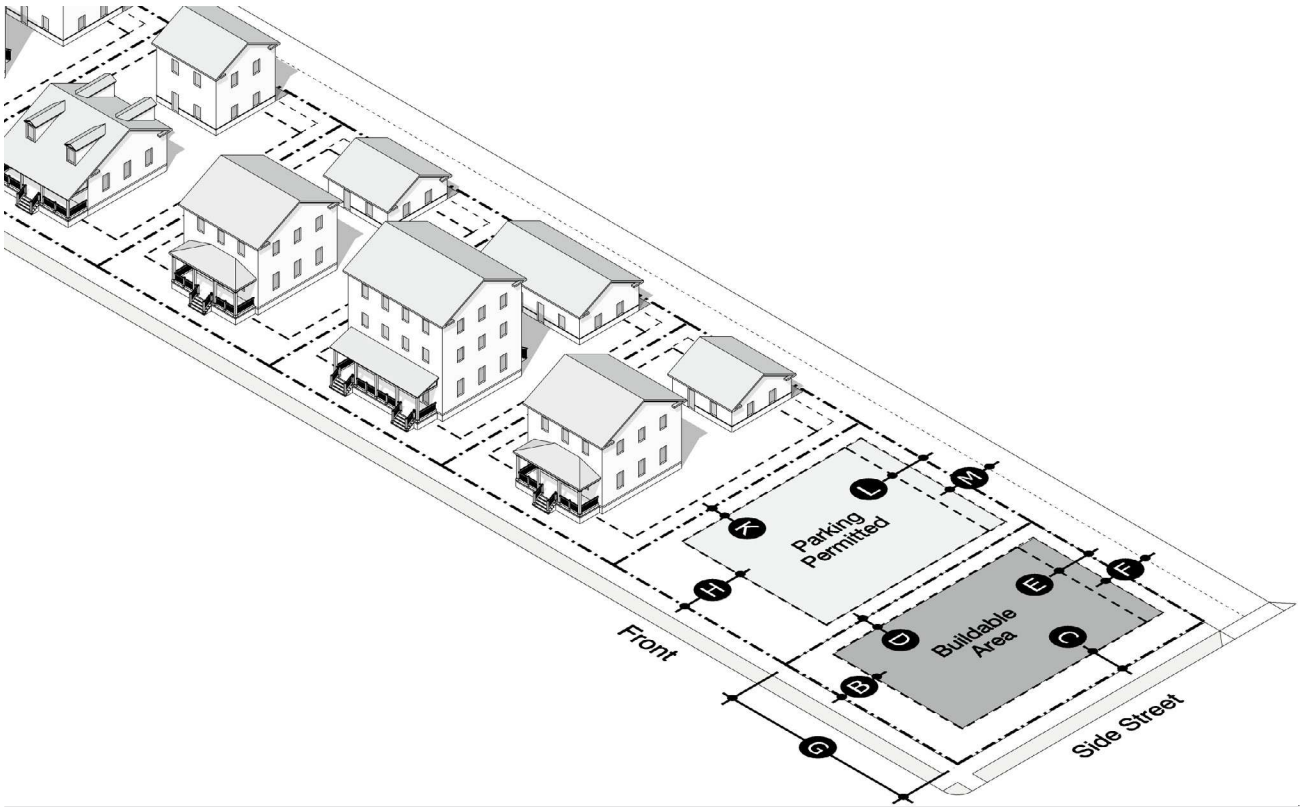
Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.
[2] Building walls or a shared party-wall may be built without a setback with a side yard use easement for detached buildings; however, walls set back from the property line must be set back at least seven (7) feet.

T4.1: NEIGHBORHOOD GENERAL



T4.1 is a residential zone for medium-intensity neighborhoods with blended density, including townhomes, and small-scaled lodging. Parking is normally accessed from alleys and occasionally from the street.

Buildings

Location*

A	Building Footprint [1]	65% max.
B	Front Setback [1]	12 ft. min., 20 ft. max.
C	Side Street Setback [1]	12 ft. min.
D	Side Setback [1, 2]	0 ft. or 7 ft. min.
E	Rear Setback [1]	15 ft. min.
F	Alley Setback [1]	15 ft. from the alley centerline
	Accessory Structures and Pools	Not allowed in front or side street setbacks, 7 ft. min. for all other setbacks

Height

Buildings	3 stories max. not to exceed 40 ft.
Parking Structures	N/A
Ground Floor Height	N/A

T4.1: NEIGHBORHOOD GENERAL

Building Elevations

Required Entries

Entry Frequency	N/A

Required Active Uses

N/A

Required Glass

Ground Floor	15% min.
Upper Floor	15% min.

Site Design

Lot Size

G	Lot Width	40 ft. min. no alley 20 ft. min. with alley 55 ft. max. per dwelling

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

Impervious Areas

Impervious Area	85% max.

Parking Location

H	Front Setback	20 ft. behind front setback
J	Side Street Setback	12 ft. min.
K	Side Setback	7 ft. min.
L	Rear Setback	6 ft. min.
M	Alley Setback	0 ft. min.

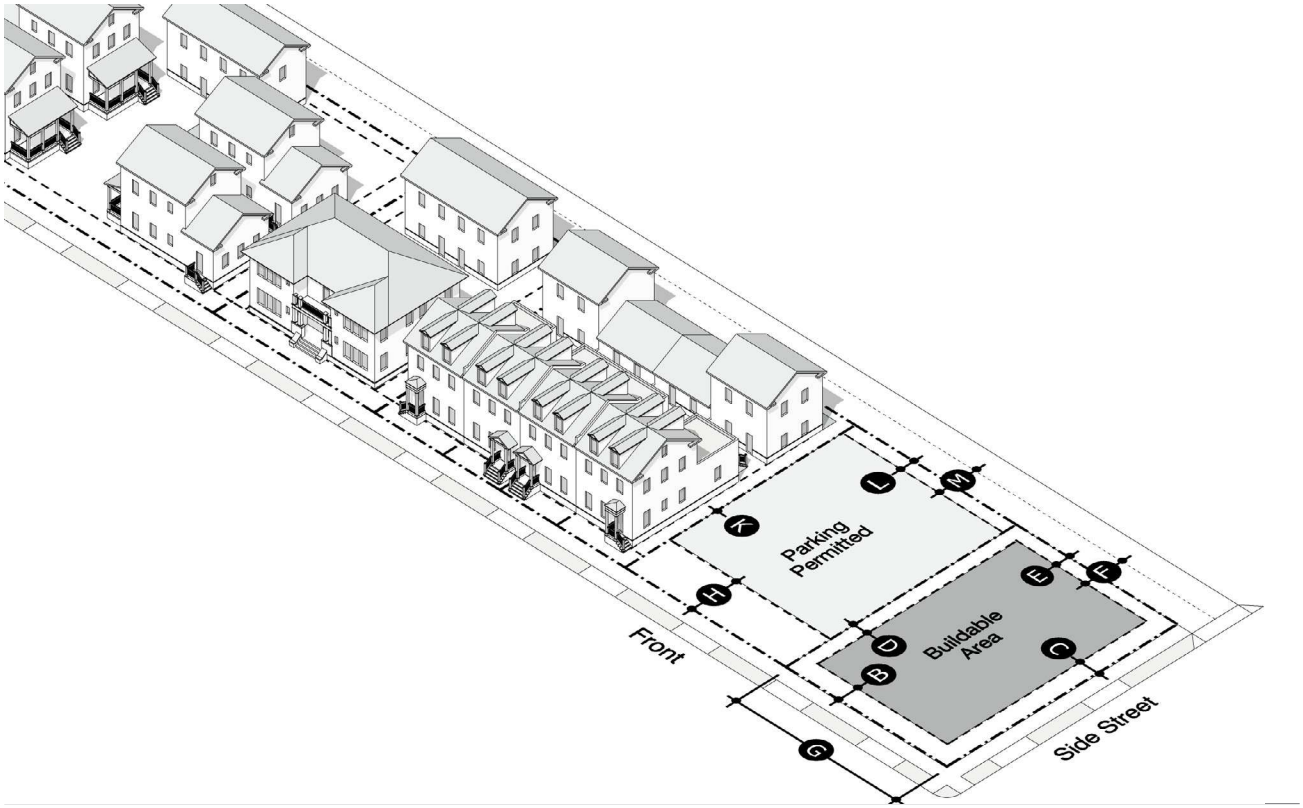
Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.
[2] Building walls or a shared party-wall may be built without a setback with a side yard use easement for detached buildings; however, walls set back from the property line must be set back at least seven (7) feet.

T4 .2: NEIGHBORHOOD NODE



T4.2 is a primarily residential zone for medium to high-intensity neighborhoods, allowing a range of residential types, small-scale lodging, and limited small-scale businesses. Parking is normally accessed from alleys and occasionally the streets.

Buildings

Location*

A	Building Footprint	75% max.
B	Front Setback [1]	0 ft. min., 16 ft. max.
C	Side Street Setback [1]	8 ft. min.
D	Side Setback [1, 2]	0 ft. or 7 ft. min.
E	Rear Setback [1]	15 ft. min.
F	Alley Setback [1]	15 ft. from the alley centerline
	Accessory Structures and Pools	Not allowed in front or side street setbacks, 7 ft. min. for all other setbacks

Height

Buildings	4 stories max. not to exceed 50 ft.
Parking Structures	N/A
Ground Floor Height	N/A

T4.2: NEIGHBORHOOD NODE

Building Elevations

Required Entries	
Entry Frequency	N/A

Required Active Uses

N/A

Required Glass	
Ground Floor	50% min. Commercial 15% min. other uses
Upper Floor	15% min.

Site Design

Lot Size		
G	Lot Width	40 ft. min. no alley 18 ft. min. with alley 45 ft. max. per dwelling

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

Impervious Areas	
Impervious Area	90% max.

Parking Location		
H	Front Setback	20 ft. behind front setback
J	Side Street Setback	8 ft. min.
K	Side Setback	2 ft. min.
L	Rear Setback	6 ft. min.
M	Alley Setback	0 ft. min.

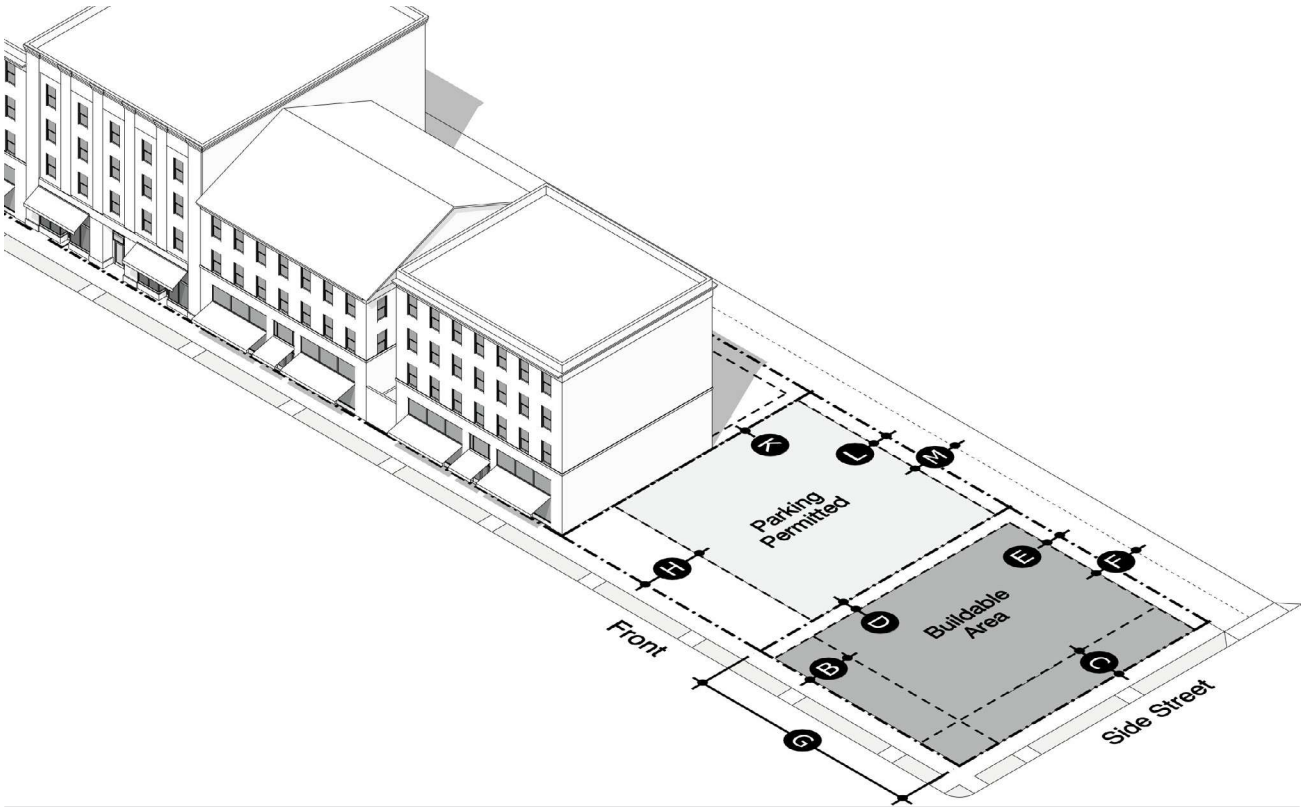
Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.
[2] Building walls or a shared party-wall may be built without a setback with a side yard use easement for detached buildings; however, walls set back from the property line must be set back at least seven (7) feet.

T5.1: TOWN CENTER LOW



T5.1 is for walkable areas with a mix of shops, restaurants, and other non-residential uses, along with multi-family housing and townhomes.

Buildings

Location*		Height	
A Building Footprint	85% max.	Buildings	4 stories max. not to exceed 60 ft.
B Front Setback [1, 2]	12 ft. max.	Parking Structures	35 ft. max.
C Side Street Setback [1, 2]	12 ft. max.	Ground Floor Height	12 ft. to 25 ft.
D Side Setback [1, 2, 3]	0 ft. or 7 ft. min.		
E Rear Setback [1, 2]	5 ft. min.		
F Alley Setback [1, 2]	15 ft. from the alley centerline		
Accessory Structures and Pools	Not allowed within minimum setbacks		

T5.1: TOWN CENTER LOW

Building Elevations

Required Entries	
Entry Frequency	60 ft. min. Commercial 100 ft. min. other uses

Required Glass	
Ground Floor	50% min. Commercial 15% min. other uses
Upper Floor	15% min.

Required Active Uses

See Sec. 50-504(c)(4) Required active uses.

Site Design

Lot Size	
G Lot Width	No minimum. 25 ft. max. per dwelling

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

Impervious Areas	
Impervious Area	100% max.

Parking Location	
H Front Setback	30 ft. min. or behind building
J Side Street Setback	12 ft. min. or behind building
K Side Setback	0 ft. min.
L Rear Setback	5 ft. min.
M Alley Setback	0 ft. min.

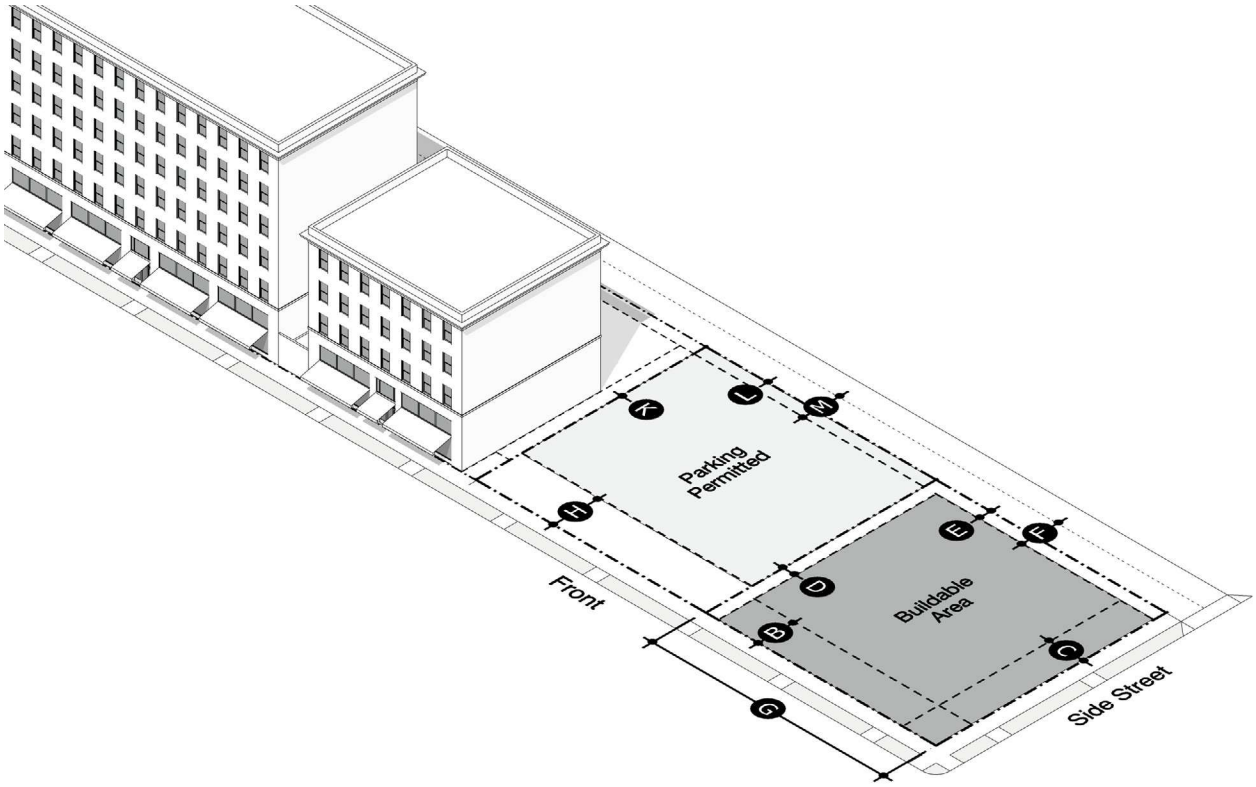
Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.
[2] Sec 50-505 Zone Transitions may modify setbacks and heights.
[3] Building walls or a shared party-wall may be built without a setback with a side yard use easement for detached buildings; however, walls set back from the property line must be set back at least seven (7) feet.

T5.2: TOWN CENTER HIGH



T5.2 is a walkable district with a broad mix of uses in moderately tall buildings. It reflects the look and feel of downtown Bentonville and supports new active, compact places.

Buildings

Location*		Height	
A Building Footprint	90% max.	Buildings	6 stories max. not to exceed 96 ft.
B Front Setback [1, 2]	12 ft. max.	Parking Structures	50 ft. max.
C Side Street Setback [1, 2]	12 ft. max.	Ground Floor Ceiling Height	12 ft. to 25 ft.
D Side Setback [1, 2, 3]	0 ft. or 7 ft. min.		
E Rear Setback [1, 2]	5 ft. min.		
F Alley Setback [1, 2]	15 ft. from the alley centerline		
Accessory Structures and Pools	Not allowed within minimum setbacks		

T5.2: TOWN CENTER HIGH

Building Elevations

Required Entries	
Entry Frequency	60 ft. min. Commercial 100 ft. min. other uses

Required Glass	
Ground Floor	50% min. Commercial 15% min. other uses
Upper Floor	15% min.

Required Active Uses

See Sec. 50-504(c)(4) Required active uses.

Site Design

Lot Size

G	Lot Width	No minimum. 25 ft. max. per dwelling

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

Impervious Areas

Impervious Area	100% max.

Parking Location

H	Front Setback	30 ft. min. or behind building
J	Side Street Setback	12 ft. min. or behind building
K	Side Setback	0 ft. min.
L	Rear Setback	0 ft. min.
M	Alley Setback	0 ft. min.

Uses

See Sec. 50-406. Use standards

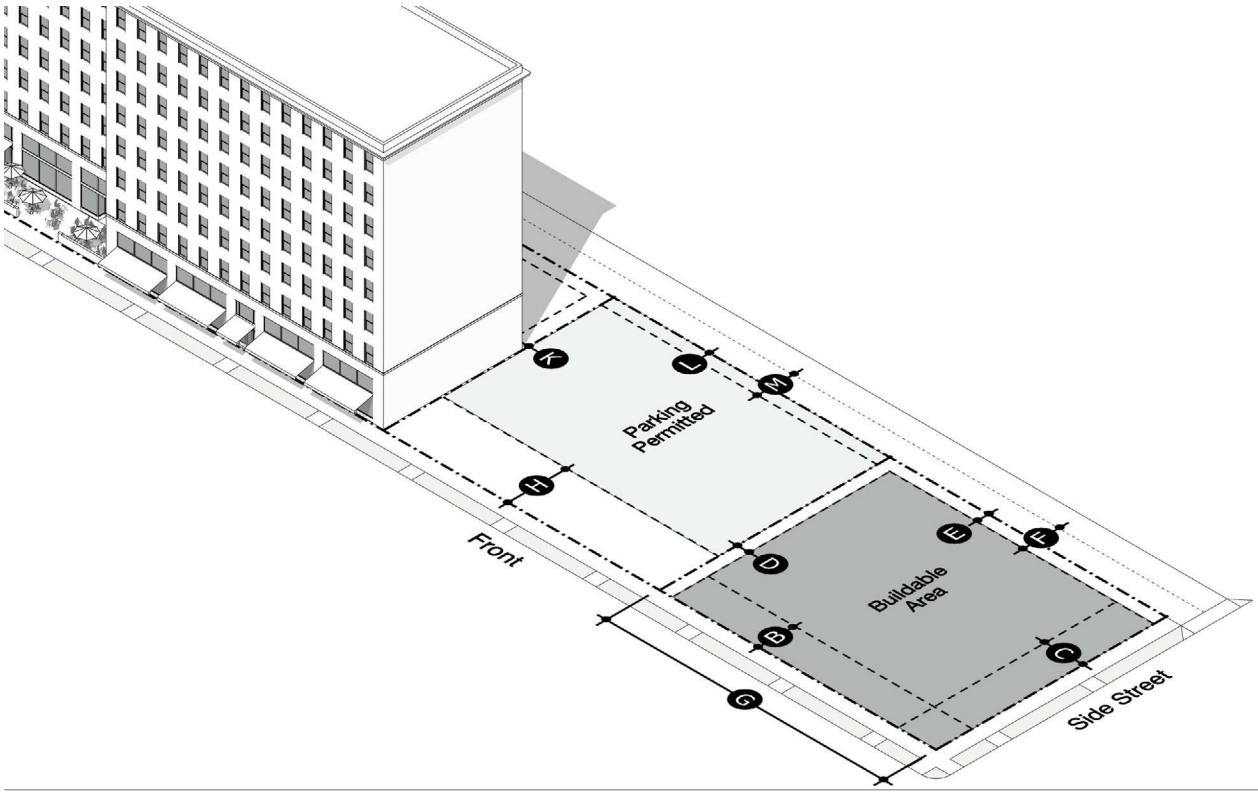
Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.

[2] Sec 50-505 Zone Transitions may modify setbacks and heights.

[3] Building walls or a shared party-wall may be built without a setback with a side yard use easement for detached buildings; however, walls set back from the property line must be set back at least seven (7) feet.

T6: URBAN CENTER



T6 is the highest-intensity district in the City, focused on employment, entertainment, and large-format multi-family housing within vibrant, walkable areas.

Buildings

Location*		Height	
A Building Footprint	100% max.	Buildings	10 stories max. not to exceed 160 ft.
B Front Setback [1, 2]	12 ft. max.	Parking Structures	70 ft. max.
C Side Street Setback [1, 2]	12 ft. max.	Ground Floor Height	12 ft. to 25 ft.
D Side Setback [1, 2, 3]	0 ft. or 7 ft. min.**		
E Rear Setback [1, 2]	5 ft. min.		
F Alley Setback [1, 2]	15 ft. from the alley centerline		
Accessory Structures and Pools	Not allowed within minimum setbacks		

T6: URBAN CENTER

Building Elevations

Required Entries	
Entry Frequency	60 ft. min. Commercial 100 ft. min. other uses

Required Active Uses

See Sec. 50-504(c)(4) Required active uses.

Required Glass	
Ground Floor	50% min. Commercial 15% min. other uses
Upper Floor	15% min.

Site Design

Lot Size	
G Lot Width	No minimum. 20 ft. max. per dwelling

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

Impervious Areas	
Impervious Area	100% max.

Parking Location	
H Front Setback	30 ft. min. or behind building
J Side Street Setback	12 ft. min. or behind building
K Side Setback	0 ft. min.
L Rear Setback	0 ft. min.
M Alley Setback	0 ft. min.

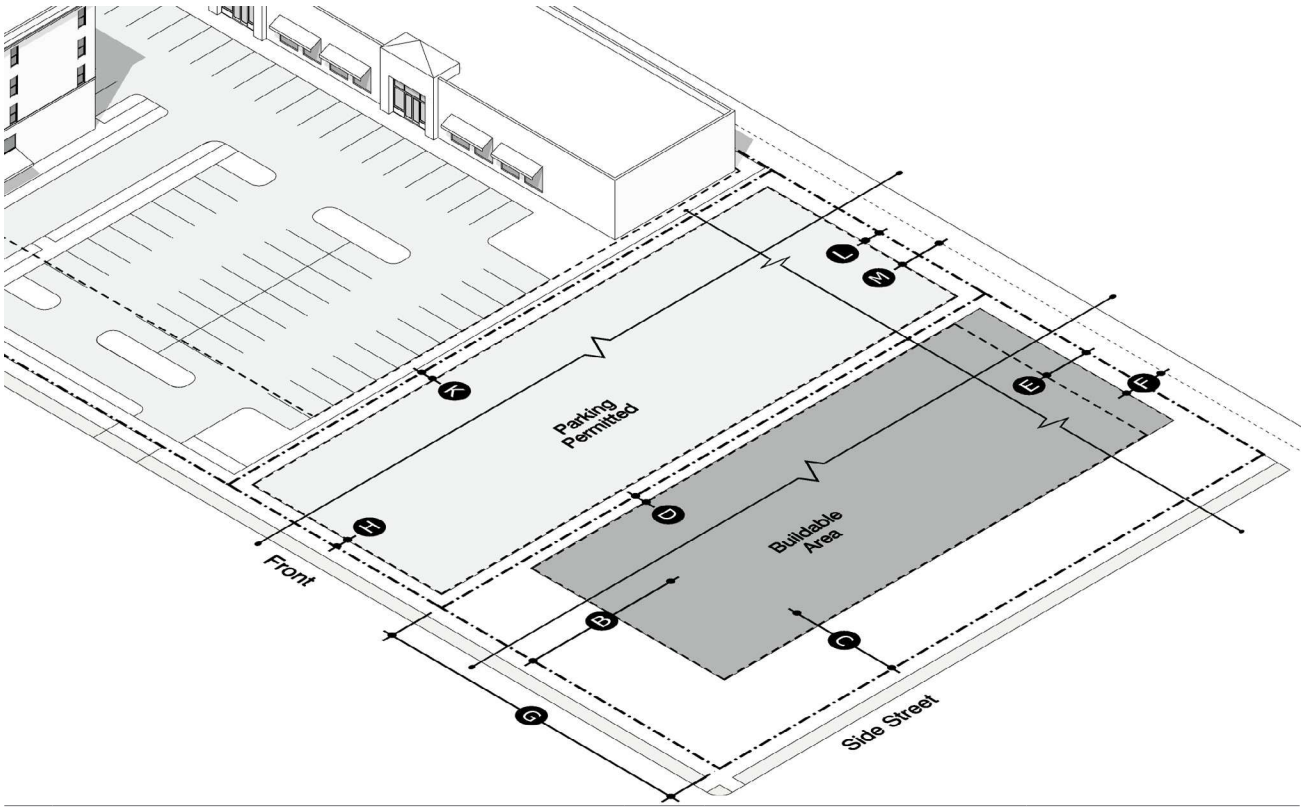
Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.
[2] Sec 50-505 Zone Transitions may modify setbacks and heights.
[3] Building walls or a shared party-wall may be built without a setback with a side yard use easement for detached buildings; however, walls set back from the property line must be set back at least seven (7) feet.

GC: GENERAL COMMERCIAL



The GC district includes primarily low-scale commercial development in a strip format. The standards allow existing conditions to continue while encouraging infill of underutilized areas with more active uses.

Buildings

Location*

A	Building Footprint [3]	60% max./80% max.**
B	Front Setback [1, 3]	12 ft. min./8 ft. min.**
C	Side Street Setback [1, 3]	12 ft. min./8 ft. min.**
D	Side Setback [1]	7 ft. min.
E	Rear Setback [1]	20 ft. min.
F	Alley Setback [1]	15 ft. from the alley centerline
	Accessory Structures and Pools	Not allowed within setbacks

Height

Buildings	4 stories max. not to exceed 60 ft.
Parking Structures	50 ft. max.
Ground Floor Height	N/A

GC: GENERAL COMMERCIAL

Building Elevations

Required Entries	
Entry Frequency	N/A

Required Glass	
Ground Floor	25% min.
Upper Floor	15% min.

Required Active Uses

N/A

Site Design

Lot Size	
G Lot Width	50 ft. min.

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

Impervious Areas

Impervious Area [3]	90% max./100% max.

Parking Location	
H Front Setback	5 ft. min.
J Side Street Setback [2]	12 ft. min./8 ft. min.
K Side Setback	7 ft. min.
L Rear Setback	5 ft. min.
M Alley Setback	0 ft. min.

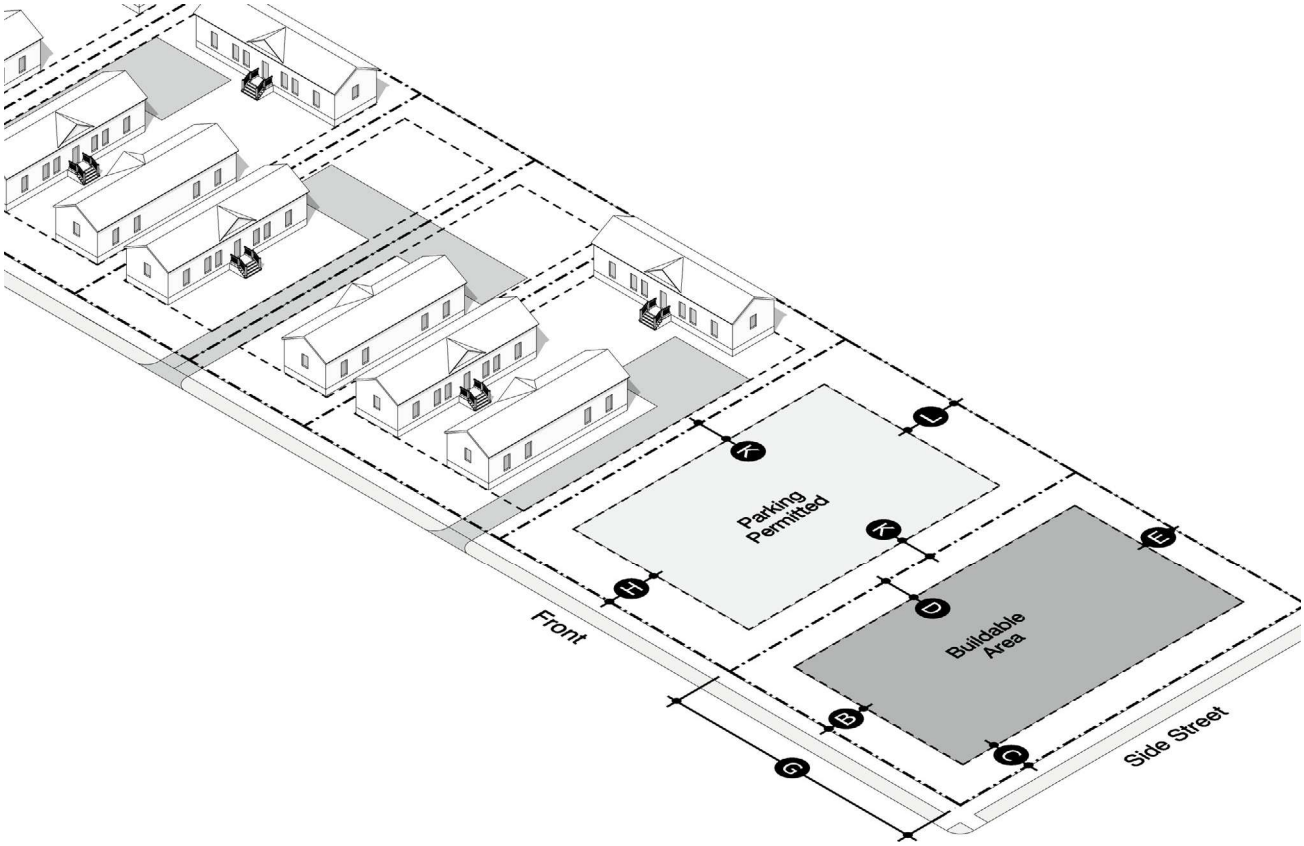
Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.
[2] Sec 50-505 Zone Transitions may modify setbacks and heights.
[3] Standards are adjusted for as follows:
(1) Setbacks are reduced where the site abuts or is across the street from GC, LI, or LFI.
(2) Building footprints are increased where the site abuts or is across the street from GC, LI, or LFI.
(3) Uses on the site other than Commercial, such as Lodging or Residential, are subject to the reduced setback and increased building footprint.
(4) Uses on the site other than Commercial are subject to minimum required glazing.
(5) An additional ten percent (10%) impervious surface is allowed for uses other than Commercial.

MH: MANUFACTURED HOME



MH allows medium-density residential development with manufactured homes. It supports both individual lots and manufactured home parks, which may permit up to three (3) homes per lot based on setbacks and lot coverage.

Buildings

Location*

A	Building Footprint	40% max.
B	Front Setback [1]	16 ft. min.
C	Side Street Setback [1]	16 ft. min.
D	Side Setback [1]	7 ft. min.
E	Rear Setback [1]	12 ft. min.
F	Alley Setback [1]	15 ft. from the alley centerline
	Accessory Structures and Pools	Not allowed within setbacks

Height

Buildings	36 ft.
Parking Structures	N/A
Ground Floor Height	N/A

MH: MANUFACTURED HOME

Building Elevations

Required Entries

Entry Frequency	N/A

Required Active Uses

N/A

Required Glass

Ground Floor	10% min.
Upper Floor	10% min.

Site Design

Lot Size

G	Lot Width	36 ft. min.

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

Impervious Areas

Impervious Area	75% max.

Parking Location

H	Front Setback	20 ft. min.
J	Side Street Setback	16 ft. min.
K	Side Setback	20 ft. min.
L	Rear Setback	20 ft. min.
M	Alley Setback	0 ft. min.

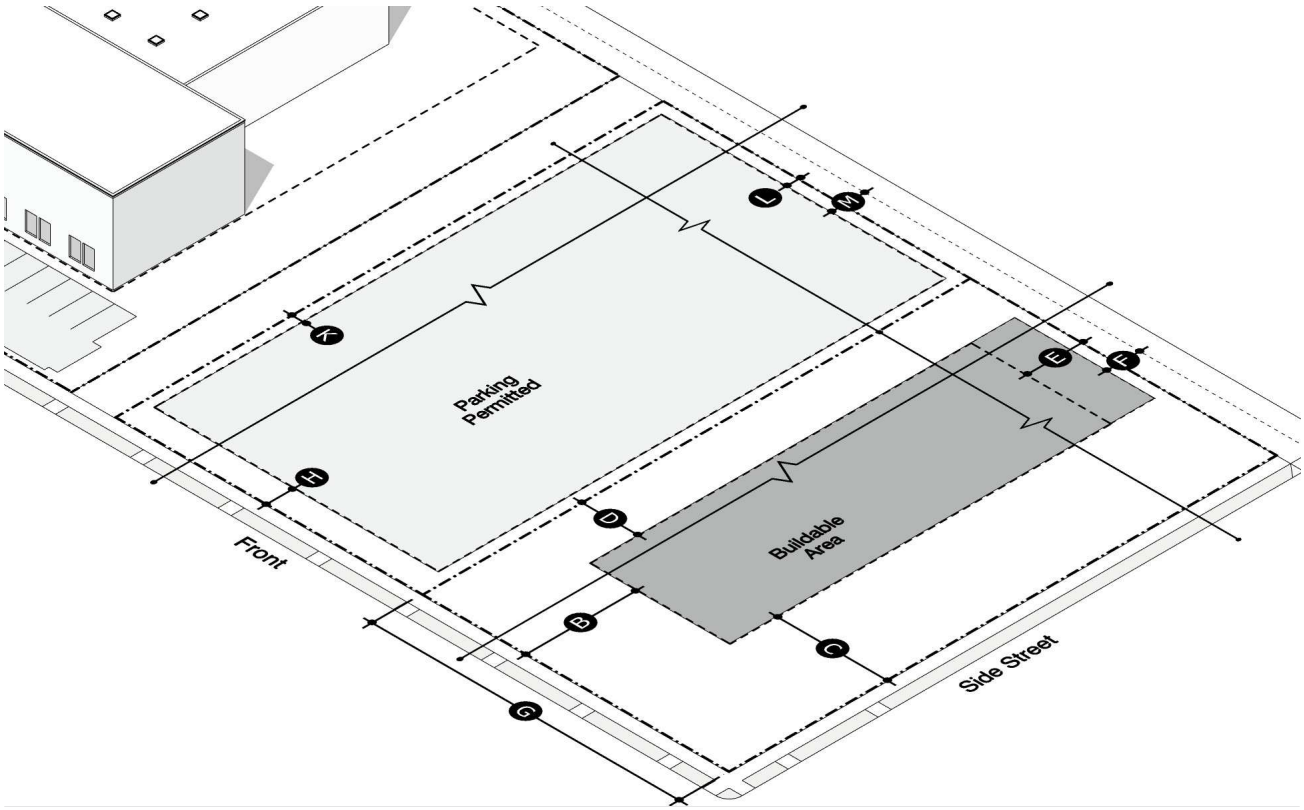
Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.

LI: LIGHT INDUSTRIAL



LI is an industrial and employment district for uses that have limited off-site impacts and can be located near or within mixed-use areas without conflict.

Buildings

Location*		Height	
A Building Footprint	50% max. / 80% max.**	Buildings	60 ft. max.
B Front Setback	30 ft. min. / 8 ft. min.**	Parking Structures	N/A
C Side Street Setback	30 ft. min. / 8 ft. min.**	Ground Floor Height	N/A
D Side Setback	20 ft. min. / 12 ft. min.**		
E Rear Setback	20 ft. min.		
F Alley Setback	15 ft. from the alley centerline		
Accessory Structures	Not allowed within setbacks		

LI: LIGHT INDUSTRIAL

Building Elevations

Required Entries	
Entry Frequency	N/A

Required Glass	
Ground Floor	N/A / 25% min.[3]
Upper Floor	N/A / 25% min.[3]

Required Active Uses

N/A

Site Design

Lot Size

G	Lot Width	50 ft. min.

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

Impervious Areas

Impervious Area	80% max. / 100% max.**

Parking Location

H	Front Setback	20 ft. min.
J	Side Street Setback	30 ft. min. / 8 ft. min.[2]
K	Side Setback	5 ft. min.
L	Rear Setback	5 ft. min.
M	Alley Setback	0 ft. min.

Uses

See Sec. 50-406. Use standards

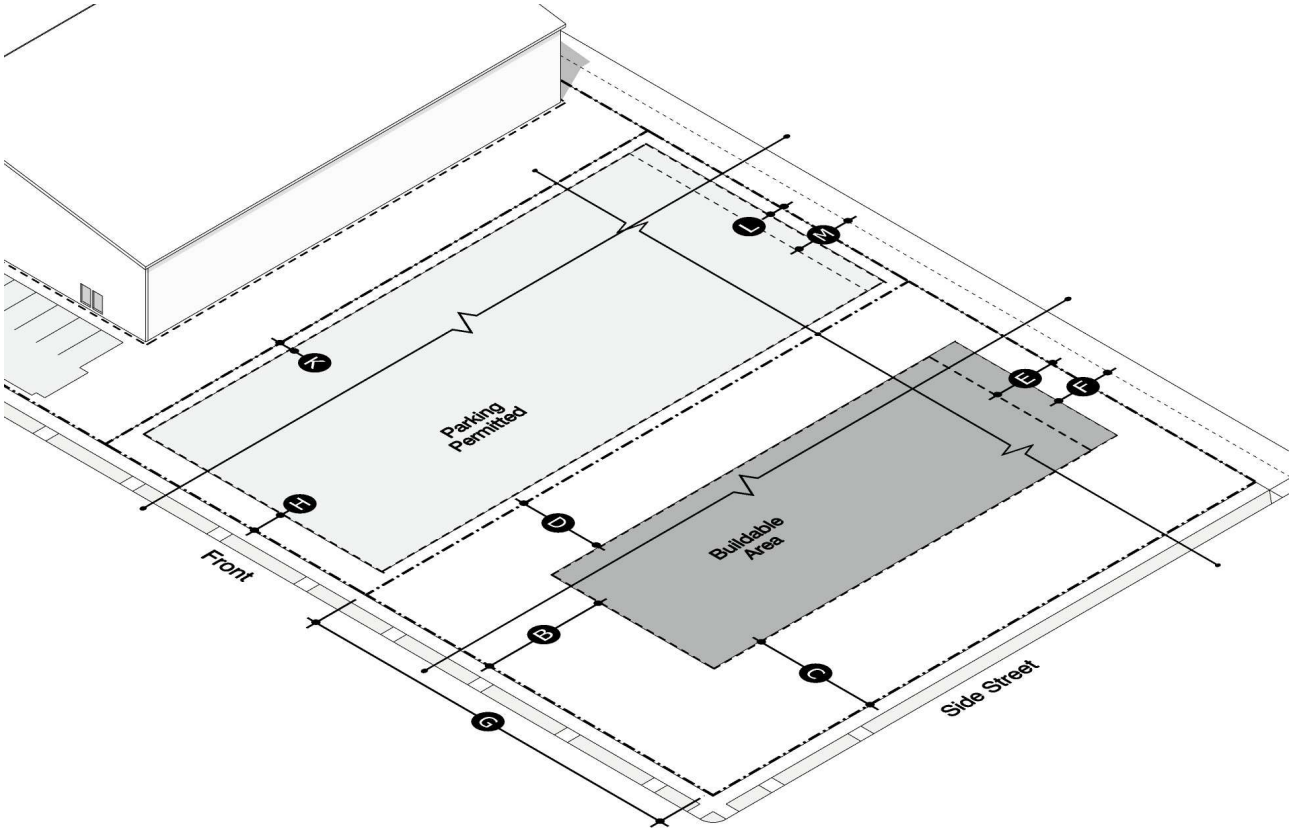
Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.

[2] Sec 50-505 Zone Transitions may modify setbacks and heights.

[3] Standards are adjusted for as follows:
(1) Setbacks are reduced where the site abuts or is across the street from GC, LI, or LFI.
(2) Building footprints are increased where the site abuts or is across the street from GC, LI, or LFI.
(3) Uses on the site other than Industrial and Manufacturing, such as Lodging or Retail, are subject to the reduced setback and increased building footprint.
(4) Uses on the site other than Industrial and Manufacturing are subject to minimum required glazing.
(5) An additional 20% impervious surface is allowed for uses other than Industrial and Manufacturing.

LFI: LARGE FORMAT INDUSTRIAL



LFI is an industrial district for uses with limited off-site impacts but require separation from other uses, typically involving large buildings, warehousing, distribution, and the frequent movement of goods and materials.

Buildings

Location*

A	Building Footprint	50% max.
B	Front Setback [1, 2]	30 ft. min.
C	Side Street Setback [1, 2]	30 ft. min.
D	Side Setback [1, 2]	50 ft. min.
E	Rear Setback [1, 2]	50 ft. min.
F	Alley Setback [1, 2]	30 ft. from the alley centerline
	Accessory Structures	30 ft. min. from lot lines

Height

Buildings	60 ft. max.
Parking Structures	N/A
Ground Floor Height	N/A

LFI: LARGE FORMAT INDUSTRIAL

Building Elevations

Required Entries	
Entry Frequency	N/A

Required Glass	
Ground Floor	N/A
Upper Floor	N/A

Required Active Uses

N/A

Site Design

Lot Size	
G Lot Width	100 ft. min.

Fencing and Walls

See Sec. 50-510 (e) Fences and walls

Impervious Areas

Impervious Area	80% max.

Parking Location	
H Front Setback	20 ft. min.
J Side Street Setback	30 ft. min.
K Side Setback	20 ft. min.
L Rear Setback	20 ft. min.
M Alley Setback	0 ft. min.

Uses

See Sec. 50-406. Use standards

Notes

[1] Utility easements and fire access standards may increase or otherwise modify setbacks.
[2] Sec 50-505 Zone Transitions may modify setbacks and heights.

SEC . 50-406 . USE STANDARDS

(a) Public use exception

(1) Purpose. To recognize that certain public facilities and services are essential for community health, safety, and welfare, and may be located where needed to serve the public interest.

(2) Applicability.

a. Public uses and infrastructure, including utilities, streets, stormwater facilities, and similar systems, are permitted in all zoning districts when determined necessary for the benefit of the community as a whole.

b. Such uses must comply with applicable design standards in Article 50-5 Design Standards and any technical or construction requirements adopted by the City.

(b) Uses

(1) Uses are listed in Table 4.2 District Use Matrix, indicated by:

a. "■" = Allowed without additional restrictions;

b. "R" = Allowed, but must meet the extra conditions in subsection (c) Specific use restrictions; and

c. Blank cell = Not allowed.

(2) Allowed uses may be combined on the same property or in the same building.

(3) Uses are defined in Sec. 50-904 Use Classifications.

(4) Unlisted uses that are not specifically prohibited by local, state, or federal law:

a. Are allowed if the Director determines that a similar use is listed, using the most recently published North American Industry Classification System (NAICS) as a guide, the rules for which apply to the unlisted use.

TABLE 4.2 DISTRICT USE MATRIX

Use	Use reg. Sec. 50-406	T2.1	T2.2	R-1	T3.1	T3.2	T4.1	T4.2	T5.1	T5.2	T6	MH	GC	LI	LFI
Agriculture															
Agricultural processing, packaging, and warehousing	(c) (4)	R												R	R
Auction yard		■													■
Commercial dairy, poultry, and swine production	(c) (4)	R													R
Commercial greenhouse		■	■										■	■	
Farming and ranching		■	■												
Feedlot	(c) (13)														R
Grain storage		■												■	■
Medical marijuana cultivation facility	(c) (22)	R	R											R	R
Stable		■	■												
Stockyard	(c) (13)	R													R
Urban Farm								■	■	■			■	■	■
Commercial															
Adult oriented businesses	(c) (3)												R	R	R
Aquarium			■						■	■	■		■	■	■
Animal shelter or kennel	(d)	■	■										R	■	■
Automobile sales	(c) (5)									R	R		■	■	■
Automobile service	(c) (6)												R	■	■
Car wash	(c) (6)		■						R	R	R		■	■	■
Child care	(c) (7)			R	R	R	R	R	R	R	R	R	R	R	
Commercial laundry	(c) (8)								R	R	R		■	■	■
Crematorium	(c) (10)														R
Dry cleaners	(c) (11)							R	■	■	■		■	■	■
Food and beverage	(c) (14)	R	R					R	■	■	■		■	■	■
Funeral home	(c) (15)							R	■	■	■		■	■	
Gas station	(c) (16)		■						R	R	R		■	■	■

■: Allowed use
R: Use subject to additional restrictions, see (c) Specific use restrictions

Use	Use reg. Sec. 50-406	T2.1	T2.2	R-1	T3.1	T3.2	T4.1	T4.2	T5.1	T5.2	T6	MH	GC	LI	LFI
Commercial (continued)															
Hospital									■	■	■		■	■	■
Medical housing: assisted, extended, or rehabilitation								■	■	■	■		■	■	
Medical marijuana dispensary	(c) (22)		R					R	R	R	R		R	R	R
Medical services: out-patient care										■	■		■	■	
Medical services: substance abuse treatment													■	■	
Office	(c) (23)							R	■	■	■		■	■	■
Outdoor vendor	(c) (27)								R	R	R		R	R	R
Parking, structured									■	■	■		■	■	■
Parklets	(c)(28)								R	R					
Retail, including pharmacies	(c) (29)		R					R	■	■	■		■	■	■
Self-storage	(c) (32)		■										R	■	■
Service (personal or professional)	(c) (33)	■	■					R	■	■	■		■	■	■
Entertainment															
Adult entertainment	(c) (3)													R	R
Event venue	(c) (12)	R	R					R	■	■	■		■	■	
Golf course		■	■										■	■	■
Indoor entertainment facility	(c) (19)		■					R	■	■	■		■	■	■
Outdoor entertainment facility	(c) (26)		■							R	R		■	■	■
Industrial (specific use restrictions are listed by this section title, not for each use)															
Electric substation														■	■
Ground transportation terminal														■	■
Industrial, heavy	(c) (20)														R
Industrial, light	(c) (20)									R	R		R	R	R
Recycling or salvage facility	(c) (30)														R
Sewage treatment facility		■	■											■	■

■: Allowed use
R: Use subject to additional restrictions, see (c) Specific use restrictions

Use	Use reg. Sec. 50-406	T2.1	T2.2	R-1	T3.1	T3.2	T4.1	T4.2	T5.1	T5.2	T6	MH	GC	LI	LFI
Industrial (continued)															
Solar energy system	(c) (34)	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Solid waste disposal	(c) (35)														R
Warehouse and distribution	(c) (37)												R	R	R
Water supply facility		■	■											■	■
Wind energy, large	(c)(38)	R													R
Wind energy, small	(c) (39)	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Wireless communication	(c) (40)	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Institutional (specific use restrictions in (c)(21) are listed by this section title, not for each use)															
Convention or exhibition facilities									■	■	■		■	■	
Cultural (library, museum, gallery)	■		■	■	■	■	■	■	■	■	■		■	■	
Emergency services								■	■	■	■		■	■	■
Government facilities								■	■	■	■		■	■	■
Religious assembly		■	■	■	■	■	■	■	■	■	■	■	■	■	
School: K-12		■	■	■	■	■	■	■	■	■	■		■	■	
School: post-secondary									■	■	■		■	■	
Lodging															
6 rooms or less		■	■					■	■	■	■		■		
7 to 12 rooms			■					■	■	■	■		■		
More than 12 rooms									■	■	■		■		
Campground or recreational Vehicle (RV) Park	(c) (31)	R	R												
Residential															
Home occupation	(c) (18)	R	R	R	R	R	R	R	R	R	R	R			
Accessory dwelling (ADU)	(c) (2)	R	R	R	R	R	R	R	R						
Group home	(c) (17)	R	R	R	R	R	R	R	R	R	R	R	R	R	
Manufactured home		■	■									■			
Cottage court	(c) (9)				R	R	R	R							

■: Allowed use
R: Use subject to additional restrictions, see (c) Specific use restrictions

Use	Use reg. Sec. 50-406	T2.1	T2.2	R-1	T3.1	T3.2	T4.1	T4.2	T5.1	T5.2	T6	MH	GC	LI	LFI
Residential (continued)															
1 dwelling detached	(c) (24)	■	■	R	R	R	■	■							
1 dwelling attached (townhomes)	(c) (25)					R	R	■	■	■			■		
2 dwellings per building	(c) (36)					R	■	■	■						
3 to 4 dwellings per building							■	■	■	■	■		■		
5 to 8 dwellings per building								■	■	■	■		■	■	
9 to 12 dwellings per building								■	■	■	■		■	■	
13 or more dwellings per building									■	■	■		■	■	

■: Allowed use
R: Use subject to additional restrictions, see (c) Specific use restrictions

(c) Specific use restrictions

(1) The following restrictions apply when a use is identified with an ”R” in Table 4.2 District Use Matrix.

(2) Accessory dwelling

a. One (1) accessory dwelling unit (ADU) is allowed by right on any lot that contains a principal residential structure. In the T2, R-1, and T3 zoning districts, ADU’s are only allowed on lots that contain a single-family residential structure.

b. An ADU may be attached, detached, or interior to the principal dwelling.

c. The gross floor area of an ADU must not exceed one thousand (1,000) square feet or seventy-five percent (75%) of the floor area of the principal dwelling, whichever is less.

d. No additional parking spaces are required for an ADU. If parking is provided, no more than one (1) off-street parking space may be added for the ADU, and it must be paved.

e. The ADU must be served by the existing principal dwelling’s sewer and water connections and water meter. The water meter size must not be increased solely to serve the ADU.

f. The ADU or the land on which it is located must be located on the same property as the principal dwelling and must not be subdivided or separated in ownership from the principal dwelling or the lot.

g. An ADU must meet the front and side street setbacks of the zoning district. An ADU must meet all other setback requirements or be setback a minimum of seven (7) feet, whichever is less.

h. No portion of the ADU is allowed within any easement.

(3) Adult oriented businesses

a. This subsection applies to adult retail, adult service, adult entertainment, and other sexually oriented business specified in Arkansas Code § 14-1-301 et seq.

b. Adult oriented businesses must be separated from protected uses by at least:

1. One thousand five hundred (1,500) feet from any dwelling, residential zoning district, child care facility, religious institution or place of worship, park, playground, or public trail access point; and

2. Two thousand five hundred (2,500) feet from another adult oriented business.

c. If a protected use locates closer to an adult-oriented business than the required separation distance, the adult-oriented business is not required to relocate.

d. Adult oriented businesses must not display adult material or merchandise where it can be seen from outside.

(4) Agricultural processing, packaging, warehousing, including commercial dairy, poultry, and swine production

a. Subject to performance standards, see subsection (d) Performance standards.

(5) Automobile sales

a. In T5:

1. Outdoor storage and sales of vehicles are not allowed between front and side street property lines and the nearest building; and

2. Outdoor storage and sales of vehicles must be set back from lot lines according to the rules for parking areas according to Sec. 50-503 (h) Car parking and circulation.

b. In T6:

1. Outdoor storage and sales of vehicles is not allowed.

(6) Automobile service and car wash

a. Outdoor storage of vehicles is not allowed between front and side street property lines and the nearest building. See Table 4.1 Zone Standards and Sec. 50-503 (h) Car parking and circulation

b. Outdoor storage of vehicles must be shielded from view by a street screen, following Sec. 50-510 (d) Screening and buffering.

c. Garage bays must comply with the location standards in Sec. 50-504(f)(5) Garage door location.

d. Car wash

1. Location standards

i. Car washes are not permitted on lots abutting existing R-1, T3.1, T3.2, T4.1, or T4.2 lots.

ii. Queuing lanes must be located behind the building relative to the front and side street. Property line

2. Car washes are subject to subsection (d) Performance standards.

(7) Child care

a. Child-care family home must comply with Ark Code 20-78-201, et, seq.

1. Capacity.

i. Registered homes may care for up to five (5) children total.

ii. Licensed homes may care for up to sixteen (16) children total.

iii. The provider's preschool children must be counted in that total.

2. Operator and dwelling

i. The operator must be the resident;

ii. If renting, keep the owner's written consent on site; and

iii. The home must meet all building, fire, health, and sanitation codes.

3. Traffic safety
    i. Homes on four-lane streets must add one (1) drop-off bay.
    ii. The bay must let cars exit forward, not backward.
    iii. Planning and Engineering staff must approve the bay design.
4. A licensed child care family home must comply with all standards above, as well as the following additional requirements:
    i. The home must meet the provisions for an accessory commercial home occupation as specified in subsection (18) c.
    ii. The applicant must provide verification of a Fire Department inspection.

b. Licensed child care center

1. A licensed child care center, including commercial child care, pre-schools, kindergartens, and nurseries, must comply with the following:
    i. The center must operate from a structure that is commercial in nature or within a religious facility.
    ii. The center must meet all licensing requirements of the State of Arkansas.
    iii. The center must comply with all dimensional and area standards for the zoning district where it is located.

(8) Commercial laundry

a. The square footage of commercial laundry facilities is limited to three thousand (3,000) sq. ft.

(9) Cottage courts

a. Lot and building standards

1. A cottage court lot must be a minimum area of ten thousand (10,000) sq. ft. in T3.1.
2. A cottage court must contain no more than twelve (12) dwellings per site or four (4) dwellings per site in - T3.1.
3. Cottage court dwelling units may be attached or detached in T4.
4. Home occupations are allowable uses within cottage court dwelling units.
5. Minimum setbacks between detached dwellings must be ten (10) feet minimum.
6. Dwellings must face and be oriented toward the shared open space.
7. Dwellings located along the perimeter of the site must also include a primary façade and entry facing any abutting public streets.
8. Each dwelling must include a usable front porch facing the shared open space or street.

b. Shared open space

1. The shared open space must include at least four hundred (400) square feet per dwelling, with no dimension less than twenty (20) feet.
2. Shared open space must be centrally located and directly accessible from each dwelling.
3. Private open space may be provided for individual dwellings and must include a minimum area of two hundred fifty (250) square feet with no dimension less than ten (10) feet.
4. Fencing in private open space must not exceed six (6) feet in height.

c. Access and circulation

1. Pedestrian paths must connect all dwellings to the shared open space and to public sidewalks or trails.
2. Vehicle access must occur from a shared drive or alley.
3. Parking areas must be located behind or beside dwellings and may not be placed between dwellings and the shared open space.

d. Design and materials

1. Building design must maintain architectural consistency among units, including roof pitch, materials, and porch type.
2. Exterior materials must meet the standards for durable construction in Sec. 50-504 (f) (3) Required materials.
3. Roofs and façades visible from public streets must be designed with equal finish quality on all sides.

(10) Crematorium

a. Subject to performance standards, see subsection (d) Performance standards.

(11) Dry cleaners

a. Subject to performance standards , see subsection (d) Performance standards.
b. The square footage is limited to two thousand (2,000) sq. ft..

(12) Event venue

a. Limited to a maximum assembly space of three thousand (3,000) sq. ft. in T2.2 and T4.2.
b. Subject to subsection (d) Performance standards.

(13) Feedlots and stockyards

a. Subject to subsection (d) Performance standards.

(14) Food and beverage

a. Tenant space is limited to one thousand six hundred (1,600) sq. ft. maximum.

(15) Funeral home

a. Subject to performance standards, see subsection (d) Performance standards.
b. Parking areas are limited to thirty (30) parking spaces, maximum.

(16) Gas station

a. Pumps and canopies are not allowed between buildings and the front and side street property lines.
b. Canopy clearance is limited to fourteen (14) feet maximum.
c. Canopies must not exceed the eave or parapet height of the main building.

(17) Group homes

a. A group home for up to eight (8) unrelated residents, plus necessary live-in staff, is allowed wherever detached dwellings are allowed.
b. Residents must function as a single housekeeping unit.
c. Individuals whose tenancy would pose a direct threat to the health or safety of others, or cause substantial physical damage to the property of others, are not allowed.
d. Group homes must be located with reasonable access to public or shared transportation and support services such as social service providers, employment agencies, and medical care.

e. Parking must meet the requirements for detached dwellings and include any additional spaces needed for staff and visitors.

f. The Fire Department must approve the use of the structure as a group home prior to occupancy.

g. Group homes must comply with all applicable state and federal requirements.

(18) Home occupations

a. Home occupations are divided into two (2) categories:

1. Standard home occupations involve only the residents of the household and no more than one (1) customer at a time.
2. Accessory commercial units involve employees who do not reside on the premises and customers who visit the site.

b. Standard home occupations are limited as follows:

1. Must not exceed twenty-five percent (25%) of the dwelling;
2. No more than one customer may visit the home at a time;
3. No non-resident employees; and
4. Business signage is not allowed.

c. Accessory commercial units are limited as follows:

1. Not allowed in the R-1 or T3 districts.
2. The following commercial uses are allowed:
   i. Office
   ii. Retail (excluding alcohol sales)
   iii. Services (personal and professional)
   iv. Food and Beverage (excluding alcohol sales)
3. Must comply with the Building Code for live/work or mixed-use occupancy classification.
4. Must be located on the first floor of the dwelling if attached, or in a single-story detached structure.
5. The use may be attached or detached from the primary dwelling.
6. The total floor area devoted to the business must not exceed forty-nine percent (49%) of the floor area of the primary structure or one thousand (1,000) square feet, whichever is less.
7. A maximum of five (5) individuals not residing on the premises, whether customers or employees, may be present at a time.
8. Hours of operation are limited to 7:00 a.m. through 10:00 p.m.
9. The business must not create noise, odor, vibration, or light perceptible beyond the property line.
10. Outdoor work, storage, or display of goods is prohibited.
11. Business signage is limited to one non-illuminated sign, not exceeding nine (9) square feet in area.
12. Parking for the business must be accommodated within the site without expanding impervious area or converting required residential parking.

d. The following uses are not allowed:

1. Repair, commercial storage or assembly of vehicles, equipment, and large appliances;
2. Dispatch facilities;
3. Labor pools;
4. Employment agencies;
5. Warehousing;
6. Animal sales or kennels; or
7. Merchandise warehousing, packing, and shipping, except for small-scale storage, packing, and shipping of home-produced items shipped directly to customers.

e. The following apply to all home occupations:

1. The dwelling and site must remain residential in appearance and primary use;
2. Home occupations are subject to performance standards, see subsection (d) Performance standards;
3. Outdoor equipment not typically found or used for domestic household use is not allowed; and
4. Residential trash and recycling volumes and facilities may not be materially exceeded.

(19) Indoor entertainment

a. Building area is limited to three thousand (3,000) sq. ft. per floor maximum in T4.2.

b. Subject to Sec. 50-407 (d) Performance standards.

(20) Industrial and manufacturing

a. Subject to performance standards, see subsection (d) Performance standards.

b. Light manufacturing: Outdoor storage of materials and products is limited to fifteen percent (15%) of the associated building area.

(21) Reserved

(22) Medical marijuana facilities

a. All medical marijuana facilities must comply with distance separation requirements and the licensing requirements and rules established under § 8 of Arkansas Amendment 98.

(23) Office

a. Building area is limited to six thousand (6,000) sq. ft. per floor maximum in T4.2.

(24) One dwelling, detached

a. In R-1, T3.1, and T3.2 buildings are limited to one (1) per lot, maximum.

(25) One dwelling, attached

a. In T3.2 buildings are limited to one (1) per lot and a total of two (2) dwellings, maximum.

b. In T4.1 buildings are limited to four (4) dwellings per lot, maximum.

(26) Outdoor entertainment facility

a. In T5 and T6 on-site surface parking is limited to sixty (60) spaces, maximum.

b. A noise impact assessment must be completed by a professional acoustic engineer. The assessment must identify noise levels prior to, after construction, and identify sound attenuation measures that ensure the venue will comply with Art. 58-V Noise.

c. Installation of sound attenuation measures as recommended in the noise impact assessment.

d. Subject to subsection (d) Performance standards.

(27) Outdoor and mobile food vendors

a. Permits are required as specified in Sec. 50-718 (f) Outdoor vendor permit.

b. Outdoor vendors: private property

1. Outdoor vendors are allowed only in T5, T6, GC, and industrial zones.
2. No more than one (1) outdoor vendor is allowed per lot. More than one (1) vendor on a lot constitutes an Outdoor Vendor Park.
3. Outdoor vendors must have written property owner permission.
4. The vendor area must not exceed nine hundred (900) square feet and must be on a hard-surfaced area.

c. Outdoor vendor parks

1. Outdoor Vendor Parks are allowed in T5, T6, GC, and industrial zones and are not allowed in residential zones.
2. Outdoor Vendor Parks are permitted as a small-scale development or large-scale development based upon the area. See Sec. 50-704. Small-Scale Development Process and Sec. 50-705. Large-Scale Development Process.
3. Each vendor within the park must have its own outdoor vendor permit.

d. Outdoor vendors: public property and right-of-way

1. Outdoor vendors on public property are only allowed within special outdoor vendor districts designated by the City Council, in parks as authorized by the Parks and Recreation Director, or other city property as authorized by the Mayor.
2. The Town Square Outdoor Vendor District is established from NE/NW 3rd St. to SE/SW 3rd St., and NW/SW A St. to NE/SE B St. This does not include the A Street Promenade, which is a park managed by Bentonville Parks and Recreation.
3. Vendors in the Town Square must use a hand cart, push cart, or pedal cart no larger than eight (8) feet long, four (4) feet wide, and six (6) feet high, on a paved surface.
4. No more than one (1) permit per vendor is allowed within the district.
5. Vendors must relocate or adjust operations as required for special events organized by Downtown Bentonville Inc. or City of Bentonville.

e. Location restrictions for outdoor vendors. No outdoor vendor may operate:

1. Within ten (10) feet of a street intersection, crosswalk, driveway, bus stop, fire hydrant, or fire escape;
2. Within fifteen (15) feet of a building entrance;
3. Within fifty (50) feet of a driveway to a police or fire station or a principal public entrance to a food service business not owned by the vendor;
4. On a median or grass area;
5. In a public parking space or lot, unless expressly allowed; or
6. Where pedestrian flow is obstructed; a four (4)-foot clear passageway must be maintained at all times.

f. Hours and mobility

1. Outdoor vendors may operate only from 7:00 AM to 10:00 PM.
2. The vendor unit must be mobile, movable, and not a permanent structure.

g. Mobile food vendors: additional standards

1. Vending may only occur from streets where on-street parking is allowed.
2. Vending is not allowed within five hundred (500) feet of a school during school hours and one (1) hour before or after.
3. Mobile food vendors may operate only between 10:00 AM and thirty (30) minutes before sunset.
4. All vehicles must include safety equipment as required, including convex mirrors, slow signals, signage, and must vend only from the right side.
5. Vending must not occur with customers in the roadway.

(28) Parklets

a. Parklets are allowed in T5 zones where the establishment abuts a public street with on-street parking.

b. Permits are required as specified in Sec. 50-718 (b) Encroachment permit.

c. Conditions.

1. No signs or advertising are allowed on the parklet.
2. The establishment must release and indemnify the City from any liability for injury or property damage related to use of the parklet.
3. The establishment must inspect and report defects, keep the area clean, and maintain the parklet in good condition.
4. The establishment must maintain general liability insurance with a minimum of one million dollars ($1,000,000.00) in coverage and must name the City as an additional insured. If serving alcohol, liquor liability insurance is also required. Policies must remain current and cannot be cancelled without at least ten (10) days' prior written notice to the City.
5. Parklets must be designated non-smoking.
6. Alcoholic beverages may only be served or consumed in the parklet if fully compliant with ABC licensing.
7. Parklets may be used during the establishment's normal hours of operation but must close no later than 1:00 AM. When the business is closed, the parklet must be available for public use.
8. The establishment must keep all parklet elements in good condition and promptly repair or replace worn or damaged elements.
9. The City may conduct periodic inspections for compliance.
10. The establishment must comply with the minimum design standards in subsection e. Minimum design standards.
11. The parklet must comply with all applicable Building and Fire Codes.

d. Minimum design standards

1. Size:

i. Length: Limited to the frontage length of the business, unless written permission is provided by the abutting property owner to extend.

ii. Width: Limited to the area between the curb and travel lane.

2. Location:

i. Must maintain at least a one (1)-foot buffer from travel lanes.

ii. Must not be within twenty (20) feet of an intersection.

iii. Must maintain at least a four (4)-foot buffer from abutting parking stalls, with wheel stops.

iv. Must not block fire hydrants, utilities, accessible parking, or other critical infrastructure.

v. Must not interfere with sight visibility; sight lines must meet AASHTO requirements.

3. Design:

i. Must be temporary and removable.

ii. Must include a continuous barrier along the travel lane, up to forty-two (42) inches high.

iii. Must use durable, weather-resistant, and slip-resistant materials.

iv. Must be ADA compliant with a flush transition, sixty (60)-inch turning space, and sixty (60)-inch wide entrance.

v. Must remain open air, with no walls or permanent enclosures; umbrellas, awnings, or canopies are allowed but must maintain seven (7) feet of clearance above the sidewalk.

vi. Must not block stormwater drainage.

e. Revocation. The City may revoke an encroachment permit if:

1. The establishment violates any part of this Section or the permit;
2. The encroachment creates a safety hazard;
3. A City ordinance, state, or federal law is violated;
4. The establishment or its employees are convicted of serving alcohol to minors;
5. The parklet is not adequately maintained; or
6. The City initiates an infrastructure project requiring removal of the parklet.
7. The establishment may appeal to the City Council within fourteen (14) days of notice of revocation.

(29) Retail

a. Building area is limited to three thousand (3,000) sq. ft. per floor maximum in T4.2 and T2.2

(30) Recycling or salvage

a. Subject to performance standards, see subsection (d) Performance standards.

(31) Recreational Vehicle (RV) park

a. Location:

1. A recreational vehicle park is not allowed within two hundred (200) feet of a residential zoning district.

b. Site suitability.

1. The site must be suitable for temporary occupancy and may not contain conditions related to soil, drainage, topography, or surrounding land uses that create hazards to occupants or adjacent properties.

c. Density.

1. The maximum density is fifteen (15) recreational vehicle sites per acre.

d. Site layout.

1. Recreational vehicles and accessory structures must be separated from each other by a minimum of ten (10) feet. No recreational vehicle may be located closer than five (5) feet to an internal site boundary.

e. Access.

1. The site must have vehicular access from an improved public street. Parks with more than twenty-five (25) sites must provide at least two (2) vehicular access points. Parks with more than one hundred (100) sites must provide at least three (3) vehicular access points.

f. Accessory uses.

1. Accessory uses customarily associated with recreational vehicle parks are allowed.
2. Convenience services, if provided, must be limited to park occupants and may not exceed five percent (5%) of the gross site area or present a commercial appearance visible from outside the park.

g. Screening.

1. Where a recreational vehicle park abuts a residential zoning district, screening must be provided in accordance with Sec. 50-510 (d) Screening and buffering.

h. Length of stay.

1. Occupancy of a single recreational vehicle within the same park may not exceed three (3) months within any twelve (12) month period.

(32) Self-storage

a. Self-storage must follow Sec. 50-504. Vertical Construction and Sec. 50-503. Site Design.

b. Individual storage unit roll-up and garage doors must meet the requirements of Sec. 50-504(f)(5) Garage door location or be screened from front and side street property lines. Screening is subject to Sec. 50-510 (d) Screening and buffering.

c. Single story self-storage buildings must be set back from front and side street property lines a minimum of one hundred (100) feet .

d. Multi-story self-storage buildings must have must have

an active use on the ground floor, such as the rental office, at the main pedestrian entry, no less than five hundred (500) sq. ft. in area.

(33) Service

a. Tenant area is limited to two thousand (2,000) sq. ft., maximum .

b. Outdoor storage of materials is not allowed.

(34) Solar energy systems

a. Roof-mounted systems:

1. May extend up to five (5) feet above sloped roofs, measured along the slope;
2. May extend up to ten (10) feet above flat roofs; and
3. Must not extend beyond the roof line on any side.

b. Wall-mounted systems:

1. Wall-mounted systems must be flush-mounted unless architecturally integrated.

c. Ground-mounted accessory use systems:

1. Must not be located within front and side street setbacks or on required landscape buffers;
2. Must be screened according to Sec. 50-510 (d) Screening and buffering when visible from a public street or abutting residential property;
3. Are limited to fifteen (15) feet above ground; and
4. Must not exceed ten percent (10%) of lot area.

d. Principal solar energy facilities:

1. Allowed only in the T2.1, LI, and LFI districts;
2. Must be located at least one hundred (100) feet from any residential zoned lots;
3. A landscape buffer according to Sec. 50-510 (d) Screening and buffering must be provided along any edge visible from public rights-of-way or residential property;
4. Glare must be minimized through use of anti-reflective coatings; and
5. Decommissioning must occur within six (6) months of discontinuation of use. A decommissioning plan and financial assurance may be required as a condition of approval.

e. Downtown Bentonville

1. Only rooftop solar panels are allowed in Downtown.
2. Rooftop solar panels are subject to the following compatibility standards:

i. Roof-mounted systems must be placed on roof slopes not visible from the primary street, or set back so they are not visible from the public sidewalk;

ii. Panels must be parallel to the roof surface and use mounting hardware that minimizes visual bulk;

iii. For flat roofs, equipment must be screened by the parapet or otherwise not visible from surrounding streets;

iv. Visible components such as inverters or conduit must be painted to match the building surface and be located away from street-facing façades; and

v. Solar systems must not obstruct or alter historic architectural features such as cornices, chimneys, or window openings.

(35) Solid waste disposal

a. Facilities must be located at least one thousand (1,000) feet from any residential zoning district, school, park, or public trail.

b. All waste handling and storage activities must be enclosed or screened from view and must not emit dust, odors, or airborne debris beyond the site boundary.

c. Access must be provided from an arterial or collector street. Haul routes must avoid residential areas where feasible.

d. Stormwater runoff must be managed in compliance with the City of Bentonville Drainage Criteria Manual and applicable Arkansas Department of Environmental Quality (ADEQ) requirements.

e. The operator must maintain all required permits from ADEQ and provide a copy to the City upon request.

(36) Two dwellings per building

a. In T3.2 buildings are limited to one (1) per lot, maximum.

(37) Warehouse and distribution

a. Buildings must be located a minimum of one hundred (100) feet from lots zoned R-1, T3, or T4.

b. Loading docks, service bays, and outdoor storage areas must be screened from streets and residential uses abutting the site by a solid fence or wall and a continuous landscape buffer according to Sec. 50-510 (d) Screening and buffering.

c. Vehicle access must be provided from an arterial or collector street. Truck circulation must not pass through or face residential streets.

(38) Wind energy, large

a. Systems must comply with subsection (d) Performance standards.

b. Systems must comply with applicable FAA and electrical code requirements.

(39) Wind energy, small

a. Systems must be set back from all property lines a distance equal to or greater than the total system height.

b. Maximum tower height is eighty (80) feet in non-residential districts and fifty (50) feet in residential districts.

c. Towers must be monopole or architecturally integrated. Guy-wired towers are not allowed.

d. Systems must comply with applicable FAA and electrical code requirements.

e. Systems must not produce noise, glare, or vibration detectable at the property line.

(40) Wireless communication cellular towers

a. 5G Equipment.

1. 5G equipment must be integrated into new stealth monopoles, be mounted on buildings, or existing communications towers.

2. 5G equipment and stealth monopoles are not subject to the remainder of this section.

b. Other Wireless Towers.

1. Towers must be set back at least two hundred percent (200%) of the tower height from any residential zoning district or existing dwelling.

2. Collocation on existing towers, utility poles, or buildings is required if available. A new tower must demonstrate that no existing facility can accommodate the equipment. Approval of the appropriate utility director is required.

3. Towers must be designed to accommodate at least three (3) carriers unless otherwise justified.

4. All equipment and ground facilities must be screened with a solid fence and a continuous landscape buffer according to Sec. 50-510 (d) Screening and buffering.

5. Towers must not be illuminated except as required by the FAA.

6. Abandoned towers must be removed within six (6) months of discontinuation of use.

(d) Performance standards

(1) The following environmental and operational standards apply to all uses where indicated. Property owners and operators are responsible for ensuring compliance and mitigating off-site impacts.

(2) Noise and vibration.

a. Noise and vibration must comply with Article 58-V Noise.

(3) Radioactivity.

a. The emission of any radioactive material or radiation is not allowed.

(4) Electrical disturbance.

a. Electrical interference that affects the operation of off-site equipment, including communications or navigation systems, is not allowed.

(5) Flammable or explosive materials.

a. The use, storage, handling, or production of flammable or explosive materials must comply with applicable fire codes and must not create hazardous conditions.

(6) Air pollution.

a. Emissions of smoke, dust, vapors, or other air pollutants must comply with standards established by the Arkansas Division of Environmental Quality.

(7) Glare or heat.

a. Visible glare or radiant heat that is discernible without instruments at or beyond the property line is not allowed.

(8) Odor.

a. Emission of odorous gases or vapors that are discernible without instruments at or beyond the property line is not allowed, except as associated with food & beverage and food service and preparation incidental to other uses.

(9) Dust, dirt, or particulate matter.

a. Discharge into the air of dust, dirt, ash, or other particulate matter from activities or stored materials that is discernible without instruments at or beyond the property line is not allowed.

(10) Liquid contaminants.

a. Discharge of any contaminant into a public sewer, private sewage system, natural stream, or the ground that pollutes water, interferes with treatment, or causes hazardous or offensive by-products is not allowed.

(11) Hazardous materials.

a. Hazardous materials must be stored and handled in compliance with applicable fire and environmental codes, and must be contained to prevent accidental release into the air, soil, or drainage systems.

ARTICLE 50-5 DESIGN STANDARDS

SEC . 50-501 . PURPOSE AND INTENT

(a) This Article sets the design rules for development at all scales and sizes, including, but not limited to, subdivisions, site design, buildings, signs, landscape, and special areas. The goal is to bring all rules together to create walkable, attractive, and environmentally responsible places that fit well with their surroundings and make efficient use of public resources.

(b) These rules are intended to:

(1) Locate buildings, parking, walkways, and open space in ways that match the area's character;

(2) Create street networks that spread out traffic and provide good emergency access;

(3) Organize sites into blocks that follow a pattern similar to Downtown Bentonville, making it easier to walk, bike, or drive short distances to destinations;

(4) Connect walking, biking, and driving routes throughout the City;

(5) Design open spaces for everyday use and recreation as part of the overall site layout;

(6) Locate trees along streets to provide shade and manage stormwater runoff;

(7) Protect existing trees and add new landscaping and stormwater features to each site;

(8) Ensure smooth transitions between different zoning districts without the need for wide buffers;

(9) Make parking areas safe, pleasant, and supportive of good street design;

(10) Encourage lasting, high-quality development that benefits the community and public health; and

(11) Apply the same rules to both subdivided and non-subdivided sites to ensure a consistent development pattern across the City.

SEC . 50-502 . LAND DEVELOPMENT

(a) Utilities

(1) Utilities and utility easements must be provided following Sec. 50-605. Utility Location Standards.

(b) Blocks

(1) General

a. Block requirements apply to sites six (6) acres and larger.

(2) Arrangement

a. Development sites must be divided into blocks, except:

1. Sites zoned T2, LI, or LFI;
2. Parks, civic spaces, and open spaces; and
3. Site area is within two hundred (200) feet of abutting properties.

b. Each block must meet the size requirements in subsection (3) Block size.

c. Block perimeters must follow existing streets.

d. See subsection (c) Circulation network for additional rules for street and trail connections that affect block size and arrangement.

(3) Block size

a. Streets, civic spaces, and trails, excluding mid-block trails, delineate the sides of blocks, known as the block perimeter.

b. A block's size is the total length around its perimeter, as shown in Figure 5.1 Block Size.

c. Block size cannot be more than two thousand (2,000) feet in length, unless an exception applies as defined in Table 7.2 Administrative Adjustment Criteria.

d. If a non-exempt block is longer than five hundred (500) feet on any side, a mid-block trail must be added through the block following subsection (4) Mid-block trails.

e. Blocks must be one hundred fifty (150) feet or greater in any direction.

f. Blocks must be deep enough to accommodate two (2) lots.

g. Rear lot lines may not face the edge of a block.

(4) Mid-block trails

a. Mid-block trails provide walking and biking access through long blocks. They must divide the block along its longest dimension, as shown in Figure 5.2 Mid-Block Trails.

b. In GC, this rule may be satisfied with a pedestrian walkway through parking areas.

c. Mid-block trails are not required in T2, R-1, T3.1, LI, and LFI.

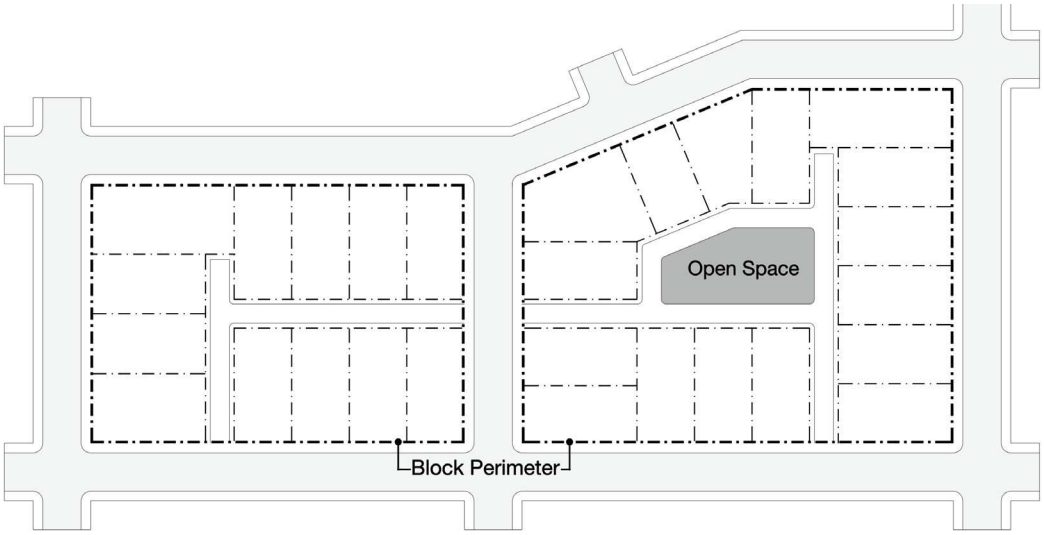
d. Mid-block trails must meet the design standards in Sec. 50-604. Trails and Bikeways. The minimum width of the easement, tract, or right-of-way may be reduced if adherence to other design standards is demonstrated.

(5) Alleys

a. Alleys are required where specified in subsection (d) Lot layout.

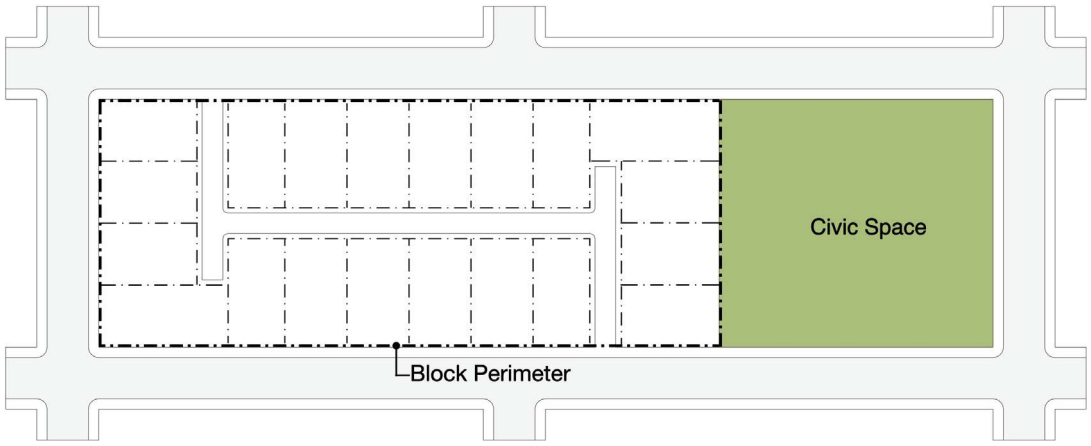
b. Alleys must follow the rules in Sec. 50-602 (m) Alleys.

FIGURE 5.1 BLOCK SIZE



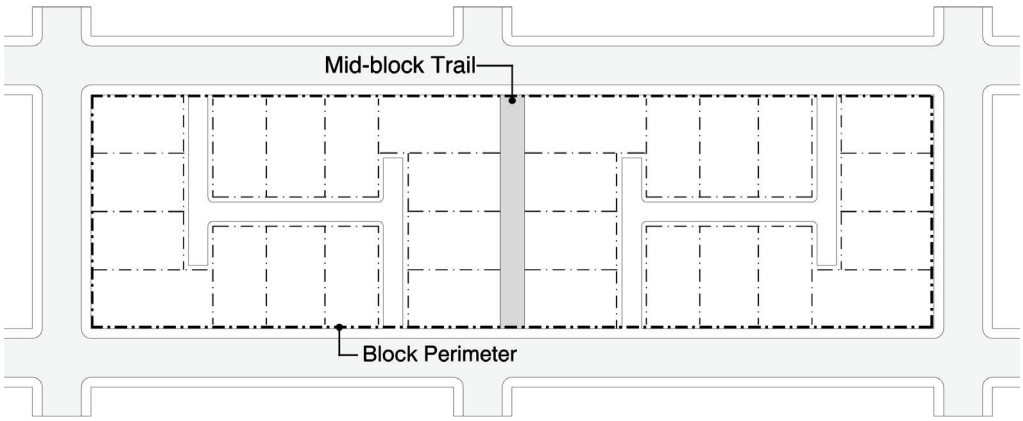
Block Size: Typical Blocks

FIGURE 5.1 BLOCK SIZE

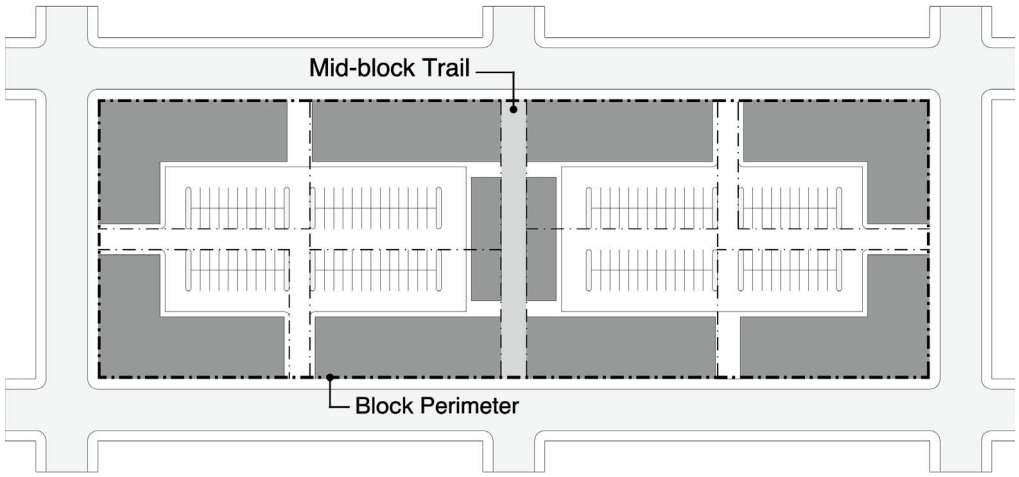


Block Size: Blocks Including Civic Space

FIGURE 5.2 MID-BLOCK TRAILS



Mid-block trail through a typical residential block.



Mid-block trail through a typical commercial or mixed-use block.

(c) Circulation network

(1) General

a. All development must include a connected circulation network for walking, biking, and driving throughout the site.

b. The circulation network must connect with existing streets, walkways, and trails, and connect to neighboring undeveloped properties.

c. The circulation network must be located between blocks and may include:

1. Streets, which must make up at least fifty percent (50%) of the circulation network (by center line length);
2. Special streets, such as shared streets, festival streets, and green streets, for up to fifty percent (50%); and
3. Trails, for up to fifty percent (50%), not including mid-block trails.

d. For development that is not subdivided, major driveways must be laid out like streets. The term "street" in this Article includes both streets and major driveways, except where major driveways are referred to specifically.

(2) Street network

a. The street network includes existing and new streets created as part of the development.

b. All streets must connect with other streets, except where allowed in Sec. 50-502 (c) (6) Cul-de-sac.

c. The street network must create blocks that comply with the rules in Sec. 50-502 (b) Blocks.

d. Streets must follow the design standards in Sec. 50-602. Street Design.

e. Intersections must follow the Bentonville Street Specifications.

f. Streets shown in the Master Street Plan must be built, including:

1. Right-of-way dedication and all street and utility improvements;
2. The alignment shown, except the Director may approve a shift in alignment if the street meets the connections on ether side of the property; and
3. The cross-section shown in the Master Street Plan with details compliant with Sec. 50-602. Street Design.

g. Streets must connect to and extend:

1. To existing streets that end at property boundaries and those opposite the site; and
2. To property boundaries following Sec. 50-502 (c) (5) External connections.

h. Street connections must provide transitions for changes in the location, size, or number of sidewalks, travel lanes, parking lanes, and medians.

i. Streets must meet at or near right angles, within fifteen (15)-degrees of perpendicular, except:

1. Streets may meet at Y-intersections as long as no angle is less than ninety (90)-degrees.

j. Street and commercial driveway intersections must:

1. Line up across from each other; or
2. Be offset by at least one hundred fifty (150) feet, measured from center line to center line; except where a permanent median separates the connections.

k. Only one (1) offset intersection is allowed for every six (6) blocks along a street unless an exception applies as defined in Table 7.2 Administrative Adjustment Criteria.

(3) Bicycle and trail network

a. The bicycle and trail network includes:

1. Shared-use trails for both pedestrians and cyclists;
2. Dedicated bike lanes; and
3. Bike routes marked for shared use with vehicles.

b. All trails and bicycle facilities must follow Sec. 50-604. Trails and Bikeways.

c. All development must provide:

1. Bicycle facilities specified in the Bike and Pedestrian Master Plan; or
2. Extension through the site of any bicycle facility that ends at property boundaries and those opposite the site.

d. Small and medium sites (less than six (6) acres):

i. No additional bicycle facilities are required.

e. Large sites (six (6) acres and larger):

i. Sites with through streets must provide at least one (1) through bicycle facility for every four (4) through streets in each direction; and

ii. Sites without through streets must provide access to existing streets at the site boundary at a rate of one (1) bicycle facility for every one thousand three hundred twenty (1,320) feet of site length along existing streets.

(4) Pedestrian network

a. The pedestrian network includes sidewalks, trails, and dedicated pedestrian walkways.

b. It must provide an access route to the entrance of every building where people live or work.

c. It must connect to existing sidewalks and trails at the edges of the site.

d. It must meet the American's with Disability Act requirements for accessibility.

e. Where the pedestrian network crosses driveways, drive aisles, or alleys, the sidewalk, trail, or walkway must appear continuous, as demonstrated in Table 6.3 Alley Apron.

f. The Director may require additional walkways to close gaps in the pedestrian network as controlled by Table 7.2 Administrative Adjustment Criteria.

(5) External connections

a. External connections must be provided to neighboring properties as listed in this section and shown in Figure 5.3 External Connections.

b. External connections must be provided along property boundaries at least every six hundred sixty (660) feet.

c. External connections include:

1. Streets or major driveways, compliant with Sec. 50-602. Street Design;
2. Front parking lanes following Sec. 50-503 (h) (9) Car parking location; and
3. Trails, following Sec. 50-502 (b) (4) Mid-block trails.

d. Trails can make up no more than fifty percent (50%) of the required external connections.

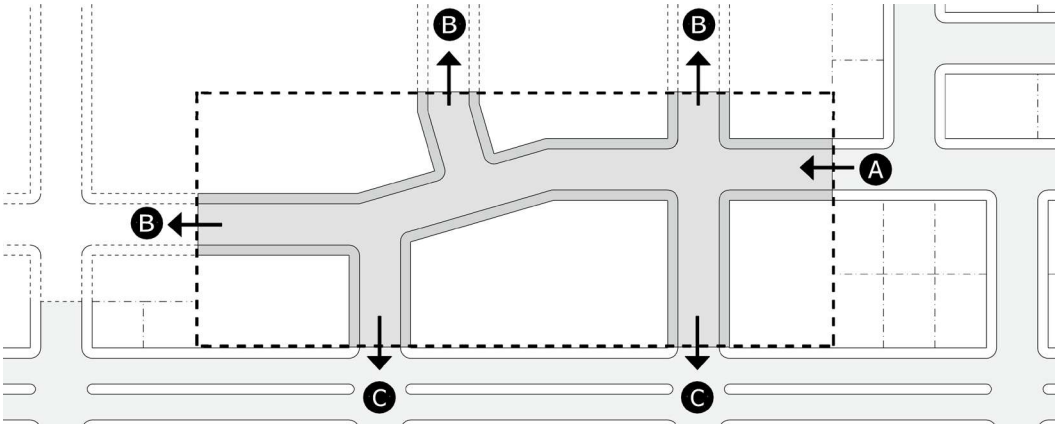
e. Required external connections may be modified based on a written determination by the Planning Commission that strict compliance is infeasible based on one or more of the following criteria:

1. The required connection is infeasible due to location within a mapped floodway, slopes exceeding twenty percent (20%) across the required connection area, or other documented physical barriers that make construction impracticable;
2. A traffic impact analysis demonstrates that the required connection would result in a significant increase in traffic volumes on adjacent, residential streets beyond their functional classification capacity and such increase cannot be mitigated through traffic calming, street design modifications, or operational controls;
3. An existing principal building occupies the full width of the required connection;
4. The adjacent parcel is fully developed in a manner that prevents logical extension or connection;
5. The parcel width or depth is insufficient to accommodate a compliant block and required connection; or
6. The site is zoned T2, LI, or LFI, and the operational characteristics of the use make through-connections impracticable.

f. Where vehicular connection is exempted under (e), the Planning Commission may still require a pedestrian or bicycle connection or an emergency access connection.

g. An access easement must be granted to the City and recorded with the deed providing cross access for all abutting properties.

FIGURE 5.3 EXTERNAL CONNECTIONS



A Street and trail stubs abutting site boundaries continued within the site.

B Street and trail stubs made to abutting properties.

C Street and trail stubs made to abutting streets, except where restricted by natural features.

(6) Cul-de-sacs

a. Cul-de-sacs are not allowed except where one or more of the following conditions exist:

1. Natural features described in Sec. 50-511. Natural Resource Protection, limit where streets can be located;
2. The site is too narrow for a full block and neighboring properties are already developed,

preventing a street connection; or

3. The Arkansas Department of Transportation (ARDOT) does not allow a new connection to a state highway.

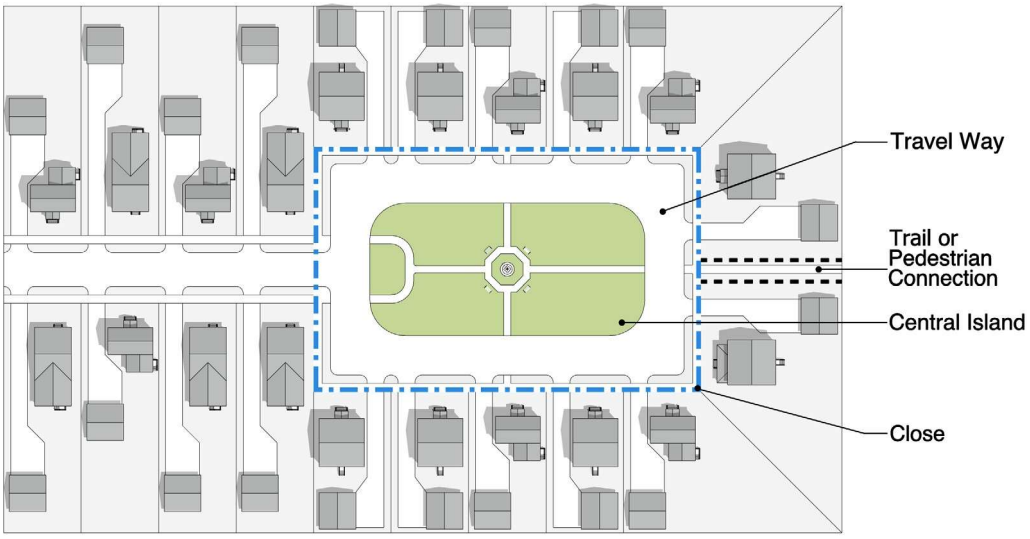
b. Urban districts. In the T4, T5, and T6 districts, any allowed cul-de-sac must follow a close layout, as shown in Figure 5.4 Cul-de-Sacs, and meet the following standards:

1. At least one hundred (100) feet between property lines in all directions;
2. The street border must continue around the cul-de-sac, including street trees;
3. A landscaped central island must be provided with trees, benches, walkways, or other usable features that serve as an amenity to nearby homes; and
4. A trail or pedestrian walkway that continues the sidewalk or trail network beyond the cul-de-sac, connecting to abutting streets, properties, or trails, wherever feasible.
5. The cul-de-sac may provide civic space in alignment with pocket park requirements in Table 5.1 Civic Space Types.

c. All other districts. In all other districts, a cul-de-sac may follow a close layout or a conventional layout, subject to the following standards:

1. Cul-de-sacs must be no longer than six hundred sixty (660) feet, measured from the nearest intersecting street to the center of the cul-de-sac;
2. The cul-de-sac must have a minimum diameter of ninety-six (96) feet to the back of curb, or as required by the Fire Code; and
3. A trail or pedestrian walkway must continue the sidewalk or trail network beyond the cul-de-sac, connecting to abutting streets, properties, or trails, wherever feasible.

FIGURE 5.4 CUL-DE-SACS



(d) Lot layout

(1) All land being developed must be divided into lots, except streets, alleys, civic space, and open space.

(2) Sites zoned LI or LFI do not need to be divided into lots.

(3) All lots must:

a. Meet or exceed the minimum lot width and lot area for their zoning district, as applicable;

b. Be able to meet all rules in Article 50-4 Zoning.

c. Be at least forty (40) feet deep;

d. Have at least one (1) lot line along a street, civic space, or trail;

e. Have vehicular access from an alley, street, or shared parking area; and

f. Have direct access to utilities.

(4) Rear lot lines are not allowed along streets or civic spaces.

(5) Lots that are less than forty (40) feet wide must have vehicular access from an alley, side street, or shared access easement.

(6) New through lots are only permitted when:

a. The block cannot meet the block size limit in Sec. 50-502(b) Blocks and no standard lot layout will fit the site;

b. One of the streets is an arterial where driveways are not permitted and all access will come from the lower speed street;

c. The Master Street Plan shows one (1) of the streets as a corridor where new frontage is not allowed; or

d. The plat provides a rear yard buffer of the required depth along the street that will not receive access, along with a recorded easement that prohibits future driveways.

(7) New flag lots are allowed in the following instances:

a. Utility access flag lots are allowed in all districts;

b. Flag lots are allowed in T2, T3, and T4.1 zoning districts; and

c. Reverse flag lots are allowed in T4 and T5 zoning districts.

(e) Civic space standards

(1) Required civic space

a. Developments must include civic space as follows:

1. Sites under six (6) acres: No civic space is required;

2. Site over six (6) acres: Must include at least five percent (5%) civic space;

3. Sites over thirty (30) acres: Must include at least one (1) separate civic space for every thirty (30) acres; and

4. Distribution: When more than one (1) civic space is required, they must be spaced out so that every lot is within two thousand six hundred forty (2,640) feet of one (1), as shown in Figure 5.5 Civic Space Distribution.

5. Sites less than ten (10) acres within 1/2 mile of a public park may have civic space requirements removed by the Director.

b. All required civic spaces must follow the standards in subsection (2) Minimum civic space standards.

c. Additional open space is allowed, however any open space larger than 1/2 acre must follow subsection (2) Minimum civic space standards.

d. Sites zoned entirely LI, LFI, and T2 do not have to provide civic space.

e. Lots zoned T2, LI, LFI, and GC are excluded from the civic space distribution requirements.

(2) Minimum civic space standards

a. To count towards the civic space requirement, spaces must meet the design and dimensional rules in Table 5.1 Civic Space Types and the landscape requirements of Table 5.20 Civic Space Landscaping.

b. The Director may approve other types of civic space if they meet the purpose and function of

another civic space type.

c. Civic space landscaping must follow the requirements of Sec. 50-510 (h) Civic space landscape.

d. Civic space proportion and minimum dimension are measured as follows:

1. Rectangular in shape: the proportion is the ratio of width to length and the minimum dimension is the lesser of the width and length;
2. Triangular in shape: the proportion is the ratio of the base to the altitude and the minimum dimension is the altitude; and
3. Irregular in shape: the proportion is measured with an inscribed rectangle, as shown in Figure 5.6 Irregular Civic Space Sides and Proportion, and the minimum dimension is the shortest side.

e. Sides of a civic space are separated by corners with an angle of one hundred thirty-five (135)-degrees or less, as shown in Figure 5.6 Irregular Civic Space Sides and Proportion.

f. Civic spaces may include stormwater features, if they follow subsection (4) Stormwater in civic spaces.

g. For subdivided sites, required civic spaces must be located on a dedicated lot or tract and must be protected by a public use deed restriction.

h. Civic spaces must be maintained by the property owner or an established property owners' association or homeowners' association, unless dedication is accepted by the City.

(3) Alternative civic spaces

a. The Director may approve alternative civic space elements and meet the functional intent of this section. These may include green roofs, stormwater features, or other designs that are integrated into a building or infrastructure system.

b. Green roofs may count toward civic space if they meet all of the following:

1. Include at least twenty-five percent (25%) planted area and provide seating or gathering features such as benches, shade structures, or paved overlooks; and
2. Include a contiguous usable area of at least two thousand (2,000) square feet, with a minimum of fifty percent (50%) of that area providing unobstructed access for people to sit, walk, or gather.

c. Land dedicated for a public school may count toward the civic space requirement if the site is publicly accessible outside of school hours and provides outdoor gathering or recreation areas.

(4) Stormwater in civic spaces

a. Stormwater storage and treatment is limited within civic space by the ranges specified in Table 5.7 Civic Space Types and as follows:

1. Maximum storm water area is calculated as a percentage of the area of the surrounding civic space.
2. Open water is measured as the mean water level.

b. The design of storage and treatment areas must follow these rules:

1. Areas not continually under water must be shared-use for recreation when dry;
2. All furnishings must be anchored;
3. Stormwater areas must be accessible and may not be enclosed by fences or walls;
4. Stormwater areas must be located within a drainage easement;
5. Subject to maintenance by a POA; and

6. Tree canopy coverage requirements exclude stormwater areas.

c. Integrated green roof and stormwater systems may count toward both civic space and stormwater requirements if they meet all of the following:

1. Retain at least one inch of rainfall from a twenty-four (24)-hour storm event, calculated based on the entire vegetated area of the roof; and
2. Include overflow controls and meet any applicable City engineering standards for stormwater detention or quality.

(5) Community Gardens in Civic Spaces

a. Community gardens may be included in parks, greens, squares, greenways, and pocket parks.

b. Limited to:

1. Fifty percent (50%) of pocket park area; and
2. Twenty percent (20%) of all other civic spaces.

c. Must include a water supply.

d. Must have at least seventy-five (75%) noon-time solar exposure.

FIGURE 5.5 CIVIC SPACE DISTRIBUTION

A Site A (Requires 2 civic spaces)

B Public park (outside of sites)

C Site C (Requires 2 civic spaces)

D Site D (Requires 1 civic space)

E Site E (Requires 1 civic space)

This figure depicts multiple adjacent sites surrounding an existing public park, each of which is required to provide their own, distributed civic spaces.

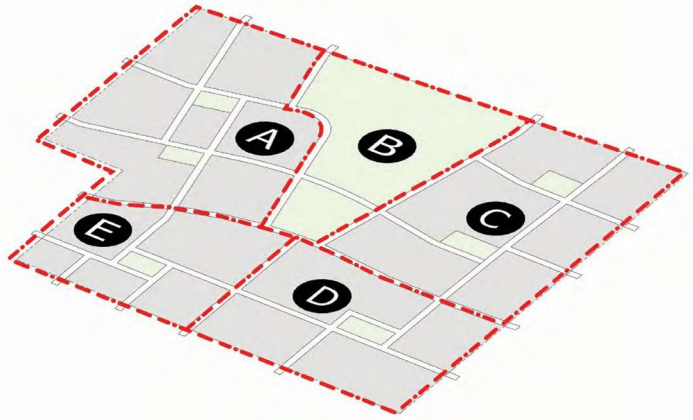
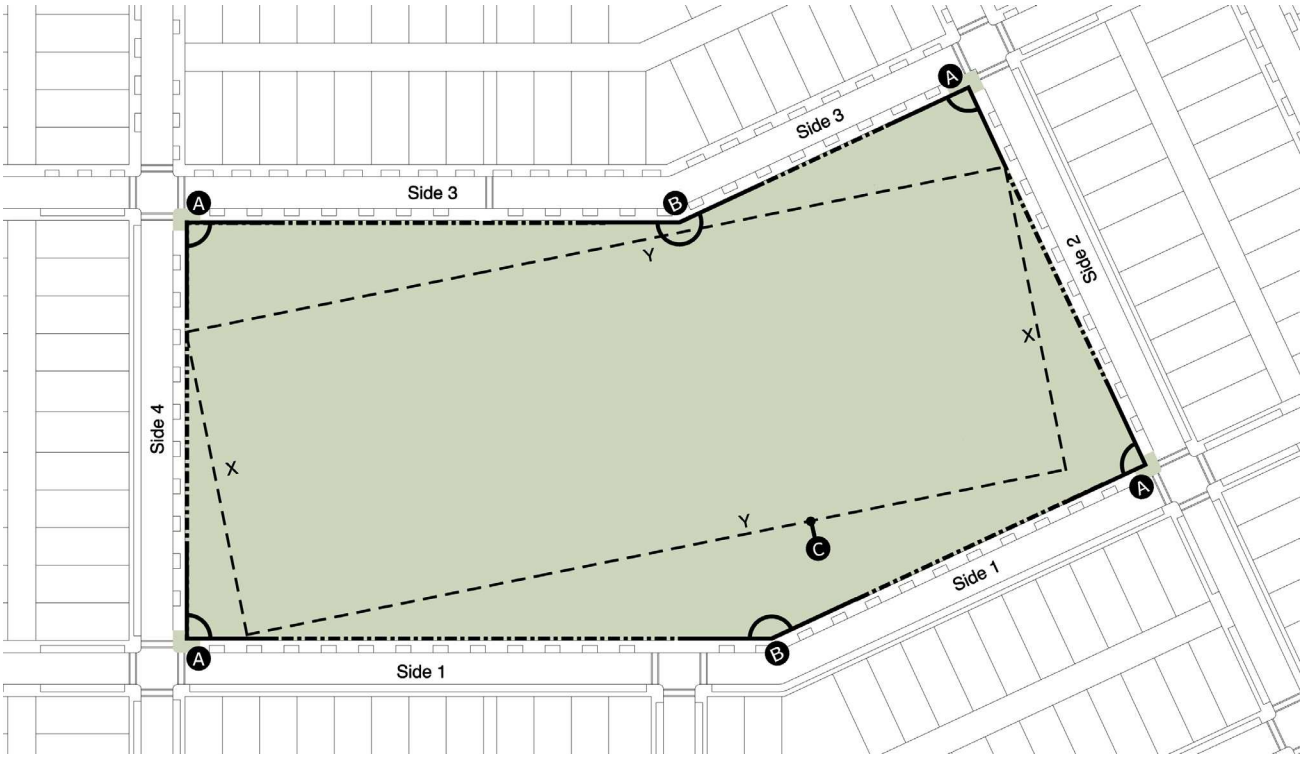


FIGURE 5.6 IRREGULAR CIVIC SPACE SIDES AND PROPORTION



Sides of a civic space are between corners that meet at an angle less than one hundred thirty-five (135)-degrees. Civic space proportion is the ratio of rectangle inscribed in the civic space in the form of X:Y (e.g. 1:4)

A	Corner separating two (2) sides	X	Short side of the inscribed rectangle
B	Corner not separating two (2) sides	Y	Long side of the inscribed rectangle
C	Rectangle measured for proportion		

TABLE 5.1 CIVIC SPACE TYPES

Conservation Park

Zoning District	Any
Size	1/2 ac. min., 80 ft. min. in width.
Proportion	N/A
Edge condition	N/A
Surface	Planted, pervious paths and maintenance roads.
Buildings	Pavilions and picnic areas.
Storm Water Type	Natural systems retention and detention
Storm Water Area	100% max.
Open Water	60% max.



Green

Zoning District	T3, T4, T5
Size	1/2 ac. min.
Proportion	1:8 max.
Edge condition	Right-of-way required on at least one side.
Surface	Planted, 20% max impervious.
Storm Water Type	Local retention and conveyance
Storm Water Area	60% max. shared-use
Open Water	30% max.



Square

Zoning District	T4, T5, T6, GC
Size	A minimum dimension of 74 ft. on 2 sides.
Proportion	1:5 max.
Edge condition	Rights-of-way required on two sides minimum.
Surface	50% max. impervious
Buildings	Pavilions, rest rooms, storage, performance support.
Storm Water Type	Local retention and conveyance
Storm Water Area	60% max. shared-use
Open Water	20% max.

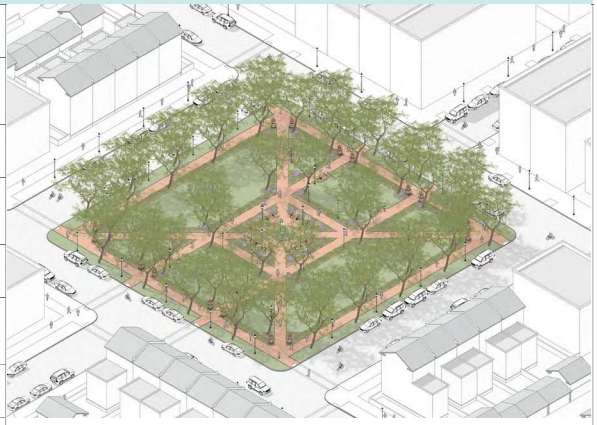


TABLE 5.1 CIVIC SPACE TYPES

Plaza

Zoning District	T5, T6, GC
Size	A minimum dimension of 40 ft. on one side.
Proportion	1:4 max.
Edge condition	Rights-of-way required on 2 sides minimum.
Surface	50% min. paved, 80% max. impervious
Buildings	Pavilions, storage, rest rooms, food service, vending, performance support.
Storm Water Type	Sub-grade and surface storage
Storm Water Area	100% max. sub-grade, 20% max. surface
Open Water	20% max.



Greenway

Zoning District	Any
Size	50 ft. min. in width, 1,000 ft. min. in length.
Proportion	N/A
Edge condition	Rights-of-way or trail required on one side minimum.
Surface	Planted, 20% max. impervious
Storm Water Type	Local and regional retention and conveyance
Storm Water Area	90% max. shared-use
Open Water	60% max.



Pocket Park

Zoning District	R1, T3, T4, T5, T6
Size	2,000 sq. ft. min., 8,000 sq. ft. max.
Proportion	1:5 max.
Edge condition	Rights-of-way required on one side minimum.
Surface	Planted, 30% max. impervious
Storm Water Type	Local retention and conveyance
Storm Water Area	50% max. shared-use
Open Water	20% max.



SEC . 50-503 . SITE DESIGN

(a) Impervious surfaces

(1) Impervious surface is the percentage of the lot that is covered by buildings, paving, and any other surfaces that are not permeable to water.

(2) Impervious surface is limited as follows:

a. For each lot: By the amounts specified in Table 4.1 Zone Standards;

b. Within flood hazard areas: Following Sec. 50-511. Natural Resource Protection and the City's Flood Damage Prevention Code;

c. Within civic spaces: By the amounts specified in Table 5.1 Civic Space Types;

d. Within open spaces (other than civic spaces): Ten percent (10%), maximum; and

e. Sites larger than one (1) acre in T5 and T6: Ninety percent (90%), maximum.

(3) If a site has a future lotting plan, impervious surface is limited for each future lot, civic space, open space, and flood hazard area separately.

(b) Stormwater drainage connection

(1) All new property improvements must be designed to drain to an approved stormwater collection system or public street with enough capacity to accept the flow.

(2) Site grading, storm drains, and any other drainage systems must comply with the City's Stormwater Management and Drainage Manual.

(c) Required landscaping

(1) Site landscape requirements are located in Sec. 50-510 (f) Site landscape.

(d) Public art

(1) Applicability

a. Public art may be provided as part of site design in any zoning district where site amenities are allowed or required.

(2) Standards

a. Public art may include sculpture, murals, integrated architectural features, or similar artistic elements that are permanently installed and visible from public or semi public spaces.

(3) Location

a. Public art may be located within plazas, courtyards, civic spaces, landscaped areas, building forecourts, or similar site features.

b. Public art may be located within the public right-of-way only when approved by the City and when consistent with applicable right-of-way requirements.

(4) Incentives for public art

a. Permanent artwork that is clearly visible from a public street or space may be credited toward required street or civic space furnishings if approved during plan review.

b. Incentives

1. Projects meeting the eligibility requirements in c. Eligibility may receive one (1) of the following incentives:

i. A reduction of up to ten percent (10%) in the minimum required off-street parking spaces, rounded down to the nearest whole number;

ii. A five percent (5%) increase in maximum allowed lot coverage in districts where maximum lot coverage applies; or

iii. Priority review of the plan upon a complete submittal.

2. No more than one (1) incentive may be applied per project. Incentives are granted at the time of plan review and recorded as part of the approval.

c. Eligibility

1. Eligible development types. Incentives may be applied only to the following development types:

i. New non-residential or mixed-use buildings with a gross floor area of five thousand (5,000) square feet or more;

ii. Multi-building commercial or mixed-use sites greater than one (1) acre; or

iii. Civic or institutional developments open to the public, regardless of size.

2. Minimum value of public art.

i. The installed public art must represent a minimum investment equal to at least one-half percent (0.5%) of the total project construction cost, documentation submitted with the plan.

3. Artwork standards. To be eligible, the public art must:

i. Be designed or fabricated by a professional artist, design team, or architect;

ii. Be original, site-specific work, not mass-produced;

iii. Be located outdoors in an area visible from a public right-of-way or civic space; and

iv. Not include signage elements.

(e) Pedestrian walkways

(1) Walkways must connect to the broader network of sidewalks and trails required by Sec. 50-502. Land Development.

(2) Walkways must connect all building entries where people live or work to sidewalks along streets.

(3) Walkways must connect all on-site dedicated parking areas with building entries and perimeter sidewalks.

(4) Walkways within parking areas are required, following subsection (h) Car parking and circulation.

(5) Walkway must meet the following specifications:

a. Walkways must meet ADA accessibility standards;

b. Walkways must be at least five (5) feet wide;

c. Walkways must be constructed of concrete or unit pavers; and

d. Alternative materials may be allowed as an administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers, subject to the following:

1. Asphalt walkways in LI and LFI districts; or

2. Gravel or pervious walkways if they meet ADA compliance standards.

(f) Trails and bicycle facilities

(1) If The Bike & Pedestrian Master Plan shows a trail or pathway through the site, it must be provided as specified in the plan.

(2) Additional trails and bicycle facilities are optional. If provided, they must follow Sec. 50-604. Trails and Bikeways.

(g) Bicycle parking

(1) Required bicycle parking

a. Bicycle parking must be provided following Table 5.3 Required Bicycle Parking, but must always provide a minimum of four (4) spaces for the uses listed in Table 5.3.

b. Required bicycle spaces must follow the rules in subsection (2) Bicycle parking location.

(2) Bicycle parking location

a. General

1. Bicycle parking must be located on the same lot or future lot as the use being served.
2. Bicycle storage within dwelling units does not count toward required spaces.
3. Bicycle racks and corrals within streets count towards required short-term spaces. Only racks and corrals on the same side of the street and along lot lines count toward required spaces.
4. Lots with multiple uses may provide required spaces separately or together.

b. Short-term space locations:

1. May be within streets along lot lines;
2. On-site, within fifty (50) feet of a publicly accessible building entry along a street or trail, or distributed among entries if there are multiple;
3. On-site, up to fifty percent (50%) may be within two hundred (200) feet of a publicly accessible building entry, connected by a pedestrian walkway; and
4. If spaces are not visible from sidewalks or trails, signs must be posted indicating their location.

c. Long-term space locations:

1. May be indoors, within a lobby, common area, clubhouse, storage room, or garage;
2. Outdoors, within a covered structure, parking structure, or other area covered for weather protection;
3. Within two hundred (200) feet of a building entry accessible to the intended users; and
   i. Secured by walls or fencing with doors or gates that are access restricted; or
   ii. Within bicycle lockers.

d. Spaces within parking structures:

1. Must be located within fifty (50) feet of a pedestrian entrance to the parking structure or stairwell, with access to a ground floor pedestrian entrance; and

2. Must be located on the ground floor, except where building entrances, accessible to the intended users, are located on a different floor of the parking structure.

e. Entertainment and Institutional uses:

1. Alternative locations for required short-term and long-term bicycle parking may be approved as an administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers and Table 7.2.

(3) Bicycle parking design

a. Bicycle parking installation must provide:

1. A paved surface, including pavers, with a slope no more than three percent (3%);
2. Access to a sidewalk, trail, or common area within a building;
3. At least six (6) feet of vertical clearance;
4. Bicycle space size and spacing as follows, and as shown in Table 5.2 Bicycle Parking Dimensions:

i. Each space must provide a clear area six (6) feet long by two (2) feet wide;

ii. Racks must be spaced at least thirty (30) inches apart along the width of parking spaces, overlapping the parking spaces up to eighteen (18) inches; and

iii. Lengthwise, one side of the parking space must have at least four (4) feet of clear space between the parking space and any obstruction.

5. The following spacing between the full bicycle space dimension and obstructions:

i. At least five (5) feet from fire hydrants;

ii. At least four (4) feet from loading zones, bus stop signs, or shelters;

iii. At least three (3) feet from driveways, manholes, benches, trash receptacles, and buildings;

iv. At least two (2) feet from utility meters, landscaped areas; and

v. At least one (1) foot from walls, curbs, and any other obstructions;

6. No overlap with ADA paths;
7. Secure anchoring with tamper-resistant hardware; and
8. Long-term bicycle parking must include one accessible power outlet for at least twenty percent (20%) of spaces.

b. Bicycle racks design must follow these rules:

1. Must be an inverted “U”/hoop rack;
2. Must have a minimum tube diameter of 1.9 inches;
3. Must be galvanized, powder coated, or coated with another weather-proof surface;
4. Must be a maximum height of thirty-six (36) inches;
5. Must comply with the Association of Pedestrian & Bicycle Professionals (APBP) bicycle parking guidelines, including:

i. Must accept multiple bicycle frame sizes and styles;

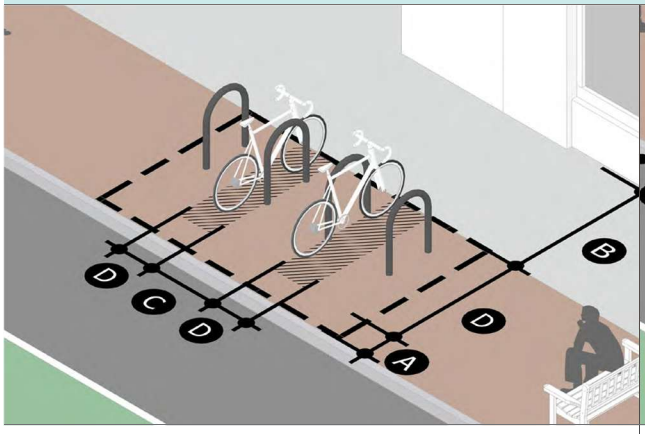
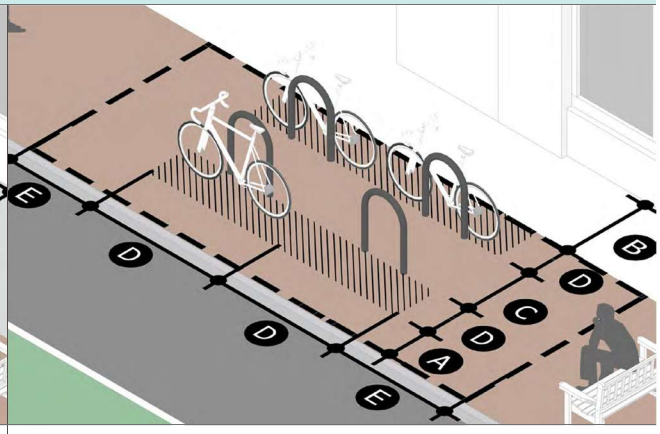
ii. Must accommodate the use of cable and U-type locks;

iii. Must support a bicycle frame at two (2) points above the wheel hubs to allow the frame and at least one (1) wheel of the bicycle to be locked to the rack without lifting the bicycle onto the device;

iv. Must be easy to understand and operate, with no moving parts.

c. High-density racks such as vertical and two (2)-tier racks may be approved by the Director for long-term spaces. Two (2)-tier racks must include lift assist for upper-tier spaces.

TABLE 5.2 BICYCLE PARKING DIMENSIONS

Bicycle Racks Perpendicular to the Curb	Bicycle Racks Parallel to the Curb
	
A. Required setback from curbs & obstructions	**B**. No overlap with ADA paths allowed
C. Minimum spacing between racks	**D**. Minimum bicycle space dimension

Minimum Bicycle Space Dimensions

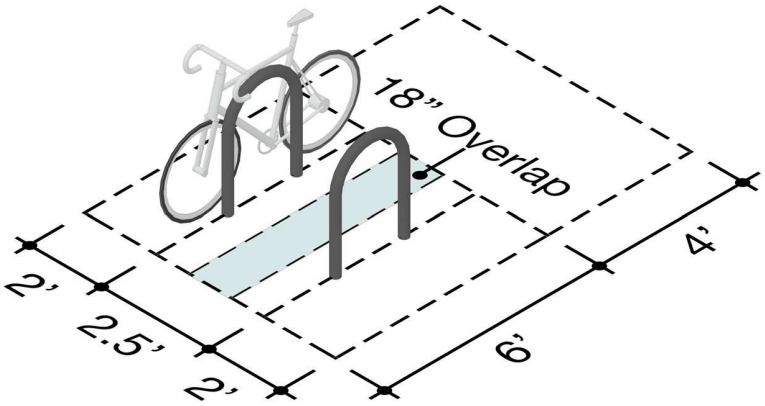


TABLE 5.3 REQUIRED BICYCLE PARKING

Commercial	Short Term	Long Term
Food and beverage	0.5 spaces / 1,000 square feet	
Child care	1 space / 1,000 square feet	
Office, including medical	0.2 space / 1,000 square feet	50% of required short term spaces when more than 12 spaces
Retail, including pharmacies	0.25 space / 1,000 square feet	
Institutional and Entertainment	**Short Term**	**Long Term**
Convention or exhibition facilities	0.25 spaces / 1,000 square feet	0.1 spaces / 1,000 square feet
Place of Assembly (indoor or outdoor entertainment, theater, performing arts, event venue, religious assembly)	0.2 spaces / 1,000 square feet	
School: K-12	8 spaces + 0.25 / 1,000 square feet	
School: post-secondary	0.5 space / 1,000 square feet	
Lodging	**Short Term**	**Long Term**
12 rooms or less	0.5 spaces per bedroom	
More than 12 rooms	0.25 spaces per bedroom, up to 20 spaces	0.25 spaces per bedroom, up to 20 spaces
Residential	**Short Term**	**Long Term**
5 - 8 dwellings per building	0.5 spaces per dwelling	0.75 spaces per dwelling
More than 8 dwellings per building	0.25 spaces per unit up to 30 spaces	0.25 spaces per unit
All Other	For any use not listed, the Director may make a determination of similarity to a listed use or combination of uses.	

(h) Car parking and circulation

(1) Single-site development

a. Major driveways must follow Sec. 50-502 (c) Circulation network and are treated like streets for the purpose of this Section.

b. Only major driveways are allowed to connect to public streets, not individual driveways for future lots, except for sites where major driveways are not required.

(2) Driveway location

a. Driveways providing access for cars to the lot must be located following Table 5.4 Driveway Access Location, and as follows:

1. In T2 a driveway may connect along the front lot line;
2. In GC, LI, and LFI, a driveway may connect along the front lot line in addition to other allowed connections if the site is wider than four hundred (400) feet;
3. Driveways are not allowed parallel to a front or side street lot line within the setback area, except front parking areas, where allowed in subsection (9) Car parking location;
4. Driveways must align across streets, or be offset at least one hundred fifty (150) feet between centerlines, except where a permanent median separates the driveways;
5. Driveway centerlines must be separated from intersection rights-of-way as specified in Table 5.5 Driveway Spacing from Intersections;
6. Driveway centerlines must be separated from other driveways as specified in Table 5.6 Driveway Spacing from other Driveways, except
7. The maximum number of driveway connections for a single property along the same street is as specified in Table 5.7 Maximum Driveways Along a Lot Line; and
8. Additional driveways and adjusted locations may be allowed by administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers and Table 7.2 Administrative Adjustment Criteria.

b. Shared driveways between abutting lots are encouraged.

c. For shared driveways, an access easement must be recorded with the deed that:

1. Provides cross access for all abutting properties; and
2. Defines the maintenance responsibility of property owners.

d. Looped and circular driveways within front or side street setbacks are only allowed in:

1. T2, R-1, T3 where lots are equal to or greater than two hundred (200) feet in width;
2. Schools in any zoning district; and
3. Within a forecourt, as specified in Sec. 50-405 (c) (3) Maximum setbacks.

e. Driveways and parking areas must be designed to only allow forward movement of vehicles exiting the site, except for single, two (2)-unit, and three (3)-unit dwellings.

f. Individual residential driveways are not allowed along collectors or arterials, except along new collectors approved for new subdivisions.

TABLE 5.4 DRIVEWAY ACCESS LOCATION

Lot Type	Available Access	Driveway Location
All Lot Types	Alley	Connect to the alley.
	Shared Parking Lot or Major Driveway	Connect to the shared parking lot; Connect along the side street lot line; or Connect along the front lot line if it is the only option.
	Only Front Lot Line	Connect along the front lot line.
Additional Conditions		
Corner	Only Along Streets	Connect along the street with a lower functional classification, or the side street lot line if streets are the same classification.
Through	Along 2 Streets	Connect along the street with a lower functional classification.
	Along 3 Streets	Connect along the street with a lower functional classification, or the side street lot line if streets are the same classification.
Flag and reverse Flag	Along 2 Streets	Connect along the street with a lower functional classification, or the side street lot line if streets are the same classification.
Utility Access Flag	Shared Driveway	Connect along the shared driveway.

TABLE 5.5 DRIVEWAY SPACING FROM INTERSECTIONS

Spacing By Street Functional Classification		intersecting Street		
		Local	Collector	Arterial
Street The Driveway Connects To	Local	50 ft. min.	50 ft. min.	100 ft. min.
	Collector	100 ft. min.	100 ft. min.	250 ft. min.
	Arterial	250 ft. min.	250 ft. min.	250 ft. min.

TABLE 5.6 DRIVEWAY SPACING FROM OTHER DRIVEWAYS

Street Design Speed	<25	30	35	40	45	50	55
Minimum Spacing	50 ft.	100 ft.	150 ft.	200 ft.	250 ft.	300 ft.	350 ft.
Driveways with Acceleration or Deceleration Lanes	400 ft. minimum spacing to any other driveway						

TABLE 5.7 MAXIMUM DRIVEWAYS ALONG A LOT LINE

Maximum Driveways	1	2	3	4	5
Length of Lot Line	up to 200 ft.	201 - 600 ft.	601 - 1,000 ft.	1,001 - 1,500 ft.	> 1,500 ft.

(3) Driveway curb cuts

a. All driveway curb cuts require a right-of-way permit from Engineering, except as otherwise approved as part of a development plan or subdivision.

b. Curb cut radius:

1. Major driveways follow Sec. 50-602. Street Design.
2. Where intersecting with local streets and within Downtown, follow alley apron standards in Table 6.3 Alley Apron.
3. Where intersecting with collector or arterial streets, a fifteen (15) foot curb return radius is required.
4. Increased radii may be approved by administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers and Table 7.2 Administrative Adjustment Criteria.

(4) Driveway width

a. Driveway width is limited, following Table 5.8 Driveway Width.

b. Additional driveway width may be approved as an administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers and Table 7.2 Administrative Adjustment Criteria.

TABLE 5.8 DRIVEWAY WIDTH

Zone	Connecting To	Maximum Driveway Width
All Zones	Alleys	N/A
	Shared Parking Lots	
R-1, T2, T3	Any Lot Line	18 feet wide, for lots less than 50 feet wide; 20 feet wide, for lots 50 to 69 feet wide; and 24 feet wide, for lots 70 feet or wider.
T4 , T5, T6	Any Lot Line, One-way	11 feet wide, each lane, up to 2 lanes; and limited within the building setback area.
	Any Lot Line, Two-way	11 feet wide, each lane, up to 3 lanes ; and limited within the building setback area.
GC, LI, LFI	Any Lot Line, One-way	24 feet wide, and a minimum of 16 feet wide.
	Any Lot Line, Two-way	Between 24 and 40 feet wide; and A 4 foot wide median must separate opposing directions if the driveway exceeds 2 lanes.

(5) Drive-throughs

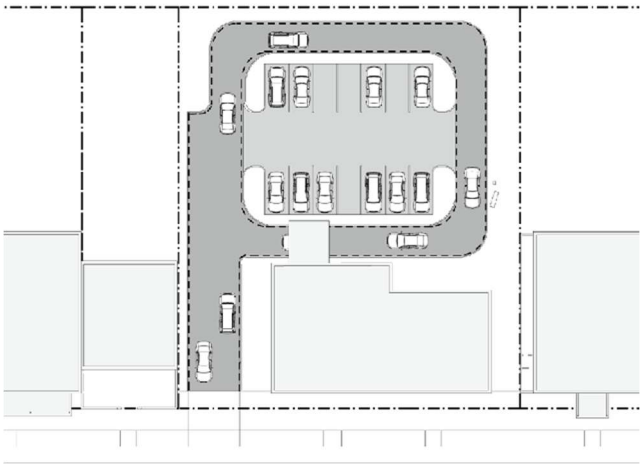
a. Drive-throughs are only allowed for commercial uses in T5, GC, LI, and LFI.

b. Drive-through lanes, windows, and equipment are not allowed between the building and the front or side street property line, as illustrated in Figure 5.7 Drive-Through Layout.

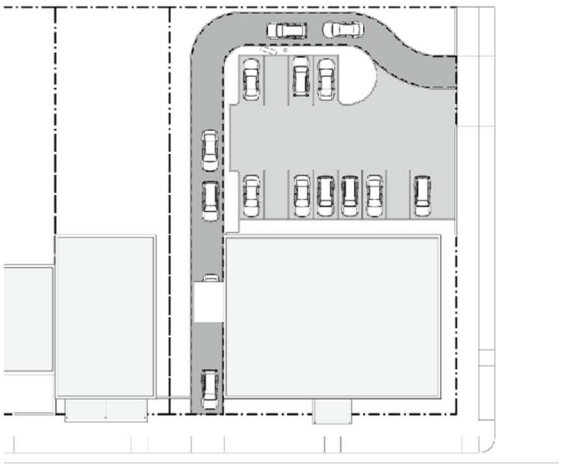
c. Drive-through lanes must not block sidewalks or other pedestrian walkways.

d. Any drive-through structure - such as canopies, windows, or other equipment - must be set back at least twenty (20) feet from the front of the building.

FIGURE 5.7 DRIVE-THROUGH LAYOUT



Example of a compliant mid-block drive-through



Example of a compliant corner drive-through

(6) Required car parking

a. Car parking must be provided in the amounts required in Table 5.9 Minimum Car Parking.

b. Only spaces that follow subsection (9) Car parking location count towards required car parking.

c. Residential uses in the Traditional Neighborhood place type on the FLUM require two (2) parking spaces for each dwelling.

d. Parking required for multiple uses within the same building or site are added together for the total site requirement.

e. The amount of car parking required may be reduced following subsection (7) Car parking reductions.

f. Applicants may opt to submit a parking study, prepared by a licensed professional, subject to the approval of the Planning Commission, in lieu of the required parking minimums.

g. Sites within parking management districts must follow parking management district rules and are exempt from required car parking in this section.

TABLE 5.9 MINIMUM CAR PARKING

Use	T2	R-1	T3	T4	T5	T6	GC	LI	LFI	MH
Commercial [1]										
Child care		2					3			
Food and beverage	4			2			5			
Gas station	4						3			
Hospital							1 per bed			
Medical services							3			
Office, including medical				1			3			
Retail, including pharmacies	4			1			4	3		
Service (personal or professional)	4			1			4	3		
Entertainment [1]										
Indoor entertainment facility	Lesser of 4 or 25% of maximum occupancy				2		Lesser of 4 or 25% of maximum occupancy			
Outdoor entertainment facility										
Theater, excluding drive-in										
Industrial and Manufacturing [1]										
Manufacturing							1.75			
Warehouse and distribution							0.5			
Institutional [1]										
Convention or exhibition facilities					Lesser of 4 or 25% of maximum occupancy					
Cultural (library, museum, gallery)	4	4	4	4	3		4			
Event venue	Lesser of 4 or 25% occupancy			Lesser of 4 or 25% occupancy	3		4 or 25% of maximum occupancy			
Religious assembly		4								
School: K-12	Grades 1-9: 1 per classroom + 1 per employee Grades 10-12: greater of 1 per 3 full-time students or 1 per 6 seats in the largest auditorium All: Stacking space for buses and vehicles must be provided Except in T5 and T6									
School: post-secondary							Greater of 3/1000 or 1 space per 3 students			

TABLE 5.9 MINIMUM CAR PARKING

Use	T2	R-1	T3	T4	T5	T6	GC	LI	LFI	MH
Lodging [2]										
12 rooms or less	1			1			1			
More than 12 rooms							1.1			
Residential [3]										
1 dwelling detached		2		1						
1 dwelling attached (town homes)			1							
2 dwellings per building			1							
3 dwellings per building				1						
4 or more dwellings per building				1			1.5			
Cottage court		1								

[1] **Non-residential uses**: spaces for every one thousand (1,000) square feet of net building area.
[2] **Lodging uses**: spaces for each guest room, with restaurants and meeting rooms counted separately.
[3] **Residential uses**: spaces for each dwelling.

(7) Car parking reductions

a. The required number of car parking spaces may be reduced in several ways. These reductions can be combined when more than one applies.

b. State-licensed assisted living and senior independent living facilities parking requirements are reduced by fifty percent (50%).

c. Sites near the Northwest Arkansas Razorback Greenway or the loop trail described in the Connecting Bentonville Master Plan may reduce parking based on distance:

1. ⅛ of a mile: Parking requirements are reduced by twenty percent (20%); and
2. ¼ of a mile: Parking requirements are reduced by ten percent (10%).

d. Sites near a premium transit stop may reduce parking based on distance:

1. ⅛ of a mile: No parking is required;
2. ¼ of a mile: Parking requirements are reduced by fifty percent (50%); and
3. ½ of a mile: Parking requirements are reduced by twenty-five (25%).

e. Parking may be reduced by up to ten percent (10%) for providing bike parking above minimum requirements at a rate of one (1) car parking space for every four (4) short term bike parking spaces or 1 car parking space for every 2 long term bike parking spaces.

f. Parking may be reduced by up to ten percent (10%) for the purposes of tree preservation, subject to the requirements of Sec. 50-509. Tree Preservation.

g. Parking requirements may be reduced when two (2) or more uses share the same parking area when:

1. The shared parking must serve uses on the same site or in the same shared facility;
2. Shared parking must follow the Urban Land Institute's Shared Parking Handbook which accounts for different peak hours of use; and

3. A shared use contract between the two (2) properties must be in a form acceptable to the Director and Staff Attorney.

(8) Car parking maximum

a. Off-street car parking spaces may not exceed the following maximums, calculated as a percentage of the minimum required car parking spaces:

1. T2, T3, R-1, LFI: n/a; and
2. T4, T5, T6, GC, LI: One hundred fifty percent (150%) for buildings up to sixty thousand (60,000) square feet and one hundred twenty-five percent (125%) for buildings greater than sixty thousand (60,000) square feet.

(9) Car parking location

a. Parking in the following locations counts toward required car parking:

1. On the same site as the related use;
2. On-street, in established, built out parking lanes along the edges of the site;
3. Off-street parking within six hundred sixty (660) feet of the site. A shared parking agreement must be executed and approved by the Staff Attorney and Planning Department; and
4. Parking provided by a parking management district.

b. Parking lots must follow the rules in subsection (10) Parking lot design.

c. Parking structures must follow the rules in Sec. 50-504 (b) Parking structures.

d. Off-street parking areas must be follow setback rules in Table 4.1 Zone Standards, except:

1. If the parking lot is shared between abutting properties, no setback is required from the shared lot line; and
2. Parking structures must set back as specified in Sec. 50-504 (b) Parking structures.

e. Parking is not allowed between the front and side street property lines and the nearest building, except in these situations:

1. GC, LI, and LFI zones are exempt;
2. Sites within the Suburban Corridor future land use category are exempt; and
3. Front parking areas, described in the following subsection, are allowed for sites in Urban Corridor and Walkable Corridor future land use categories, only if located along streets where no on-street parking exists.

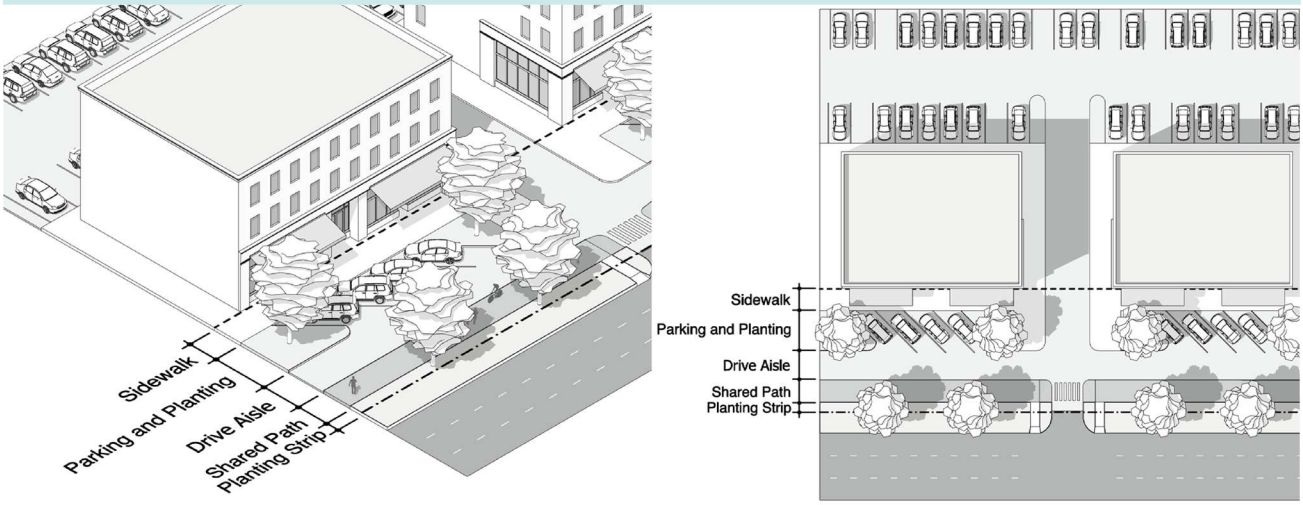
f. If a front parking area is allowed, it must follow these rules:

1. Parking may be located between buildings and the street, as shown in Figure 5.8 Front Parking Lane Layout; Parking setback requirements in Table 4.1 Zone Standards do not apply;
2. The front parking area must be set back six (6) to twelve (12) feet from the right-of-way. This setback must be landscaped and include street trees no more than fifty (50) feet apart;
3. The front parking area cannot be more than sixty (60) feet deep and must include:
   i. A shared path for bikes and pedestrians, at least ten (10) feet wide;
   ii. A drive aisle;
   iii. One (1) row of parallel or angled parking; and
   iv. A border with a planting strip and sidewalk, following Sec. 50-602. Street design. Planting may be placed between angled parking instead of in a separate strip.

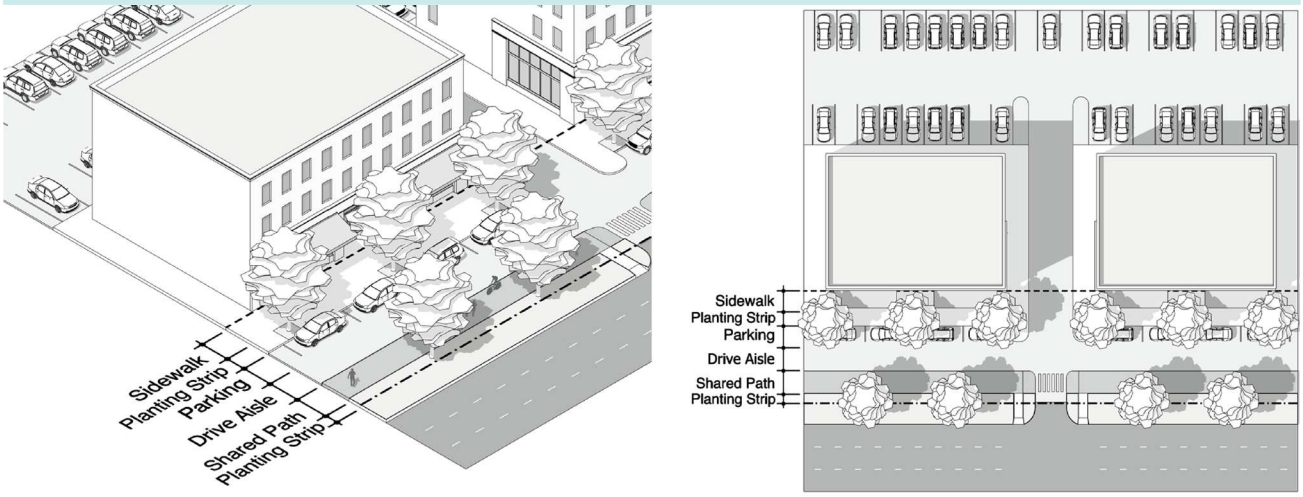
4. Parking spaces and drive aisles must follow Table 5.10 Parking Space and Aisle Dimensions; and
5. A sidewalk and planting strip must be provided between the front parking area and buildings. These must comply with the rules in Sec. 50-602. Street design.

FIGURE 5.8 FRONT PARKING LANE LAYOUT

Front parking lane with angled parking



Front parking lane with parallel parking



(10) Parking lot design

a. All parking lots must follow these general rules:

1. ADA accessibility standards must be met for all parking spaces and walkways;
2. Parking space and aisle sizes must follow Table 5.10 Parking Space and Aisle Dimensions;
3. Parking lots must be paved, except that crushed gravel may be used in T2 and C districts; and
4. Landscaping requirements are located in Sec. 50-510 (g) Parking lot landscape.

TABLE 5.10 PARKING SPACE AND AISLE DIMENSIONS

Angle of Parking	Aisle: One-Way, Single Loaded	Aisle: One-Way, Double Loaded	Aisle: Two-Way, Double Loaded
90 Degrees	20 ft. min.	22 ft. min.	24 ft. min.
60 Degrees	18 ft. min.	18 ft. min.	22 ft. min.
45 Degrees	14 ft. min.	14 ft. min.	20 ft. min.
Parallel	10 ft. min.	10 ft. min.	20 ft. min.
Standard Stall	9 ft. wide min.		
Compact Stall	7.5 ft. wide min.		
Parallel Stall	7 ft. wide min.		

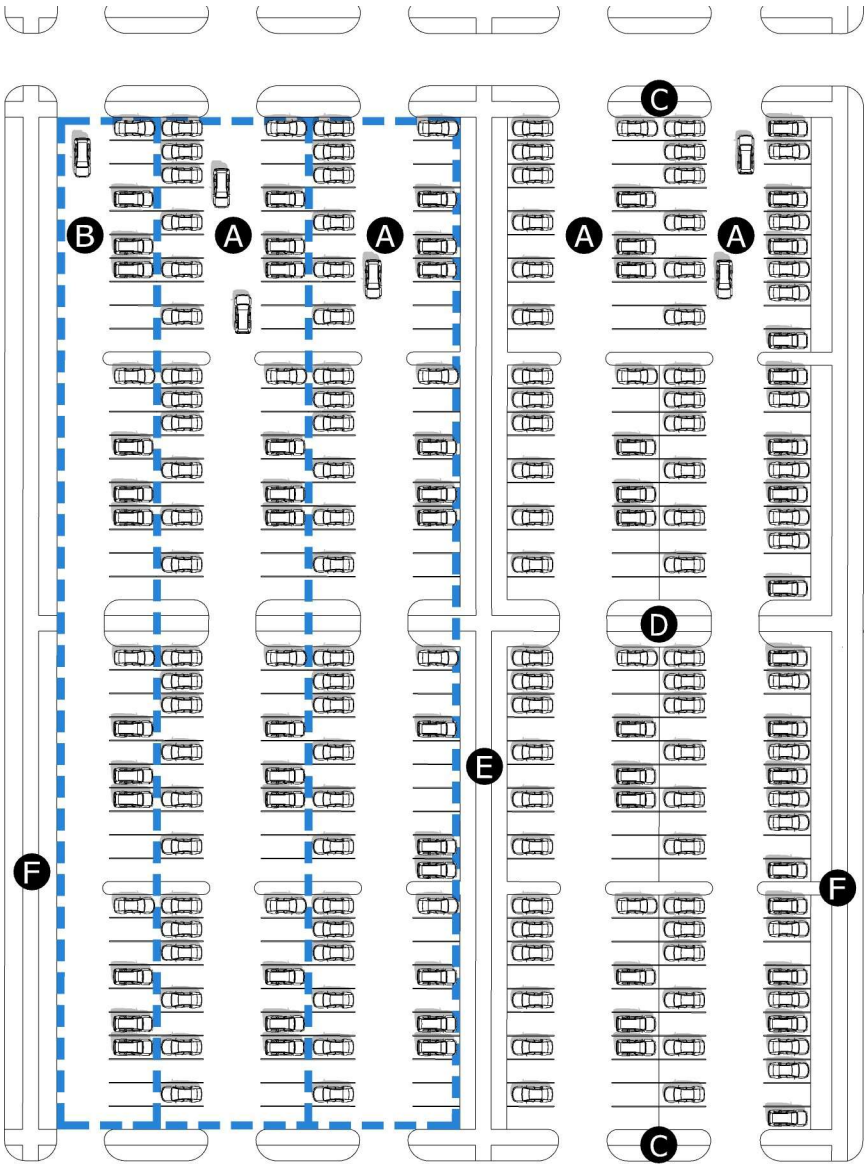
b. Parking lots with more than twenty (20) spaces:

1. Wheel stops are required where parking spaces end on walkways or landscaped areas.
2. Drive aisle connections or stubs must be provided:
   i. To neighboring undeveloped properties, and to any abutting T4, T5, T6, and GC properties with parking lots;
   ii. At least once every three hundred (300) feet of parking lot length along shared property lines; and
   iii. Within a recorded access easement.
3. Pedestrian walkways, landscape areas, and trees must be included within parking lots:
   i. As specified in Table 5.11 Required Walkways and Planting in Parking Lots; and
   ii. As shown in Figure 5.9 Illustrated Walkways and Planting in Parking Lots.
4. In T3 and T4 zones, the total number of required parking lot trees is increased by twenty-five percent (25%).
5. Landscape areas within parking lots must be designed to accept stormwater runoff unless otherwise approved by the Transportation Director.

TABLE 5.11 REQUIRED WALKWAYS AND PLANTING IN PARKING LOTS

Location	Walkways	Landscape Area	Trees required
Exterior Landscaping			
Side and rear lot lines		10 ft. wide, min. Ground cover and continuous hedge, at least 6 ft. high at maturity	At least 1 tree every 40 ft. within the landscape areas.
Side street lot lines	Connecting to the sidewalk, every 3 rows or 20 spaces along a row, and at least 1 connection		
Front lot lines		15 ft. wide, min. Ground cover and hedge per street screen requirement	
Interior Landscaping			
Between every 10 spaces		8 ft. wide, min. Ground cover or LID	1 for each required landscape area
Between every 20 spaces	Crossing rows, at least 5 ft. wide	8 ft. wide, min., both sides of the walkway Ground cover or LID	
Between every 3 rows	Along the row, at least 5 ft. wide		At least 1 tree every 50 ft. on both sides of the walkway.
At the end each row	Crossing rows, at least 5 ft. wide	8 ft. wide, min. Ground cover or LID	2 for each landscape area

FIGURE 5.9 ILLUSTRATED WALKWAYS AND PLANTING IN PARKING LOTS



- **A** Parking row - double-loaded
- **B** Parking row - single-loaded
- **C** Planter and walkway at the end of aisles
- **D** Planter and walkway every 20 spaces
- **E** Planter and walkway between every 3 rows
- **F** Planter required along lot lines in addition to walkway and planting along the street

(11) Loading location

a. Sites in the T2 zoning district are exempt from these loading rules.

b. Loading areas on private property must follow these rules:

1. Must be placed behind the building, away from the front lot line;
2. Must be set back at least twenty (20) feet from side streets; and
3. Must be screened from view using a street screen, as described in Sec. 50-510 (d) Screening and buffering.

c. If site constraints disallow loading on the private property, a dedicated loading area may be placed along a side street, only if:

1. It is the least visible and least disruptive alternative option; and
2. The loading area is no longer than thirty (30) feet.

d. A dedicated loading area may be placed along the front street, subject to approval by the Planning Commission.

(i) Outdoor lighting

(1) Exemptions

a. The following light types are exempt from the requirements of this section:

1. Lighting for one (1)- and two (2)-dwelling residential uses;
2. Navigation lights, such as those required for airports, heliports, and radio or television towers;
3. Temporary emergency lighting, used by police, fire fighting, or medical personnel for as long as the emergency exists;
4. Temporary or periodic events approved by the City, such as parades or festivals;
5. Illuminated signs in compliance with Sec. 50-508. Signs;
6. Security lights of up to one thousand six hundred (1,600) lumens when controlled by a motion sensor that turns the light off no later than twelve (12) minutes after activation;
7. Emergency lighting required by the City of Bentonville's adopted Building Code;
8. Lighting of flags displaying governmental bodies;
9. Streetlights; and
10. Lighting by combustion sources, such as gas lamps and fire pits.

(2) General

a. Fixtures must be designed, located, and maintained to prevent direct illumination from extending beyond the boundaries of the property on which they are located.

b. Illumination levels must not exceed 2.0 footcandles at the property line of any lot zoned T2, R-1, or T3.

c. Fixtures must be permanently fixed to prevent tampering or redirection of the light source.

d. Fixtures must direct lighting downward.

e. Fixtures exceeding one thousand one hundred (1,100) lumens must include cutoff or full cutoff shielding, as defined by IESNA.

f. The source of illumination must not be visible from beyond the property line.

g. Searchlights are not allowed for events or advertising purposes.

(3) Outdoor recreation

a. This subsection applies to lighting of outdoor play and performance areas.

b. Cutoff is not required; however, it is encouraged.

c. Glare control packages, such as louvers and shields, are required to direct light onto play, performance, and seating areas only.

d. Lighting must be turned off no later than one (1) hour after the conclusion of the last event or upon park closure, whichever occurs later.

(4) Accent lighting

a. Landscape accent lighting:

1. Accent lighting directed onto landscaping is allowed;
2. All non-cutoff luminaires must be shielded and directed so that light is only focused on the landscaped area; and
3. Luminaires must not be visible from any pedestrian or vehicular egress.

b. Building mounted accent lighting:

1. Accent lighting attached to building facades, structures, or architectural elements is allowed;
2. All non-cutoff luminaires must be shielded and directed toward only the area being illuminated; and
3. Fixtures may be used to illuminate vertical building surfaces if the bulb is shielded with an opaque surface that prevents horizontal light emissions.

c. Ground mounted accent lighting:

1. Ground-mounted lighting for buildings must be directed only onto the building surface;
2. Direct light emissions must not be visible above the roof line or beyond the edge of the building;
3. Upward-aimed fixtures must be:
   i. Fully shielded;
   ii. Confined by eaves, roofs, or overhangs; and
   iii. Located as close to the illuminated building as possible.
4. Spotlight bulbs or lamps must not be visible from a pedestrian or vehicular egress.

d. Pole mounted accent lighting:

1. Pole-mounted accent lighting for the purpose of illuminating buildings is not allowed.

e. Pedestrian walkway accent lighting:

1. Allowed when mounted no more than forty-two (42) inches above the walkway grade.

f. Neon and light emitting diode (LED) lighting:

1. Neon or LED lighting used in signs is subject to Sec. 50-508. Signs and is exempt from this subsection; and
2. Neon or LED accent lighting is allowed to highlight architectural elements of nonresidential structures, subject to the following:
   i. Fixtures must be mounted on or affixed to non-reflective surfaces;
   ii. All direct illumination must remain within the boundaries of the property; and

iii. Total accent lighting is limited to:

(i) One (1) linear foot of lighting per linear foot of illuminated façade; and

(ii) A maximum of seventy-five percent (75%) of the building's total façade length.

g. Strands of individual, low-intensity, white, or warm white decorative lights are allowed to illuminate outdoor spaces during normal business hours.

(j) Mechanical equipment, waste, and storage

(1) Mechanical equipment, waste containers, and open storage are not allowed:

a. Between the front or side street lot line and the nearest building;

b. Within 25 feet of R-1 and T3 properties; or

c. In flood hazard areas.

(2) The following elements must be screened following the rules in Sec. 50-510 (d) Screening and buffering:

a. Mechanical equipment, waste, and open storage areas screened from view along sidewalks and from T2, R-1, T3, and T4 properties; and

b. Above-ground utility equipment located within a front or side setback or located between the building and a front or side street lot line.

(3) Rooftop mechanical equipment must be screened from view along sidewalks.

(4) Exhaust vents and waste rooms within buildings are not allowed along front lot lines.

SEC . 50-504 . VERTICAL CONSTRUCTION

(a) Building placement

(1) Minimum and maximum setbacks are specified in Sec. 50-405. Standards for Zoning Districts.

(2) Building height is limited as specified in Sec. 50-405. Standards for Zoning Districts.

(b) Flood hazard areas

(1) New enclosed buildings must follow the requirements of the Flood Damage Prevention requirements.

(c) Building footprint limits

(1) The maximum amount of the lot that buildings can cover is limited as a percentage of the total lot area, listed in Table 4.1 Zone Standards.

(d) Building projections

(1) Certain building features may extend (or project) into minimum setbacks and build-to areas as shown in Table 5.21 Encroachment Examples, and as follows:

a. Projections are measured outward from the face of the building, and the allowed depth may be partially or entirely within the setback or build-to area;

b. Up to two (2) feet: Roof overhangs, cornices, trim around doors and windows, and decorative elements on the façade;

c. Up to four (4) feet: Balconies, bay windows, and awnings over residential windows;

d. Up to six (6) feet: Stoops and ground-floor display windows in non-residential buildings;

e. Up to ten (10) feet: Porches, as long as the porch is at least five (5) feet deep; and

f. Up to the lot line:

1. Steps attached to stoops or porches; and
2. Galleries and awnings over non-residential windows, if they are at least six (6) feet deep.

b. Projections into easements require an encroachment permit. See Sec. 50-718 (d) Encroachment permit.

c. Projections are not allowed into neighboring properties.

(2) Encroachment into rights-of-way

a. Any feature that extends into an easement or the public right-of-way requires an encroachment permit, following Sec. 50-718 (d) Encroachment permit and must meet the vertical clearance requirements of BEUD and BWUD Specifications.

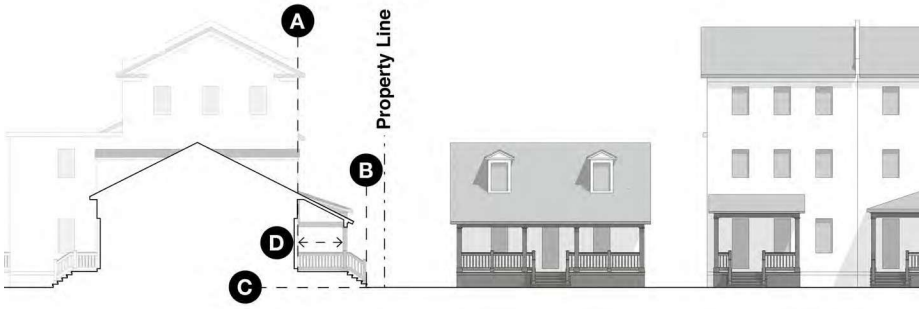
b. Galleries and awnings may extend into the right-of-way if they meet the following:

1. Minimum vertical clearance of eight (8) feet above sidewalks;
2. Minimum vertical clearance of ten (10) feet above trails;
3. Minimum horizontal setback of two (2) feet from trails;
4. Minimum depth of eight (8) feet for galleries and six (6) feet for awnings; and
5. A clear ADA path is maintained within the right-of-way.

c. Balconies may encroach up to four (4) feet into the right-of-way if there is a minimum vertical clearance of thirteen (13) feet above the sidewalk.

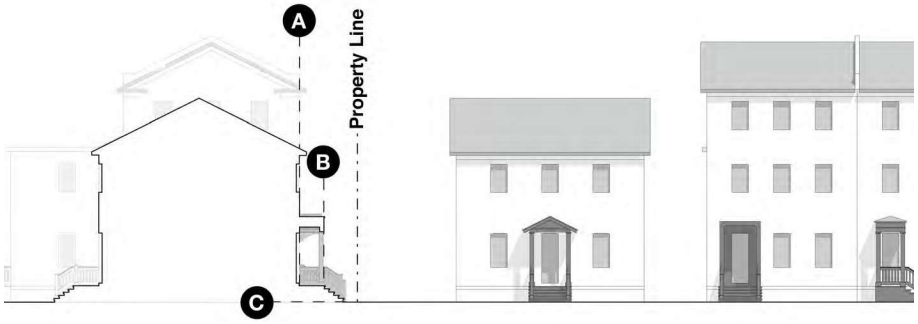
FIGURE 5.10 ENCROACHMENT EXAMPLES

Porch Encroachment into the Front Setback



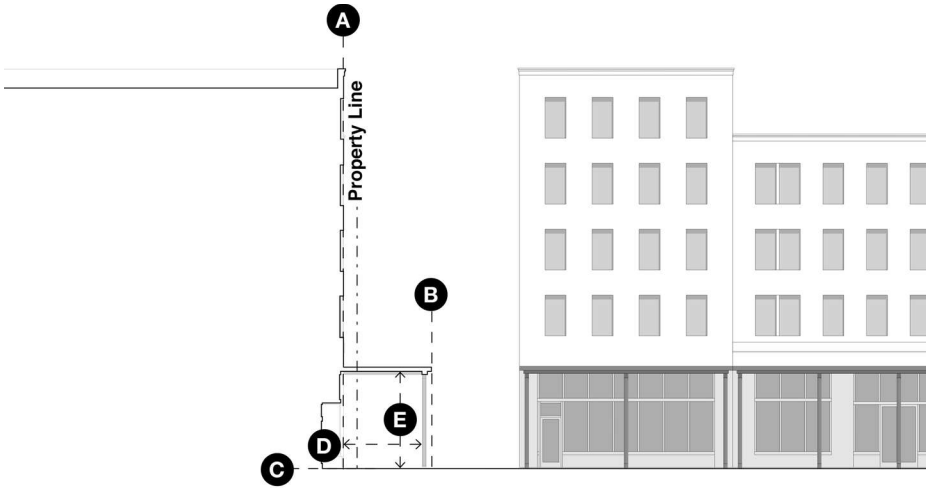
- A Minimum setback
- B Encroachment of porch
- C Sidewalk grade
- D Minimum depth required for porches that encroach into a setback.

Stoop Encroachment into the Front Setback



- A Minimum setback
- B Encroachment of stoop
- C Sidewalk grade

Gallery Encroachment into the Right-of-Way



- A Building setback, within the build-to area
- B Gallery encroachment into the right-of-way
- C Sidewalk grade
- D Minimum gallery depth
- E Minimum clearance above sidewalks

(e) Parking structures

(1) Setbacks

a. Parking structures must follow the parking setback rules listed in Table 4.1 Zone Standards, along with the additional rules in this section.

b. Setbacks from shared lot lines depend on the zoning district of abutting properties:
   1. T3 and R-1 zones: forty (40) feet;
   2. T4 zones: thirty (30) feet; and
   3. All other zones: ten (10) feet.

c. Parking structures may be located within the build-to area if they meet the following:
   1. At least eighty percent (80%) of the sides facing the build-to area are lined with ground floor active uses following Sec. 50-504 (c) (4) Required active uses; and
   2. Portions of the parking structure facade that are not lined with other uses are screened as follows:
      i. The facade must be at least fifty percent (50%) opaque or match the average opacity of other attached building facades above the ground floor, whichever is greater; and
      ii. Openings must be sized and arranged to be consistent with the windows of other attached building facades.
   3. The Planning Commission may permit an alternative facade screen based upon architectural or artistic merit.

d. If a parking structure is set back behind the build-to area, it must be screened by other buildings that meet all of the following:
   1. Screen the structure for at least seventy percent (70%) of the width of the front build-to area;
   2. Screen the structure for at least fifty percent (50%) of the width of the side street build-to area; and
   3. Include active uses as specified in Sec. 50-504 (c) (4) Required active uses.

(2) Height

a. Freestanding parking structures must comply with the maximum height in feet listed in Table 4.1 Zone Standards for the zoning district in which they are located.

b. Parking structures that are fully lined by other uses or screened by buildings along the build-to area may have a height equal to
   1. The maximum height for parking structures in Table 4.1 Zone Standards, or
   2. The eave height (sloped roof) or parapet height (flat roof) of the lowest liner use or screening building, whichever is greater.

c. Parking structures that are vertically stacked with other uses must comply with the following:
   1. The maximum overall building height in feet permitted for the zoning district; and
   2. The maximum number of building stories permitted for the zoning district.
   3. In T5.2, T6, and GC, all parking levels combined may count as a single building story for the purpose of determining compliance with subsection (c)(2). In all other zoning districts, each level of parking stacked with other uses shall count as a building story.

d. Under no circumstance may parking be used to increase the permitted number of stories or exceed the maximum overall building height in feet.

(3) Screening

a. Parking structures must be screened according to Sec. 50-510 (d) Screening and buffering.

(f) Building elevations

(1) Required entrances

a. Buildings located within thirty (30) feet of front or side street lot lines must include at least one entrance from the sidewalk, based on the frequency listed in Table 4.1 Zone Standards.

b. Required entrances must provide interior access to the building and be clearly visible from the sidewalk.

c. Side street entrances are not required when:

1. The building's length along the side street is less than seventy-five (75) feet; and

2. Required entrances are provided along the front lot line.

(2) Required glass

a. Building walls (elevations) located within thirty (30) feet of and facing towards front or side street lot lines or front parking areas must meet the minimum glass requirements listed in Table 4.1 Zone Standards.

b. Glass area is calculated as illustrated in Figure 5.11 Glass Area Calculations and as follows:

1. Glass area is measured separately for each building elevation and each floor;

2. The elevation area is measured between the finished floor and finished ceiling;

3. The full rough opening of each window or storefront system counts toward the glass area; and

4. Doors that have at least seventy-five percent (75%) glass also count toward the glass area, including their full rough opening.

c. The following do not count toward the glass requirement:

1. Tinted, mirrored, reflective glass; or other glass with a Visible Light Transmittance (VLT) less than sixty percent (60%); and

2. Glass covered by graphics, solid films, or screening materials, unless allowed as part of Sec. 50-508. Signs.

d. Blank walls (without glass) within the build-to area are limited to forty (40) feet long per floor, except in LI and LFI.

(3) Required materials

a. Purpose

1. To ensure developments use durable, high-quality exterior materials that contribute to the long-term value, character, and visual continuity of the City.

b. Base requirements

1. All exterior walls visible from a public right-of-way must be clad in durable materials.

2. The following materials are considered durable and permitted as primary materials:

i. Brick, natural stone, cast stone;

ii. Natural or architectural concrete;

iii. High-quality architectural metals (aluminum composite, copper, bronze)

iv. Marble and granite; and

v. Fiber cement board and wood siding with a minimum twenty-five (25)-year warranty, but are only permitted in T2, R-1, T3, and T4 zoning districts.

3. No more than two (2) primary materials may be used on any one (1) façade.
4. Materials must return at least twenty-four (24) inches around corners and architectural projections.
5. Materials must be used consistently and wrap all sides of the building visible from public view.

c. Prohibited materials
   1. The following materials are prohibited
      i. Masonite;
      ii. Vinyl siding;
      iii. Non-architectural CMU;
      iv. T-111 or similar sheet siding;
      v. Plywood;
      vi. Metal panel thinner than 24 gauge;
      vii. Exterior Insulation Finish System (EIFS); or
      viii. Faux stone or brick veneers with exposed edges.

d. Alternative materials or configurations may be requested from the Planning Commission if the alternative:
   1. Meets or exceeds performance standards for durability, weather resistance, impact resistance, and manufacturer warranty, as documented in product cut sheets or technical data;
   2. Does not introduce any prohibited materials or colors; and
   3. Meets the purpose and intent of this Article.

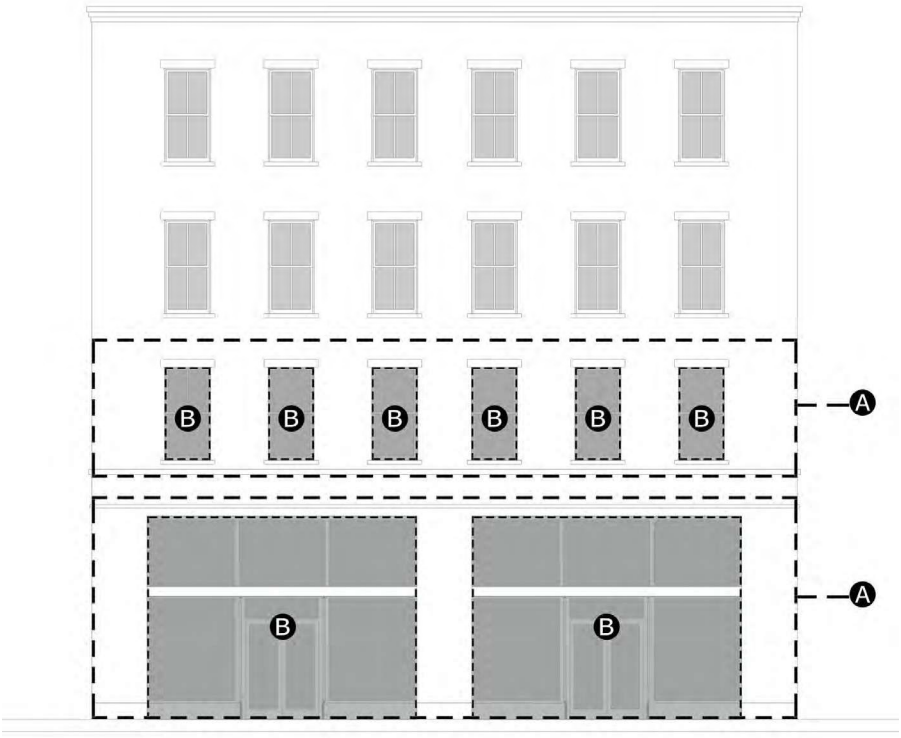
e. All vents, gutters, downspouts, flashing, electrical conduits, etc. shall be painted to match or compliment the color of the adjacent surface.

f. Bright or saturated colors are only permitted as an accent.

(4) Required active uses

a. In T5 and T6 zones, the ground floor of buildings in the build-to area must include active uses.
b. Active uses must extend at least twelve (12) feet deep into the building.
c. Active uses include, but are not limited to:
   1. Entrances, lobbies, or reception areas;
   2. Shared spaces in multi-tenant buildings;
   3. Merchandise or product display areas;
   4. Dining areas or food preparation areas;
   5. Manufacturing production or preparation areas;
   6. Spaces for performances or events;
   7. Meeting rooms or gathering areas;
   8. Spaces for art galleries or art exhibitions; or
   9. Any other space intended for regular use and frequent occupancy.

FIGURE 5.11 GLASS AREA CALCULATIONS



A	Area of elevation	Required glass is calculated for each floor separately: B / A
B	Area of glass	

(5) Garage door location

a. New buildings are not allowed to orient garage doors or bays toward a front or side street property line. This restriction does not apply to existing buildings where garage bays are repurposed for non-automotive functions.

SEC . 50-505 . ZONE TRANSITIONS

(a) Conditions requiring transitions

(1) The standards of this Section apply when:

a. Properties zoned T6, GC, LI, or LFI abut lots zoned R-1, T3, and T4;

b. Properties zoned T5 abut lots zoned R-1 and T3.

(2) The required landscape buffers and expanded setbacks in this section do not apply where the GC, LI, or LFI property is developed with residential uses.

(b) Setback transitions

(1) Buildings must comply with the minimum side or rear setback of the abutting zoning district along shared lot lines.

(2) Additional setback distance is required as follows:

a. In GC and LI, buildings must be set back 20 feet more than the required minimum when

abutting T2, R-1, T3, or T4.

b. LFI, buildings must be set back 50 feet more than the required minimum when abutting T2, R-1, T3, or T4.

(c) Landscape buffer transitions

(1) A landscape buffer is required along shared lot lines where different zoning districts abut, as specified in Sec. 50-510 (d) Screening and buffering and Table 5.18 Buffer Requirement by Adjacency.

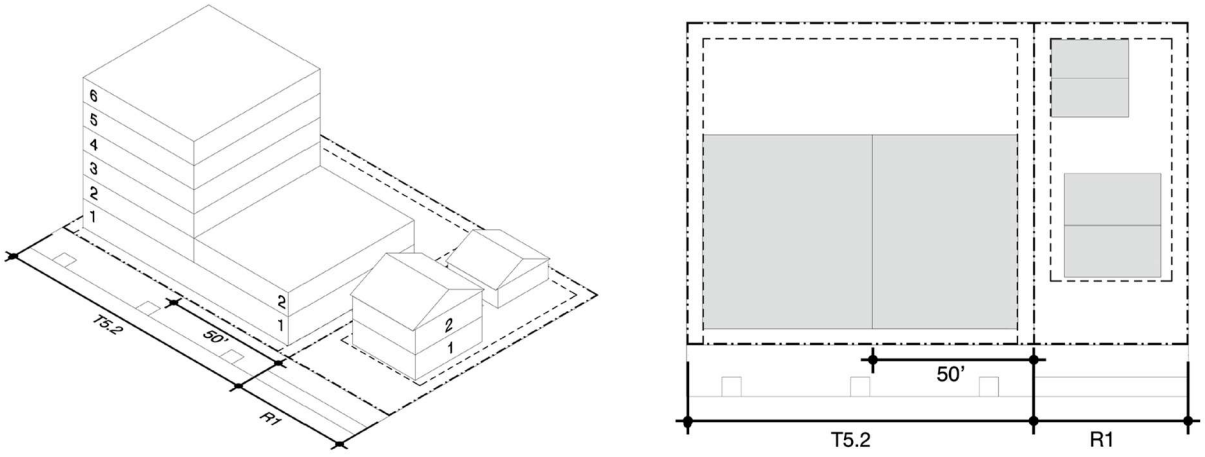
(d) Transition in height

(1) Height transitions are required as illustrated in Figure 5.12 Height Transition Examples and specified in Table 5.12 Height Transitions.

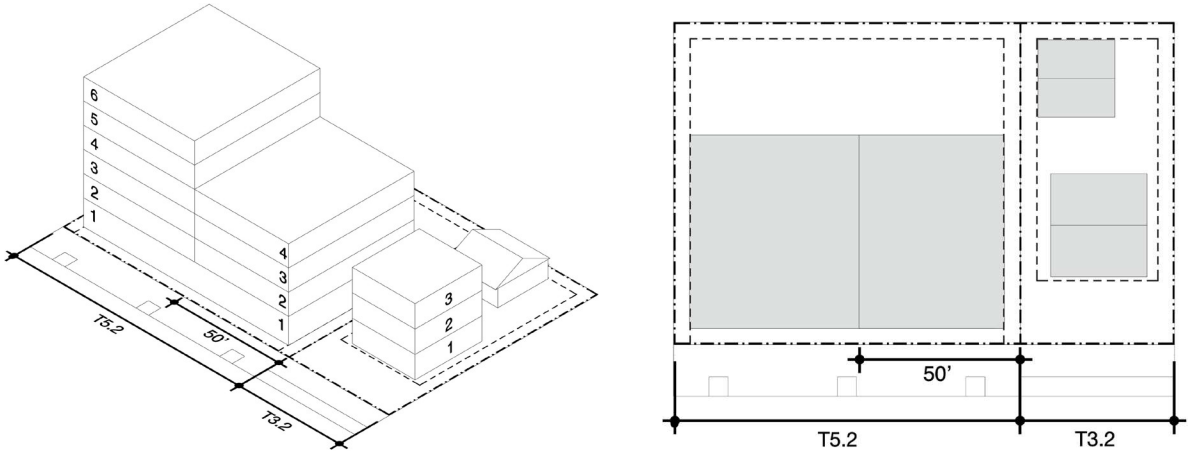
TABLE 5.12 HEIGHT TRANSITIONS

	Subject Lot		
Abutting Lot	T5.1, GC	T5.2	T6
R-1	Limited to R-1 maximum height within fifty (50) feet		The T5.2 limitation applies within fifty (50) feet. Between fifty (50) and one hundred (100) feet, two (2) additional stories, not to exceed thirty (30) additional feet, are allowed above the T5.2 limitation.
T3	No limitation	Limited to the maximum height of the abutting lot plus one (1) story, not to exceed fifteen (15) additional feet, within fifty (50) feet	
T4			

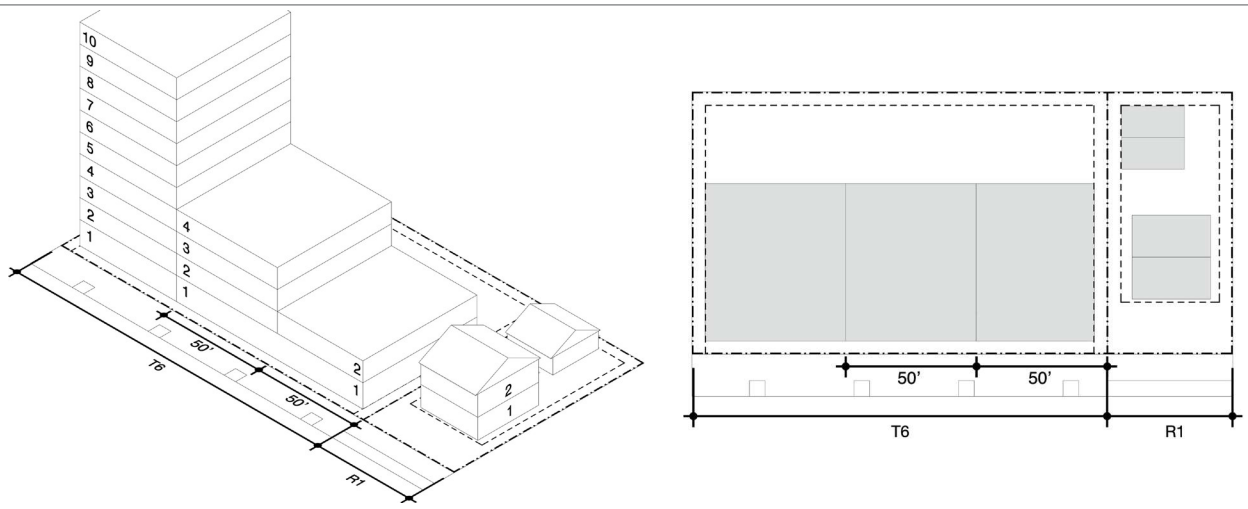
FIGURE 5.12 HEIGHT TRANSITION EXAMPLES



Example of T5.2 abutting R-1

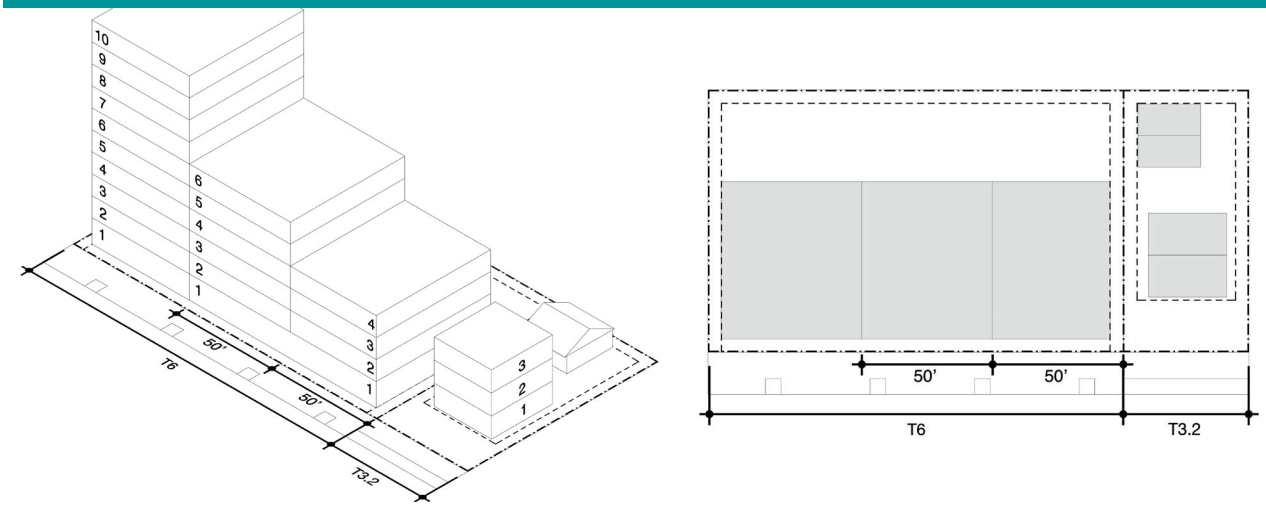


Example of T5.2 abutting T3



Example of T6 abutting R-1

FIGURE 5.12 HEIGHT TRANSITION EXAMPLES



Example of T6 abutting T3

SEC . 50-506 . OVERLAY DISTRICTS

(a) Applicability

(1) Overlay districts apply only to properties located within the boundaries of each overlay, as shown on the Official Zoning Map.

(2) Overlay districts may establish use limitations, height restrictions, design requirements, or other rules that are specific to the overlay area.

(3) Overlay district rules supersede rules elsewhere in this Code if they conflict.

(b) Bentonville Municipal Airport Overlay (BMAO)

(1) Purpose and intent

a. To protect the Bentonville Municipal Airport and public safety by managing building height, land use, and lighting near airport flight paths.

b. To reduce risks to aircraft operations, prevent hazardous land use near the airport, and maintain long-term compatibility between airport activity and surrounding development.

(2) Applicability

a. The overlay applies to all properties located within the airport's designated approach, transitional, horizontal, and conical surfaces.

b. These boundaries are shown on the Official Bentonville Municipal Airport Zoning Map, adopted by reference and kept on file with the City of Bentonville.

(3) Height limits

a. Structure must not exceed fifty (50) feet in height above ground unless the FAA issues a determination of no hazard to air navigation.

b. Structures must not exceed the height limit established for the airport surface area in which they are located, based on FAA regulations and the Official Bentonville Municipal Airport Zoning Map.

c. If a structure exceeds a regulated airport surface, the City may install and maintain warning lights or markings on the structure, consistent with FAA guidance. These improvements are installed at the City's expense.

(4) Land use restrictions

a. Uses must not:

1. Cause electronic interference with aircraft communication or navigation;
2. Make it harder for pilots to see airport lighting;
3. Produce glare, light, smoke, or air pollution that affects visibility; or
4. Attract birds or wildlife in a way that creates a risk to aircraft.

b. Residential and other noise-sensitive uses are only allowed if all of the following conditions are met:

1. Building design must include soundproofing that reduces indoor noise levels by at least thirty (30) decibels;
2. Plans must include documentation showing how the sound reduction will be achieved;
3. An avigation easement given to the city and must be recorded before permits are issued; and
4. A plat attachment or separate recorded notice must inform current and future owners about overflight activity and potential aircraft noise.

(5) Administrative procedures

a. Applicants must file FAA Form 7460-1 to determine whether a proposed structure would affect airspace near the airport.

b. A determination of no hazard to air navigation from the FAA will be required before the City approves a development application.

(c) Northwest Arkansas National Airport Overlay (XNAO)

(1) Purpose and intent

a. To protect the XNAO from encroachment by incompatible uses and to ensure safe aircraft operations and public safety.

b. To regulate height, lighting, glare, and land use around the airport, and to reduce hazards such as electronic interference, visual obstructions, and wildlife attraction.

(2) Applicability

a. This overlay applies to all land within the 4 mapped zones surrounding XNAO: the Runway Protection Zone, Inner Safety and Turning Zone, Outer Safety Zone, and Traffic Pattern Zone.

b. The Official XNAO Zones Map is adopted by reference and maintained in the City's GIS.

c. When a property lies within more than one (1) zone, the more restrictive height or land use standard applies.

(3) Overlay zones

a. Zone 1: Runway Protection Zone (RPZ)

1. This zone includes the area immediately beyond runway ends.
2. All uses are not allowed.
3. The area must remain open and undeveloped and must be located entirely on airport-owned property.

b. Zone 2: Inner Safety and Turning Zone (ISTZ)

1. This zone includes a sixty (60)-degree wedge extending approximately five thousand (5,000) feet beyond the RPZ.
2. All uses allowed in the base zoning district are allowed unless specifically listed as not allowed.
3. Conditional uses in the base zoning district remain conditional unless not allowed.
4. The following uses are not allowed:

i. Places of public assembly not designed for airport use, such as schools, child care, theaters, and religious facilities;

ii. Residential dwellings, including all housing types;

iii. Correctional facilities and jails;

iv. Transmission towers or stations;

v. Wind turbines;

vi. Mining;

vii. Solid waste disposal facilities;

viii. Storage of bulk hazardous or flammable materials;

ix. Contractor yards and salvage or storage yards;

x. Storage yards for oxides, coal, stone, concrete mixing supplies or asphalt plants; or

xi. Wireless communication facilities.

c. Zone 3: Outer Safety Zone (OSZ)

1. This zone extends approximately five thousand (5,000) feet beyond Zone 2 and is centered on the runway.
2. Use permissions and prohibitions are the same as Zone 2.
3. All disallowed uses listed in Zone 2 also apply in this zone.

d. Zone 4: Traffic Pattern Zone (TPZ)

1. This zone includes the airspace approximately six thousand (6,000) feet on either side of the runway and follows the same arc as the ISTZ.
2. No specific land uses are disallowed in this zone, but general provisions apply.

(4) General development standards for zones 1–4

a. No building or surface material may cause glare visible to pilots.

b. No lighting may blink, flash, or direct light upward in a way that could be mistaken for airport lights.

c. No structure or activity may impair visibility near the airport, including emissions of smoke, steam, or other visual obstructions.

d. No use may cause electrical interference with airport navigation or communication systems.

e. Any use that may attract birds or other wildlife is not allowed in Zones 1, 2, or 3.

f. All noise-sensitive uses, including housing, schools, hospitals, and places of worship, must be soundproofed to reduce indoor noise by at least thirty (30) decibels.

g. An avigation easement must be granted to the appropriate parties and recorded prior to permit approval. Plat notices must also disclose potential airport impacts.

(5) Height limitations

a. All structures must comply with the FAA Height Hazard Zoning Ordinance prepared by the Northwest Arkansas Regional Airport Authority.

b. A height certificate issued by the FAA must be submitted with development applications within the overlay.

SEC . 50-507 . CAMPUS DEVELOPMENT STANDARDS

(a) Purpose and intent

(1) To provide flexible development standards for large-scale institutional or corporate campuses.

(2) To support cohesive master planning, shared infrastructure, and long-term phasing that would not be possible under conventional development regulations.

(3) To enable walkable, functional, and coordinated campuses that serve as employment or institutional anchors.

(4) To create well-shaped public and semi-public spaces, maintain essential connectivity, and provide alternatives to conventional platting and circulation patterns.

(b) Applicability

(1) The standards in this section apply only to developments approved through the campus development plan process described in Article 50-7 Administration. To qualify, a development must meet all of the following criteria:

a. The site must be at least eight (8) acres in size;

b. The project must include an institutional or corporate anchor;

c. The site must be under unified ownership or long-term control; and

d. The development must be guided by a coordinated plan for internal circulation and open space.

(c) Modifications

(1) Development standards in this subsection may be modified or replaced as part of a campus development plan approved by the Planning Commission.

(2) Connectivity

a. Required pedestrian, bicycle, and emergency access routes must be maintained throughout the site.

b. A connected internal street network must be provided even if public street standards are not used.

(3) Street design

a. Internal streets are subject to the general standards of Article 50-5 Design Standards.

b. Streets may be privately owned and may use custom cross-sections if they provide appropriate access for all users and connect to the public street network.

(4) Lot and frontage standards

a. Lots within the campus are not required to front a public street.

b. Lot lines may follow utility, leasing, or operational boundaries and are not subject to minimum lot size or setback requirements if the overall development meets the intent of this section.

(5) Building orientation and entry

a. Buildings must face streets, internal open spaces, courtyards, or pedestrian pathways.

b. Primary entrances are not required to face a public street but must be clearly identifiable from the internal circulation network.

(6) Parking and transportation

a. Minimum parking requirements do not apply, but a parking management plan is required.

b. Parking location and layout must not dominate pedestrian circulation or detract from shared open spaces.

(7) Access management

a. Driveway spacing, internal access design, and service vehicle routing may vary from standard requirements.

b. A coordinated access plan must be approved as part of the campus development plan.

(8) Lighting

a. Lighting standards may be met through a site-wide plan that addresses:

1. Intensity;
2. Cut-off; and
3. Uniformity across campus areas, including pedestrian paths and parking facilities.

(9) Phasing

a. Campus development may be phased over time.

b. Public improvements and open space may be delivered in phases according to thresholds or triggers established in the approved plan.

(10) Design

a. Campus development plans must demonstrate:

1. A connected internal network for pedestrian, bicycle, vehicular, emergency, and service circulation;
2. Compatibility and appropriate transitions at the edges of the site;
3. A coordinated landscape and open space plan that defines clear relationships between buildings;
4. Building placement that shapes meaningful public or semi-public spaces appropriate to the campus context; and
5. Cohesive utility, grading, and stormwater strategies at the site level.

SEC . 50-508 . SIGNS

(a) Purpose and intent

(1) To limit the size, number, location, and appearance of signs for pedestrian and traffic safety, and preserve community character.

(2) To set rules about how signs are built, where they go, and how big they are.

(b) Applicability

(1) This Section applies to all signs on private property, public property, and in the right-of-way, unless clearly exempted.

(2) All signs require a permit, except as specified in subsection (d) Signs allowed without a permit.

(3) Sign permit requirements are specified in Sec. 50-721 (h) Sign permit.

(4) Signs that do not comply with this Section, or are not allowed, may be removed by the City or require correction, as explained in Article 50-7 Administration.

(c) General rules

(1) Interpretation

a. Where a term, sign type, or dimensional standard is not clearly defined, the Director may issue a written interpretation to clarify the rules.

b. If a sign type isn't listed, the Planning Commission will determine the closest matching sign type based on its size, shape, structure, and how it's displayed.

c. Signs located within previously approved and zoned Planned Residential Developments (PRDs) shall be regulated in accordance with the standards applicable to the T4 zoning district.

d. Signs located within previously approved and zoned Planned Unit Developments (PUDs) shall be regulated in accordance with the standards applicable to the T5 zoning district.

(2) Height measurement

a. Sign height is measured from the finished grade at the base of the sign to the top of the sign.

b. For roof signs, height is measured from the top of roof deck to the top of the sign.

(3) Area measurement

a. Sign area is measured as the total surface within a continuous rectangle that encloses all parts of the sign, including logos, symbols, and background elements that frame the message.

b. Supporting structures such as poles or base elements are not included in the area calculation unless they are internally lit or used to convey a message.

c. For double-faced signs placed back-to-back, only one (1) face is counted if the two (2) faces are identical and separated by no more than twenty-four (24) inches.

(4) Location

a. Signs must be entirely within private property, unless stated otherwise.

b. Signs must be at least five (5) feet from utility lines and easements.

c. Signs placed within or extending into the public right-of-way or public property require an encroachment permit as required by Sec. 50-718 () Encroachment permit and are subject to the following:

1. Signs are not allowed in utility easements without coordination and approval by all utility departments and parties; and

2. Signs must be located at least two (2) feet from curbs, ramps, driveways, light poles, street signs, transit stops, trails, and shared-use paths.

d. Signs must not:

1. Block doors, windows, or fire escapes;
2. Interfere with traffic control devices, pedestrian movement, or visibility at intersections, driveways, or crosswalks;
3. Project into a sight triangle, as defined by the Arkansas Department of Transportation;
4. Impair visibility for pedestrians, cyclists, or drivers; or
5. Attach to fences, utility poles, light poles, street furniture, or landscaping.

e. Sign location must meet these minimum vertical clearances:

1. Eight (8) feet above pedestrian walkways;
2. Ten (10) feet above bicycle routes; and
3. Thirteen and a half (13.5) feet above driveways.

(5) Reserved

(6) Construction and maintenance

a. Signs must be constructed of durable, weather-resistant materials.
b. Signs must be installed safely and follow building and electrical codes.
c. Structural elements must remain plumb and securely anchored.
d. Signs must be kept in good condition, free from rust, rot, peeling paint, cracking, fading, or structural damage.
e. Sign faces must be legible and free of obscured or missing lettering, panels, or components.
f. Sign must remain structurally safe and sound.
g. Electrical signs must function as designed, with no exposed wiring or broken illumination.
h. Landscaping at the base of a sign, if required, must be maintained in healthy condition and replaced as needed in accordance with Sec. 50-510. Landscape, Screening, and Buffering.

(7) Enforcement

a. Once installed, a sign that is not compliance with subsection (6) Construction and maintenance must be repaired or removed within ten (10) business days of written notice from the City.
b. If the responsible party fails to act within ten (10) business days, the City may remove the sign at the owner's or tenant's expense.
c. Abandoned signs must be removed or updated with a new sign or sign face within ninety (90) days of abandonment.

(8) Illegal signs

a. The City may issue a notice of violation and require correction or removal within ten (10) business days.
b. If corrective action is not taken, the City may remove the sign and recover costs from the responsible party.

(9) Artwork exemption

a. Displays are not considered signs if they meet the definition of artwork in Sec. 2-550 of the Bentonville Municipal Code; and

(d) Signs allowed without a permit

(1) Signs specified in this subsection don't need a permit if they comply with the listed rules and subsection (c) General rules.

(2) Building-integrated and incidental signs

a. Signs or plaques on a building wall, up to one (1) square foot in area and not lit.

b. Signs integrated into building design, projecting up to one (1) inch, and not independently lit.

c. Signs on vending machines, fuel pumps, ATMs, or other similar fixtures, up to six (6) square feet and contained within the fixture.

(3) Temporary signs not requiring a permit

a. Posters or printed boards up to fifteen (15) square feet and five (5 feet) tall.

b. Worksite signs required by OSHA or state agencies.

c. Yard signs displayed no more than seven (7) consecutive days, up to eight (8) square feet and five (5) feet tall.

d. Construction signs up to thirty-two (32) square feet, displayed after a building permit is issued and removed before occupancy.

e. A-frame and other movable signs used only during business hours in T5 or T6, removed during bad weather and located to preserve a clear path of travel of five (5) ft. min. These are allowed in other zoning districts if not visible from a public street.

(4) Government and utility signs

a. Signs installed by a government agency or public utility.

b. Signs installed under a franchise agreement with the City or other government agency.

(5) Signs on vehicles

a. Signs displayed on buses, taxis, and other vehicles legally operating as common carriers are allowed if:

1. The vehicle is in use for a business and not just to display the sign;
2. The sign is painted or applied;
3. The sign does not project beyond the vehicle;
4. The sign does not cover more than forty percent (40%) of windows; and
5. The vehicle is not parked in the same location for more than two (2) days just to display the sign.

(6) Window signs

a. Painted, applied, or hanging signs located inside a window.

b. Vinyl appliqués must be individual letters or images, without solid backgrounds, not exceeding forty percent (40%) of the window area.

(7) Maintenance work

a. Repainting, repairing, changing copy, or fixing signs without changing their size, structure, or electrical.

b. Replacing damaged parts with identical materials.

c. Covering signs temporarily during repairs. Covers may not include new sign content.

(e) Signs that are not allowed

(1) Signs that visually simulate or could be confused with official government signage.

(2) Signs that cause electrical or radio interference with emergency communications or navigation.

(3) Signs that use flashing or blinking lights, beacons, rotating elements, or chasing lights.

(4) Pole signs.

(5) Rotating or revolving signs.

(6) Hand-held signs displaying a commercial message.

(7) Portable message center signs.

(8) Off-site commercial message signs.

(9) Signs in public ROW without proof of an encroachment permit per Sec. 50-718 (d) Encroachment permit.

(10) Mobile billboards.

(11) Wind-animated devices like banners, bow flags, feather flags, spinners, streamers, or pennants, when visible from public streets.

(12) Inflatable signs or figures, including tethered balloons or gas-inflated objects.

(13) Signs with exposed bulbs over twenty-five (25) watts, metal halide lighting over seventy-five (75) watts, or projecting light or glare onto a public streets or neighboring properties.

(14) Signs mounted on vehicles or trailers, other than those allowed under (5) Signs on vehicles.

(f) Signs allowed with a permit

(1) Signs must follow the rules in Table 5.13 Sign Standards and in this subsection.

(2) Temporary signs

a. Posters or printed boards more than fifteen (15) square feet or five (5) feet tall.

b. Banners for temporary events, displayed for up to fourteen (14) days before and two (2) days after. Signs for on-site events, holidays, or sales, displayed up to fourteen (14) days before and two (2) days after.

c. Up to four (4) temporary signs are allowed each calendar year for each tenant or property.

(3) Billboards

a. Location

1. Billboards are only allowed within seventy-five (75) feet of the Interstate 49 right-of-way between Exit 85 (southbound entrance ramp) and Exit 86 (southbound exit ramp).

2. Billboards must be outside of required building setbacks.

3. Billboards are not allowed on rooftops or within railroad rights-of-way.

4. Billboards must be freestanding.

b. Spacing

1. Billboards must be spaced at least two thousand six hundred forty (2,640) feet from any other billboard.
2. Billboards must not be within two hundred fifty (250) feet of properties zoned R-1, T3, or T4.
3. Billboard must be at least one hundred fifty (150) feet from a signalized intersection.

c. Size and Height

1. Maximum height is forty-five (45) feet above finished grade.
2. Maximum sign area is four hundred eighty (480) square feet per sign face.
3. Up to two (2) faces are allowed per sign, visible from the same direction.
4. Back-to-back billboard signs must:
    i. Be no more than four (4) feet apart on average and three (3) feet at the closest point; and
    ii. Form an angle no greater than forty-five (45) degrees.
5. The sign structure must not extend beyond the edges of the sign face.
6. Skirting, framing, or support structure surrounding the sign face are not allowed.

d. Replacement of Static Billboards with Digital Billboards

1. New digital billboards are only allowed if they replace legally nonconforming static billboards.
2. For every one (1) square foot of new digital sign, at least two and a half (2.5) square feet must be removed. Multiple billboards may be removed to accommodate a new digital sign.
3. The sign face area of any new digital billboard must not exceed the area of the smallest billboard removed.
4. Billboard removal must follow this priority:
    i. Nonconforming signs on Walton Boulevard;
    ii. Double-decker billboards located within City limits; and
    iii. Other nonconforming billboards on the same roadway as the digital sign.
5. All removal and replacement rules must be met before a new digital billboard is allowed.

e. Landscaping at Billboard Base

1. Must include at least two (2) large canopy trees.
2. Plants removed or trimmed within the public right-of-way must follow Arkansas Department of Transportation regulations.
3. All landscaping must comply with Sec. 50-510. Landscape, Screening, and Buffering.

f. Maintenance

1. Billboards must be maintained and repaired, and display components must be replaced.
2. Billboards may not be expanded, raised, or relocated unless done so in full compliance with this Section.

(4) Corner sign

a. Allowed only at an exterior building corner where two (2) building walls meet, and each wall faces a public street.

b. May project up to four (4) feet from the wall of the building. An encroachment permit per Sec. 50-718 (d) Encroachment permit is required if projection encroaches into an easement or public right-of-way.

(5) Ground sign

a. The bottom edge must be within two (2) feet of the sidewalk grade.

b. Signs adjacent to I-49, between Exit 85 and Exit 86, may be up to seventy (70) feet tall and one hundred (100) square feet.

c. Ground signs in T2.1, R-1, T3, and T4 are only allowed for institutional uses.

d. Ground signs in T2.2 are only allowed for institutional uses and gas stations.

(6) Marquee sign

a. Marquee signs consist of a horizontal canopy and a vertical sign element above, each subject to separate rules in Table 5.13 Sign Standards.

(7) Projecting sign

a. Must be attached to the wall of a building.

b. May extend up to four (4) feet from the wall.

1. If extending into the right-of-way proof of an encroachment permit per Sec. 50-718 (c) Encroachment permit is required.

(8) Roof sign

a. Only allowed on buildings over three (3) stories.

b. Structure must not be visible from sidewalks.

c. Must not extend beyond the edge of the building.

d. In T5, the sign area is limited to one hundred (100) square feet plus twenty-five (25) square feet for each floor above three (3) stories.

(9) Subdivision sign

a. Can be ground signs or attached to entry walls.

b. An encroachment permit per Sec. 50-718 (c) Encroachment permit is required if subdivision sign encroaches into an easement or public right-of-way.

(10) Wall sign

a. Must project no more than twelve (12) inches from the wall, unless on a sloped canopy roof.

b. Must be at least six (6) inches from building corners, except where signs on two (2) building walls connect.

TABLE 5.13 SIGN STANDARDS

Permanent Signs

Awning

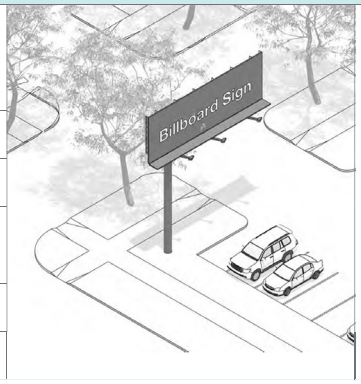
Zoning District	T4, T5, T6, GC, LI, LFI
Height (max.)	N/A
Number (max.)	1 per awning face
Area (max.)	32 sq. ft.
Copy Height (max.)	10 in.
Sign regulation	





Billboard

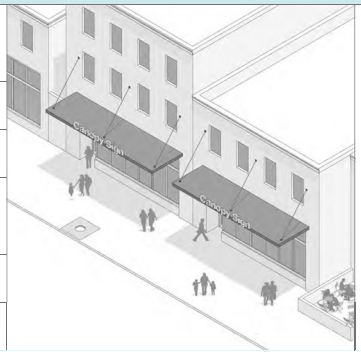
Zoning District	Restricted in: T6, GC, LI, LFI
Height (max.)	45 ft.
Number (max.)	See (3) Billboards
Area (max.)	480 sq. ft.
Copy Height (max.)	N/A
Sign regulation	Sec. 50-508(f)(3)

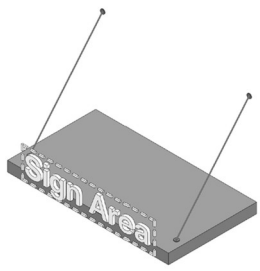




Canopy

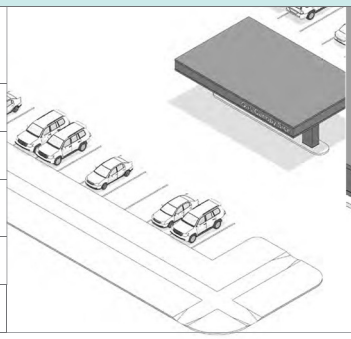
Zoning District	T5, T6, GC, LI, LFI
Height (max.)	N/A
Number (max.)	1 per entry
Area (max.)	2 sq. ft. per linear ft. and 12 sq. ft.
Copy Height (max.)	30 in.
Sign regulation	





Canopy for Gas Station

Zoning District	T5, T6, GC, LI, LFI
Height (max.)	N/A
Number (max.)	1 per face
Area (max.)	25 sq. ft.
Copy Height (max.)	30 in.
Sign regulation	



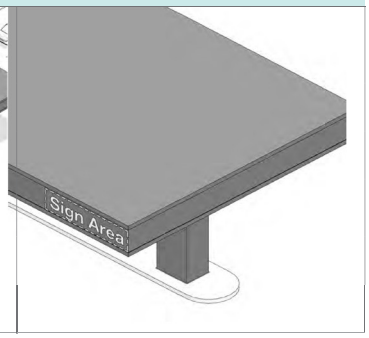
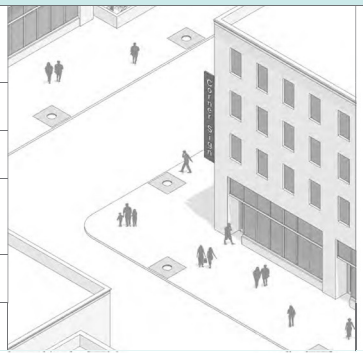


TABLE 5.13 SIGN STANDARDS

Permanent Signs

Corner

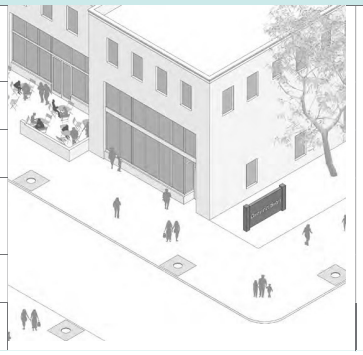
Zoning District	T5, T6, GC, I, LI, LFI
Height (max.)	6 ft. above eave or parapet
Number (max.)	1 per building
Area (max.)	40 sq. ft.
Copy Height (max.)	N/A
Sign regulation	Sec. 50-508(f)(4)

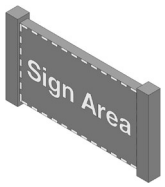




Ground – single tenant

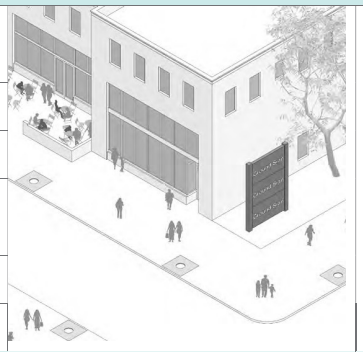
Zoning District	T5, T6, GC, , LI, LFI Restricted in: T2, R1, T3, T4
Height (max.)	12 ft.
Number (max.)	1 per frontage
Area (max.)	60 sq. ft.
Copy Height (max.)	30 in.
Sign regulation	Sec. 50-508(f)(5)

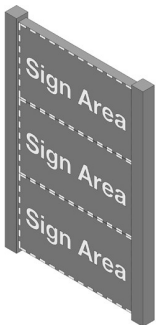




Ground – multi-tenant

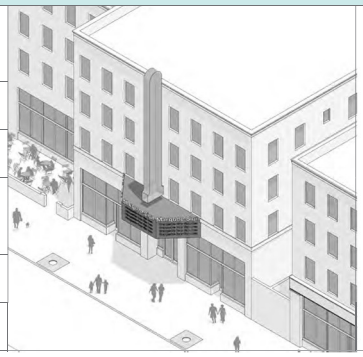
Zoning District	T5, T6, GC, LI, LFI
Height (max.)	12 ft.
Number (max.)	1 per frontage
Area (max.)	120 sq. ft.
Copy Height (max.)	30 in.
Sign regulation	Sec. 50-508(f)(5)





Marquee (canopy)

Zoning District	T5, T6, GC, LI, LFI
Height (max.)	N/A
Number (max.)	1 per building
Area (max.)	120% of face
Copy Height (max.)	N/A
Sign regulation	Sec. 50-508(f)(6)



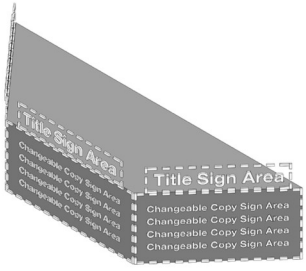


TABLE 5.13 SIGN STANDARDS

Permanent Signs

Marquee (vertical)

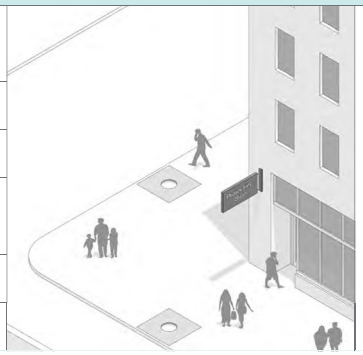
Zoning District	T5, T6, GC, LI, LFI
Height (max.)	6 ft. above eave or parapet
Number (max.)	1 per building
Area (max.)	120% of face
Copy Height (max.)	N/A
Sign regulation	Sec. 50-508(f)(6)





Projecting

Zoning District	T4, T5, T6, GC, LI, LFI
Height (max.)	N/A
Number (max.)	1 per ground floor tenant
Area (max.)	6 sq. ft. per side
Copy Height (max.)	8 in.
Sign regulation	Sec. 50-508(f)(7)

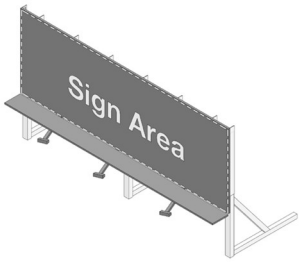




Roof

Zoning District	T6, GC, LI, LFI Restricted in: T5
Height (max.)	15 ft.
Number (max.)	1 per parcel
Area (max.)	200 sq. ft.
Copy Height (max.)	N/A
Sign regulation	Sec. 50-508(f)(8)





Subdivision

Zoning District	R1, T3, T4, LI, LFI
Height (max.)	Ground or wall sign
Number (max.)	1 per subdivision
Area (max.)	24 sq. ft.
Copy Height (max.)	N/A
Sign regulation	Sec. 50-508(f)(9)

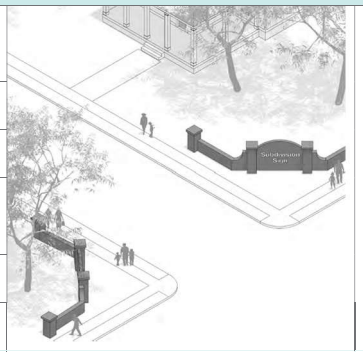




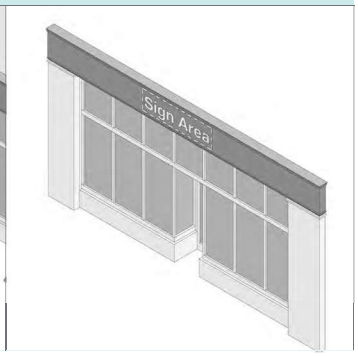
TABLE 5.13 SIGN STANDARDS

Permanent Signs

Wall

Zoning District	All Districts
Height (max.)	N/A
Number (max.)	1 per tenant and 1 per frontage
Area (max.)	15% of wall area for the building, or suite
Copy Height (max.)	N/A
Sign regulation	Sec. 50-508(f)(10)





Window

Zoning District	T4, T5, T6, GC, LI, LFI
Height (max.)	N/A
Number (max.)	1 per window
Area (max.)	40% of window area
Copy Height (max.)	N/A
Sign regulation	Sec. 50-508(d)(6)



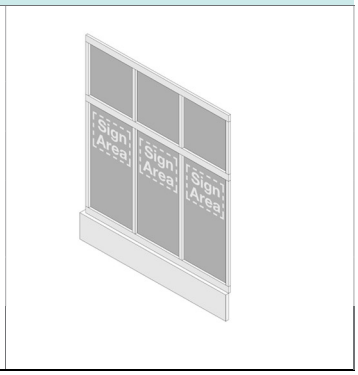
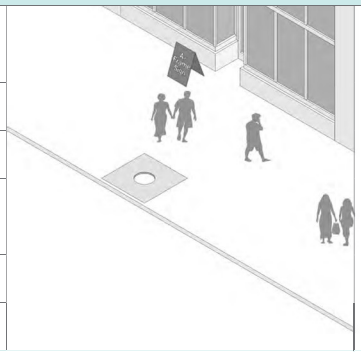


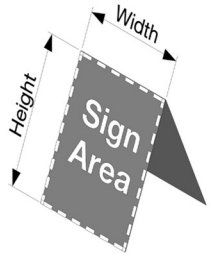
TABLE 5.13 SIGN STANDARDS

Temporary Signs

A-frame

Zoning District	T4, T5, T6,
Height (max.)	42 in.
Number (max.)	1 per ground floor tenant
Area (max.)	30 in. wide and 42 in. high
Copy Height (max.)	N/A
Sign regulation	Sec. 50-508(d)(3)

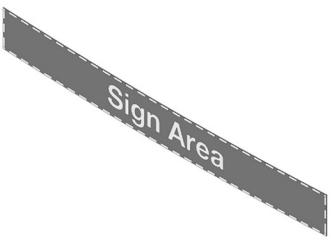




Banner

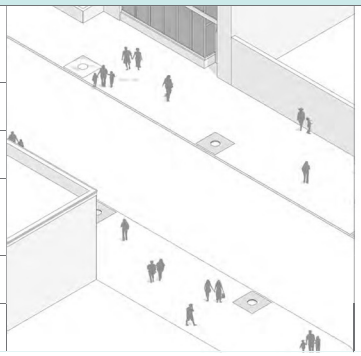
Zoning District	T4, T5, T6, GC, LI, LFI
Height (max.)	20 ft.
Number (max.)	1 per tenant
Area (max.)	25 sq. ft.
Copy Height (max.)	18 in.
Sign regulation	Sec. 50-508(f)(2)





Construction

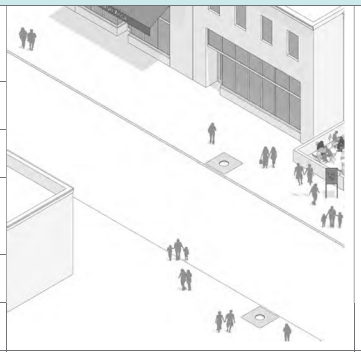
Zoning District	All Districts
Height (max.)	15 ft.
Number (max.)	1 per lot
Area (max.)	32 sq. ft.
Copy Height (max.)	N/A
Sign regulation	Sec. 50-508(d)(3)





Event ground sign

Zoning District	All Districts
Height (max.)	4 ft.
Number (max.)	4 per parcel
Area (max.)	12 sq. ft.
Copy Height (max.)	N/A
Sign regulation	Sec. 50-508(f)(2)





(g) Lighting

(1) Lighting must not cause glare or interfere with traffic control devices, street lighting, or pedestrian visibility.

(2) Externally lit signs must use top-mounted, fully shielded lighting aimed only at the sign face.

(3) Internal lighting is only allowed for window signs, wall signs, and digital billboard signs.

(4) Internally lit signs must have an opaque background and translucent copy.

(5) Neon is only allowed for window and marquee signs.

(6) Lighting must not blink, flash, pulsate, rotate, or strobe.

(7) Exposed bulbs must not exceed three hundred (300) lumens, except metal halide bulbs in marquee signs which may be up to four hundred (400) lumens.

(8) Low-pressure sodium, high-pressure sodium, and mercury vapor lights are not allowed.

(h) Electronic message centers (EMCs)

(1) Where allowed

a. Only allowed as part of ground signs and digital billboards.

b. Only allowed in GC, LI, and LFI zones, and the I-49 billboard corridor.

c. Must be at least two hundred fifty (250) feet from any residentially property.

d. Must be at least one hundred fifty (150) feet from signalized intersections.

e. Must be:

1. Two thousand five hundred (2,500) feet from another EMC on the same side of the street; and
2. One thousand (1,000) feet from another EMC on the opposite side of the street.

(2) Size and design

a. Only one (1) EMC is allowed per sign.

b. Must be less than fifty percent (50%) of the total sign area.

c. Must be integrated into the sign face and framed by a solid, opaque, and unlit border.

d. Must be mounted flush with the sign structure and not protrude beyond its face.

(3) Operation

a. Messages must remain static for at least eight (8) seconds.

b. Transitions between messages must be instant, without animation, motion, flashing, or fading.

c. Backgrounds may only change when the message changes.

d. Must turn off or display a solid black screen in case of failure.

e. Chasing messages are not allowed on EMC billboards.

f. Must include ambient light sensors and be set to automatically dim.

(i) Nonconforming signs

(1) See Sec. 50-808 Nonconforming Signs.

SEC . 50-509 . TREE PRESERVATION

(a) Purpose and intent

(1) To preserve and protect Bentonville's existing tree canopy.

(2) To reduce erosion, mitigate heat island effects, provide wildlife habitat, increase property values, and contribute to the community's identity and character.

(3) To retain existing trees where feasible during development.

(4) To ensure tree preservation is considered early in the site design process.

(5) To recognize that limited utility-related trimming may be necessary for public safety and service continuity, while ensuring such activity respects the goals of long-term canopy health.

(6) This section works along with Sec. 50-510. Landscape, Screening, and Buffering to promote a healthy and diverse urban forest.

(b) Applicability

(1) This section applies to all preliminary plats and development plans, including public and private projects.

(2) This section does not apply to individual single-family and two-family dwellings on existing lots.

(c) Tree preservation plan required

(1) A Tree Preservation Plan must be submitted concurrently with any required Landscape Plan when the site contains Significant Trees as defined in subsection (d) Significant trees.

(2) The Tree Preservation Plan must include:

a. Identification of location, species and DBH of trees to be preserved;

b. Dimension of tree protection zone required in subsection (g) Tree protection during construction; and

c. Location and description of tree protection fencing required in subsection (g) Tree protection during construction

(d) Significant trees

(1) The following are considered significant trees and are subject to the requirements of this Chapter:

a. Trees species in Table 5.21 Approved Tree Species that exceed minimum size thresholds in Table 5.14 Significant Tree Size Thresholds;

b. Trees required to be planted by Section 50-510 after the adoption of this UDC.

c. Trees species endangered or threatened as identified by the U.S. Fish and Wildlife Service; and

d. Trees within areas described in Sec. 50-511. Natural Resource Protection.

TABLE 5.14 SIGNIFICANT TREE SIZE THRESHOLDS

Type	DBH
Large and medium-height species	eight (8) inches or greater
Short-height species	four (4) inches or greater

(e) Tree removal

(1) Significant trees must not be removed from the site without approval by the Director, and requires one of the following findings:

a. The tree poses a risk to public safety or property;

b. The tree interferes with utilities, grading, or structural improvements within buildable areas with no reasonable alternative;

c. The tree is a prohibited species listed in Table 5.22 Plant Species Not Allowed;

d. Tree removal is required by the BEUD Director or the BWUD Director; or

e. The tree is dead, dying, or fatally diseased, as documented by a certified arborist.

(2) Replacement is required for all significant trees that are removed and do not meet one (1) of the above findings, following the rules in subsection (i) Tree mitigation and replacement.

(f) Tree preservation credit

(1) Preserved trees may be credited toward required trees in Sec. 50-510. Landscape, Screening, and Buffering according to Table 5.15 Tree Preservation Credits.

(2) Credits are only available for healthy, approved species protected in accordance with this section.

TABLE 5.15 TREE PRESERVATION CREDITS

DBH of Preserved Tree	Credit toward Required Trees
4–7.9 inches	2 trees
8–17.9 inches	4 trees
18–23.9 inches	6 trees
24–29.9 inches	8 trees
30+ inches	10 trees

(g) Tree protection during construction

(1) All trees identified for preservation must be protected during construction using methods below, including:

a. Establish Tree Protection Zone at one (1) ft. radius for each one (1) inch of trunk diameter.

b. Tree protection fencing at the Tree Protection Zone;

c. Root pruning and soil compaction prevention where grading occurs within proximity;

d. Trunk protection with wooden planks or other durable wrap materials if fencing is located closer than four feet from the trunk; and

e. Durable signage clearing stating purpose of tree protection fencing.

(2) Protective measures must be installed prior to construction and remain in place until final inspection.

(3) Damage to preserved trees due to noncompliance may result in stop work orders and require mitigation. For purposes of this section, ‘damage’ means:

a. Removal, injury, or death of a preserved tree;

b. Disruption or compaction of the Tree Protection Zone;

c. Failure to maintain fencing, barriers, or approved protection methods; or

d. Canopy die-back or structural failure attributable to construction activity.

(4) Authority and inspection

a. The Director or a qualified arborist designated by the City determines whether damage has occurred.

b. The City may conduct site inspections to document the condition of preserved trees before, during, and after construction.

(5) Responsibility for costs

a. The permit holder is responsible for the cost of any additional inspections or monitoring needed to confirm compliance.

b. The City may require a financial guarantee or surety at the time of approval to cover these costs.

(h) Disallowed activities

(1) The following actions are not allowed within the Tree Protection Zone of a tree designated for preservation:

a. Grading or excavation deeper than six (6) inches;

b. Trenching for utilities unless specifically approved as part of a Tree Preservation Plan;

c. Storing equipment or materials;

d. Discharging fluids or waste; and

e. Attaching signage, lighting, or fencing to trees.

(2) Tree topping is not allowed. All pruning must follow ANSI A300 Tree Care Standards.

(i) Tree mitigation and replacement

(1) When tree preservation is not feasible or required trees are removed, replacement must occur at the ratios in Table 5.15 Tree Preservation Credits.

(2) Replacement trees must comply with the species and planting standards in Sec. 50-510. Landscape, Screening, and Buffering.

(3) The Director may authorize off-site planting, or the Planning Commission may accept a fee in lieu, in accordance with Section 50-724(f) Fee-in-lieu of construction, where on-site replacement is not physically feasible due to:

a. Existing buildings, utilities, drainage facilities, or easements that occupy or restrict the required planting area;

b. A site area of less than ten thousand (10,000) square feet that lacks sufficient unpaved surface to accommodate the required trees or landscaping; or

c. Slope conditions exceeding twenty percent (20%) where planting would compromise soil stability or drainage.

SEC . 50-510 . LANDSCAPE, SCREENING, AND BUFFERING

(a) Purpose and intent

(1) To protect and enhance the visual, environmental, and functional quality of development by requiring the thoughtful placement of trees, shrubs, and ground cover throughout each site.

(2) To support stormwater management, reduce urban heat, provide shade, buffer incompatible uses, and improve the overall appearance of the City.

(3) To reinforce the character of different zoning districts by regulating landscape design in a context-sensitive manner.

(4) To integrate landscape with parking, pedestrian areas, and buildings to support walkability and reduce impacts on neighboring properties.

(5) To preserve existing trees by providing credit toward planting requirements.

(b) Applicability

(1) This section applies to all public and private development, including new construction, redevelopment, and improvements within rights-of-way.

(2) The Director may waive or adjust some or all requirements for renovations, additions, or modifications according to Sec. 50-716. Administrative Adjustments and Waivers and Table 7.2 Administrative Adjustment Criteria.

(c) Existing landscape

(1) Native vegetation must be preserved where feasible and may reduce required planting where it meets or exceeds the functional intent of this section.

(2) Landscape plans must identify all existing trees and significant vegetation.

(3) Preservation of existing trees and removal of significant trees are subject to Sec. 50-509. Tree Preservation.

(d) Screening and buffering

(1) Screening and buffering is required to inhibit view and noise from streets and neighboring properties as specified in Table 5.16 Screening Requirements.

(2) Screen and buffer types are specified in Table 5.16 Screening Requirements.

(3) Street screens are required elsewhere in the Code, following the standards in this section, and:

a. Vehicular openings are limited to a maximum width of thirty (30) feet;

b. Trail openings are limited to a maximum width of sixteen (16) feet; and

c. Pedestrian openings are limited to a maximum width of eighty (8) feet.

(4) Additional requirements apply to zone transitions following Sec. 50-505. Zone Transitions.

(5) Required buffer trees may be grouped or irregularly spaced, but tree separation must not exceed sixty (60) feet along the buffer.

TABLE 5.16 SCREENING REQUIREMENTS

Use	Location or Application	Type	Additional Standards
Street Screens	Screening parking areas	C	Fencing may be within three (3) feet of the property line or aligned with the building setback.
	Screening outdoor use areas	D	Fencing must be aligned with the building setback.
Parking Structures	Front and side street lot lines	E	Only if the structure is not behind a liner or other building.
	Side and rear lot lines	F	Only if the structure is within sixty (60) feet of T2, R-1, T3, or T4 zones.
Utility Pedestals and Minor Ground-mounted Equipment	Sidewalks or pedestrian walkways within 10 feet	A	Only where located within a front or side street setback area. Type A or alternative screening method approved by the applicable Utility Director. Must not block access to utility equipment.
Mechanical Equipment	Front and side street lot lines	A	Only where located within twenty (20) feet of a front or side street lot line.
	Side and rear lot lines	B	Only where located within twenty (20) feet of a lot line shared with T2, R-1, T3, or T4.
Loading & Service Area	Front and side street lot lines	C	Only if not behind a building.
	Side and rear lot lines	D	Only if not behind a building.
Open Storage Areas	All lot lines	D	Only where located within forty (40) feet of a lot line and not behind buildings. Fencing must be opaque and aligned with the building setback.
Dumpster and Refuse Areas	All lot lines	D	Must be fully enclosed with a masonry wall on three sides, and an opaque gate on the fourth

TABLE 5.17 SCREEN AND BUFFER TYPES

Type	Buffer Width	Ornamental Metal Fence	Masonry Wall	Evergreen Hedge	Trees
A				4 ft. high, minimum	
B				6 ft. high, minimum	
C		3 to 4 feet high	3 to 4 feet high	4 ft. high, minimum	
D		6 to 8 feet high	6 to 8 feet high	6 ft. high, minimum	
E	6’ minimum		3 to 4 feet high	4 ft. high, minimum	1 every 50 linear ft., min.
F	10' minimum			6 ft. high, minimum	
G	25' minimum			6 ft. high, minimum	2 every 40 linear ft., min., alternating spacing in two rows
H	25’ minimum		6 to 8 feet high	6 ft. high, minimum	

(6) Zone transition landscape buffers.

a. Buffers must meet the configuration standards in Table 5.17 Screen and Buffer Types.

1. Buffer widths and trees are required as listed.
2. Other elements listed in Table 5.17 are not cumulative.
3. A buffer must include any one (1) of the following at the specified heights:

i. A continuous masonry wall that meets the required height;
ii. A metal or wood fence combined with evergreen planting or hedge; or
iii. An evergreen hedge.

b. Landscape buffers must:

1. Be located on the newly developing property;
2. Include continuous evergreen hedges with one row per twenty (20) feet of buffer width; and
3. Include ground cover to cover all exposed soil.

c. 2 other trees may substitute one (1) canopy tree, up to fifty percent (50%) of the required tree count.

d. Natural drainage ways or existing vegetation may be substituted for required buffers when the feature is at least twenty (20) feet wide and provides at least eighty percent (80%) of the required visual screening.

TABLE 5.18 BUFFER REQUIREMENT BY ADJACENCY

Proposed Development	Existing Adjacent Zoning								
	T2	R-1	T3	T4	T5	T6	GC	LI	LFI
T2		E	E	F	G	G	G	G	G
R-1	E			E	F	G	G	G	H
T3	E			E	F	G	G	G	H
T4	F	E	E		E	F	F	I	H
T5	G	F	F	E		E	F	F	H
T6	G	G	G	F	E			E	H
GC	G	G	G	F	F				F
LI	G	G	G	G	F	E			E
LFI	G	H	H	H	H	J	H	E	

(e) Fences and walls

(1) General

a. This Section applies to all fences, walls, gates, and related structures on private property.

b. Fence permitting, variances, and administrative relief procedures are addressed in Article 50-7 Administration.

c. Fences and walls must not:

1. Block drainage or alter the flow of stormwater;
2. Block access to utility equipment; or
3. Be placed closer than five (5) feet from current or proposed right-of-way. An administrative waiver to three (3) feet may be approved according to Sec. 50-716. Administrative Adjustments and Waivers and Table 7.2 Administrative Adjustment Criteria.

d. Fences and walls must comply with the Arkansas Department of Transportation Clear Zone requirements and must not obstruct sight triangles at intersections or driveways.

e. Fence and wall locations and terminology is illustrated in Figure 5.15 Fence and Wall Locations.

(2) Materials and features

a. All fences and walls must be constructed with durable materials and be kept in good repair.

b. Fences and walls must not be constructed of scrap materials, debris, or other hazardous material.

c. Fences must be installed with the finished side facing outward toward abutting property or right-of-way.

d. Gates must not swing into public rights-of-way, alleys, or trails.

e. Barbed wire, razor wire, and electrified fences are not allowed except where specified in subsection (3) Specific standards by zoning district.

f. Chain link fences are not allowed for frontage fencing.

(3) Specific standards by zoning district

a. T2

1. Fences and walls are limited to four (4) feet in height within forty (40) feet of any lot line and twelve (12) feet elsewhere.
2. Barbed wire and electrified fences are not allowed within forty (40) feet of any lot line.
3. Fences and walls in T2 are exempt from other provisions of this section.

b. R-1, T3, and T4

1. Frontage fences and walls between a building and a sidewalk are allowed up to four (4) feet high.
2. Privacy and security fences and walls are allowed up to six (6) feet high.

c. T5, T6, GC, and LI

1. Frontage fencing is not allowed in T5 and T6, except:

i. Outdoor dining or other outdoor uses:

(i) Fences or walls are allowed up to four (4) feet high; and

(ii) Building or tenant entrances must remain accessible.

ii. Forecourts:

(i) Fences or walls are allowed up to eight (8) feet high enclosing forecourts;

(ii) At least twenty-five percent (25%) transparency is required above four (4) feet;

(iii) An opening is required, providing pedestrian access; and

(iv) Gates must be at least fifty percent (50%) transparent.

2. Privacy and security fences and walls are allowed up to eight (8) feet high.

d. LFI

1. Fences are limited to eight (8) feet high and must be set back at least ten (10) feet from the sidewalk.

(4) Retaining walls and landscape walls

a. Retaining and landscape walls are allowed up to four (4) feet high anywhere within a lot, measured from adjacent grade.

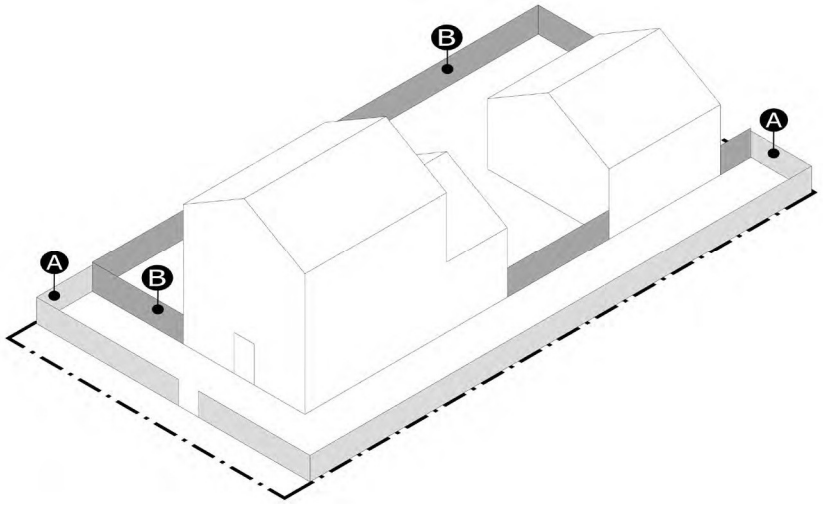
b. Retaining and landscape walls four (4) feet or less are allowed up to one (1) foot from lot lines.

c. Retaining walls up to eight (8) feet high are allowed if located more than fifteen (15) feet from a lot line.

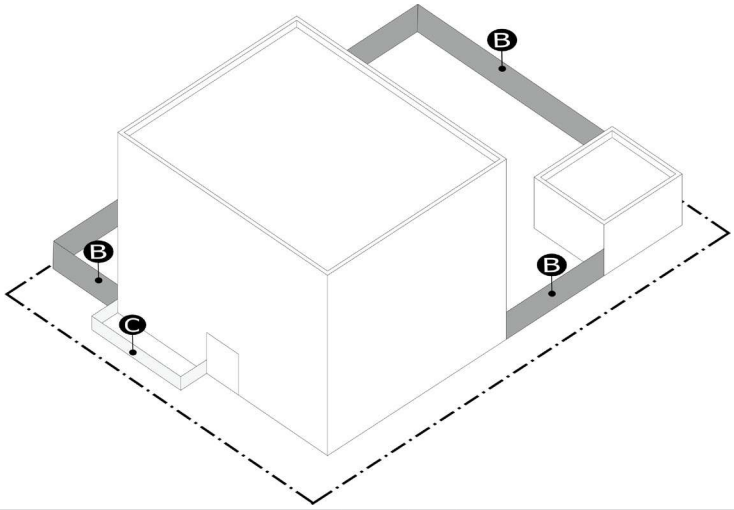
d. Retaining walls more than eight (8) feet high require a waiver from Planning Commission according to Sec. 50-716. Administrative Adjustments and Waivers.

e. Terraced retaining walls may be used to achieve greater grade changes provided each wall is separated by a minimum horizontal distance equal to the height of the lower wall.

FIGURE 5.15 FENCE AND WALL LOCATIONS



Fence and wall locations for a corner lot in T3 and T4, depicting frontage fencing along street-facing lot lines and privacy and security fencing on other lot lines and in line with buildings.



Fence and wall locations for a corner lot in T5 and T6, depicting privacy and security fencing at side and rear lot lines and in line with buildings and fencing of outdoor uses in the frontage.

A Frontage Fencing

B Privacy and Security Fencing

C Fencing for Dining or other Outdoor Uses

(f) Site landscape

(1) Landscaping must be provided following Table 5.19 Site Landscaping.

(2) All pervious areas must include ground cover, mulch, shrubs, trees, or other allowed plants.

(3) All landscaping must follow the utility spacing requirements found in BWU and BEUD Specifications.

(4) Existing trees must be preserved following Sec. 50-509. Tree Preservation.

(5) Required trees may be clustered instead of evenly spaced, provided the total number of trees required by this section is provided.

(6) Tree location may be adjusted to avoid conflict with utilities or preserved vegetation, subject to approval by the Director.

TABLE 5.19 SITE LANDSCAPING

Zone	Location	Landscape
T2		
R-1 **T3**	Front and side street setbacks	Must be landscaped; and Must include at least 2 trees for every 50 feet; no less than 2 trees.
T4.1	Front and side street setbacks	Must be landscaped; and Must include at least 1 tree for every 50 feet; no less than 1 tree.
T4.2	Front and side street setbacks	If deeper than 5 ft. must be landscaped; and Must include at least 1 tree for every 50 feet; no less than 1 tree.
T5 **T6**	Front and side street setbacks	If landscaped, must include at least 1 tree for every 60 feet.
	Other pervious areas	Must include at least 1 tree for every contiguous 1,800 sq.ft. of pervious areas other than front and side street setbacks.
GC **LI** **LFI**	Front and side street setbacks	Must be landscaped; and Must include at least 1 tree for every 50 feet; no less than 1 tree.
	Overall site	At least 15% of the site must be landscaped, including: • 2 shrubs for every 250 sq.ft. of landscaped area; and • 2 trees for every 500 sq.ft. of landscaped area.
	Along arterial streets	Except where front parking areas are used, a buffer is required: • Landscaped, at least 20 feet wide along the arterial; and • At least 1 shade tree for every 30 feet; no less than 1 tree.
MH	Front and side street setbacks	Must be landscaped; and Must include at least 2 trees for every 50 feet of front and side street lot line length.
	Overall site	Must include at least 1 tree for every 4,000 sq.ft. of site area.

(g) Parking lot landscape

(1) Landscaping is:

a. Required if parking lots are within twenty (20) feet of a lot line;

b. Is not required along shared lot lines if parking lots are shared between properties; and

c. Required landscaping must follow Table 5.11 Required Walkways and Planting in Parking Lots and as shown in Figure 5.9 Illustrated Walkways and Planting in Parking Lots.

(h) Civic space landscape

(1) All civic spaces must meet the landscape standards of this section and the applicable requirements of Table 5.20 Civic Space Landscaping, and Sec. 50-502 (e) Civic space standards.

(2) Landscape design must reinforce the civic space type, enhance pedestrian comfort, and provide shade through canopy trees and other plantings suited to the intended level of activity and use.

TABLE 5.20 CIVIC SPACE LANDSCAPING

Civic space type	Required landscape
Conservation park	Preservation of existing tree canopy.
Green	40% min. tree canopy coverage at maturity.
Square	30% min. tree canopy coverage at maturity.
Plaza	20% min. tree canopy coverage at maturity.
Greenway	20% min. tree canopy coverage at maturity.
Pocket park	40% min. tree canopy coverage at maturity.

(i) Plant materials

(1) Allowed plants

a. Trees must be selected from the Table 5.21 Approved Tree Species.

b. The Fire Marshall may restrict mature tree height to a maximum of twenty-five (25) feet, including street trees, where aerial access is required.

(2) Plants not allowed

a. Species in Table 5.22 Plant Species Not Allowed are not allowed.

b. Species deemed invasive by the Arkansas Natural Heritage Commission are not allowed and must be removed if existing.

c. Plants with spines, thorns, or needles that may present hazards are not allowed in rights-of-way or within two (2) feet of front and side street facing property lines.

(3) Size at time of planting

a. Shade trees must be at least two and a half (2.5)-inch caliper and six (6) feet tall.

b. Ornamental trees must be at least two (2)-inch caliper and six (6) feet tall.

c. Evergreen trees must be at least eight (8) feet tall.

d. Shrubs must be at least three (3)-gallon container size and eighteen (18) inches tall.

(4) Tree diversity

a. No more than fifty percent (50%) of new trees may be of the same species.

b. No more than twenty-five percent (25%) of new trees may be ornamental trees.

c. At least ten percent (10%) of new trees must be evergreen species, except in T5 and T6.

(5) Mulch and ground cover

a. Mulch must be organic and applied in at least a four (4) foot diameter ring around trees and to a depth of three (3) to four (4) inches.

b. Mulch must not be mounded around tree trunks.

c. Artificial turf and gravel are not allowed within required landscape areas.

d. Rock used as ground cover is limited to twenty-five percent (25%) of required landscape areas.

TABLE 5.21 APPROVED TREE SPECIES

Common Name	Scientific Name	Usage	Height	Streets		Under Utilities	Plaza & Hardscape	Greens & Greenways	Median & Parking Lot	Riparian Buffers
				T2-4, R1	T5-6, GC, LI, LFI					
American Basswood	Tilia Americana	Shade Tree	L				■	■	■	
American Beech	Fagus grandirolia	Shade Tree	L					■		
American Elm	Ulmus americana	Shade Tree	L	■	■			■		■
American Holly	Ilex opaca	Ornamental, Screening	M			■	■	■	■	
American Horn-beam / ironwood	Carpinus caroliniana	Ornamental	S	□	□	■	■	■	■	
American Smoketree	Corinus obovatus	Ornamental	M	□	■	■	■	■	■	
Autumn Brilliance Serviceberry	Amelanchier x grandiflora	Ornamental	S			■	■	■	■	■
Bald Cypress	Taxodium distichum	Ornamental, Wet Sites	L	■	■		■	■		■
Bitternut Hickory	Carya cordiformis	Shade Tree					■			■
Black Cherry	Prunus serotina	Wildlife	L					■		
Black Gum / Tupelo	Nyssa sylvatica	Shade Tree	L	■	■		■	■		■
Black Walnut	Juglans nigra	Shade Tree	L					■		
Black Willow	Salix nigra	Wet Sites, Erosion	M			■		■		■
Blackhaw Viburnum	Viburnum prunifolium	Ornamental, Screening	S		□	■				
Black Hickory	Carya texana	Shade Tree	M					■		
Black Oak	Quercus velutina	Shade Tree	L	■	■		■	■	■	
Blackjack Oak	Quercus marilandica	Shade Tree, Poor Soils	M				■			
Bur Oak	Quercus macrocarpa	Shade Tree	L		■			■		
Carolina Buckthorn	Rhamnus caroliniana	Ornamental, Screening	S	□	□	■		■	■	
Carolina Willow	Salix caroliniana	Wet Sites, Erosion	S			■				■
Chinquapin Oak	Quercus muehlenbergii	Shade Tree	L	■	■			■		
Common Witchhazel	Hamamelis virginiana	Ornamental	S			■		■		
Cucumber Magnolia	Magnolia acuminata	Shade Tree	L					■		

Downy Serviceberry	Amelanchier arborea	Ornamental	S	□	□	■			■	
Eastern redbud	Cercis canadensis	Ornamental	M	□	■	■		■	■	■
Flowering Dogwood	Cornus florida	Ornamental	S	□	□	■		■	■	
Fringe Tree	Chionanthus virginicus	Ornamental, Screening	S	□	□	■	■			

■ Allowed for specified use or application; all listed species allowed for private property.
□ Allowed as a street tree only if needed for utility clearances.

TABLE 5.21 APPROVED TRE SPECIES				Streets		Under Utilities	Plaza & Hardscape	Greens & Greenways	Median & Parking Lot	Riparian Buffers
Common Name	Scientific Name	Usage	Height	T2-4, R1	T5-6, GC, LI, LFI					
Green Hawthorn	Crataegus viridis	Ornamental, Screening	M					■	■	
Hop hornbeam	Ostrya virginiana	Ornamental	M	■			■	■	■	
Kentucky Coffeetree	Gymnocladus dioicus	Shade Tree	L					■	■	
Littlehip/Pasture Hawthorn	Crataegus spathulata	Ornamental, Screening						■	■	
London Planetree	Platanus x acerifolia	Shade Tree	L	■	■		■	■	■	■
Missouri Willow	Salix eriocephala	Wet Sites, Wildfire				■		■		■
Mockernut Hickory	Carya tomentosa	Shade Tree	L					■		
Nigra American Arborvitae	Thuja occidentalis	Ornamental, Screening	M				■	■		
Northern Catalpa	Catalpa speciosa	Shade Tree	M				■	■	■	
Northern Red Oak	Quercus rubra	Shade Tree	L	■				■		
Ohio Buckeye	Aesculus glabra	Shade Tree	M				■	■		
Overcup Oak	Quercus lyrata	Shade Tree, Wet Sites	M	■				■		■
Pawpaw	Asimina triloba	Ornamental, Fruit Tree	S			■	■	■		
Pecan	Carya illinoinensis	Shade Tree, Nut Tree	L					■		
Persimmon	Diospyros virginiana	Shade Tree, Fruit Tree	M					■		■
Pignut hickory	Carya glabra	Shade Tree	L	■	■			■		
Pin oak	Quercus palustris	Shade Tree	L	■	■		■	■	■	■
Pondcypress	Taxodium ascendens	Shade Tree	L	■	■		■	■	■	■
Possumhaw	Ilex decidua	Ornamental, Wildfire	S	□		■	■	■	■	
Post Oak	Quercus stellata	Shade Tree, Drought	L				■	■	■	
Red Chokeberry	Aronia arbutifolia	Ornamental, Screening	S		□	■				
Red Buckeye	Aesculus pavia	Ornamental, Wildlife	S				■	■		
Red Maple	Acer rubrum	Shade Tree	L	■				■	■	■
River Birch	Betula nigra	Ornamental. Erosion Control	M				■	■		■

Sassafras	Sassafras albidum	Ornamental, Wildfire	M					■		
Scarlet Oak	Quercus coccinea	Shade Tree	L				■	■	■	
Shagbark Hickory	Carya ovata	Shade Tree	L					■	■	
Shortleaf Pine	Pinus echinata	Wildlife	L					■		
Shumard Oak	Quercus shumardii	Shade Tree	L	■	■			■		
Silky Dogwood	Cornus obliqua	Ornamental, Screening	S			■				■
Smooth Alder	Alnus serrulata	Screening, Wet Sites	S					■		■
Soapberry	Sapindus saponaria var. drummondii	Shade Tree	M					■		
Southern Catalpa	Catalpa bignonioides	Shade Tree	M				■	■	■	
Southern Magnolia	Magnolia grandiflora	Shade Tree	L				■	■	■	
Southern Red Oak	Quercus falcata	Shade Tree, Drought	L	■	■			■		
Southern Sugar Maple	Acer floridanum	Shade Tree	M	■			■	■	■	

■ Allowed for specified use or application; all listed species allowed for private property.
□ Allowed as a street tree only if needed for utility clearances.

TABLE 5.21 APPROVED TREE SPECIES				Streets							
Common Name	Scientific Name	Usage	Height	T2-4, R1	T5-6, GC, LI, LFI	Under Utilities	Plaza & Hardscape	Greens & Greenways	Median & Parking Lot	Riparian Buffers
Swamp Chestnut Oak	Quercus michauxii	Shade Tree	L	■				■		■
Swamp White Oak	Quercus bicolor	Shade Tree, Floodplains	L	■				■		■
Sweet-Bay Magnolia	Magnolia virginiana	Ornamental, Screening	S	■	■	■				
Sweetgum, fruitless	Liquidambar styraciflua 'Rotundiloba'	Shade Tree	L	■	■		■	■	■	■
Sycamore	Platanus occidentalis	Shade Tree, Floodplains	L					■		■
Texas redbud "Oklahoma"	Cercis canadensis texensis	Ornamental	S		□	■		■		
Thornless Honeylocust	Gleditsia triancanthose	Shade Tree	L	■	■		■	■		
Trident Maple	Acer buergerianum	Shade Tree	L	■	■		■	■	■	
Tulip Poplar	Liriodendron tulipifera	Shade Tree	L					■		
Umbrella Magnolia	Magnolia tripetala	Ornamental	M		□	■		■		
Water Tupelo	Nyssa aquatica	Wet Sites, Wildfire	L					■		■
White Oak	Quercus alba	Shade Tree	L	■	■		■	■		
Yellowwood	Cladrastis kentuckea	Shade Tree	M	■	■		■	■	■	

■ Allowed for specified use or application; all listed species allowed for private property.
□ Allowed as a street tree only if needed for utility clearances.

TABLE 5.22 PLANT SPECIES NOT ALLOWED

Common Name	Scientific Name
Asian Wisteria	Wisteria sinensis/ floribunda
Bamboo	Phyllostachys spp.
Bigleaf Periwinkle	Vinca major
Black locust	Robinia pseudoacacia
Bradford pear	Pyrus calleryana
Burning Bush	Euonymus alatus
Bush Honeysuckle	Lonicera maackii
Callery pear	Pyrus calleryana
Chinese privet	Ligustrum sinense
English Ivy	Hedera helix

Glossy privet	Ligustrum lucidum
Japanese Honeysuckle	Lonicera japonica
Kudzu	Pueraria montana
Littleleaf Periwinkle	Vinca minor
Mimosa	Albizia julibrissin
Multiflora rose	Rosa multiflora
Princess Tree	*Paulownia tomentosa*
Russian olive	Elaeagnus angustifolia
Siberian elm	Ulmus pumila
Silver maple	Acer saccharinum
Tree-of-heaven	Ailanthus altissima
Winter Creeper, Creeping Euonymus	Euonymus fortune

(j) Landscape installation

(1) General

a. All tree and plant installation must follow ANSI Z60.1 American Standard for Nursery Stock and ANSI A300 Tree Care Standards.

b. All landscaping must meet the clearance requirements in the BWUD and BEUD Specifications.

c. Materials specified in landscape plans may be substituted with other approved materials of the same type (trees, shrubs, ground cover) if the new material is reported to the Department and verified for compliance prior to planting.

(2) Planting beds

a. All landscaping must be planted within designated planting beds.

b. Planting beds must include amended soil to support healthy root development, as determined by the applicant's landscape architect.

c. Sod must be removed from the planting bed before installation.

d. After planting, all bare soil within the bed must be covered with mulch.

e. Sod is allowed in tree lawns and parking lot tree islands only when no other plant material is included in those areas.

(3) Soil and drainage preparation

a. All planting areas must be excavated to a depth of three (3) feet and backfilled with sandy loam topsoil.

b. Where water does not drain at a minimum rate of six (6) inches within twenty-four (24) hours, an underdrain must be installed or the area must be re-excavated and replaced with well-draining soil.

(4) Non-vegetative materials

a. Stone, gravel, rock beds, and other non-vegetative materials:

1. May only be used as accent features;
2. Do not count toward required landscape; and
3. May not be used for more than twenty percent (20%) of the total landscaped area.

b. Artificial turf and artificial plants are not allowed, except in the following cases:

1. Active recreation sports fields; and
2. Non-residential sites where artificial turf is used for less than twenty percent (20%) of the total landscaped area.

(5) Tree planting and protection

a. Trees must be balled and burlapped.

b. Trees must be spaced to accommodate their mature canopy spread.

c. Trees must be planted with the root flare slightly above finished grade.

d. Trees must not be planted:

1. Within three (3) feet of a fire hydrant;
2. Within five (5) feet of underground utilities; or
3. Within ten (10) feet of doors to above-ground utility equipment, or within three (3) feet of equipment walls.

e. Street trees may be staked only when necessary to ensure upright growth. Stakes must be removed within twelve (12) months or at the end of the next growing season.

f. During construction, trees must be protected from mechanical injury, trunk damage, and root zone compaction as follows:

1. Tree trunks must be protected using wooden planks or other durable wrap materials where construction occurs within four (4) feet of the trunk;
2. Root zones must be protected from compaction by fencing, matting, or mulch berms to prevent the use of heavy machinery in those areas;
3. Where roots are exposed or cut, clean pruning cuts must be made with sharp tools to promote healing; and
4. Construction material, equipment, and waste must not be stored or staged within the tree protection zone.

(6) Irrigation

a. Hose bibs must be located within one hundred (100) feet of all landscape areas, except where a permanent irrigation system is provided.

(7) Landscape maintenance

a. All required landscaping must be maintained by the property owner in a healthy and weed-free living condition.

b. Removal of trees required by this Chapter must follow the procedures of 50-509(e) Tree removal.

c. Street trees must be pruned to maintain a minimum vertical clearance of eight (8) feet above sidewalks and trails and fourteen (14) feet above streets. Pruning must preserve natural tree structure and avoid damage to the tree leader, trunk, or major limbs.

d. Landscaping that dies or becomes diseased or damaged must be removed and replaced with equivalent species within sixty (60) days of notification by the City, except when this timing falls during winter, in which case planting is required before the end of April.

e. Tree topping is not allowed. Trees must be maintained using proper pruning techniques as established by the most current ANSI A300 “Standards for Tree Care”.

f. Rope, wire, signs, posters, handbills, or other items must not be attached to any tree, except rope lights or temporary support used to stabilize a young or damaged tree or limb.

g. A note must be included on all landscape plans stating the following:

1. “All plant material must be maintained in a healthy living condition. Any plant material that dies must be replaced.”
2. “Tree topping is not allowed. Trees must be pruned in accordance with ANSI A300 Standards for Tree Care.”
3. “Healthy trees must not be removed except where approved by the Director. Trees must be maintained using approved pruning methods as described in ANSI A300.”

SEC . 50-511 . NATURAL RESOURCE PROTECTION

(a) Purpose and intent

(1) To ensure that natural features are documented, protected, and incorporated into site design where feasible.

(2) To reduce environmental degradation, stormwater impacts, and off-site disturbance by requiring context-sensitive development practices at all scales.

(b) Special flood hazard areas and base level engineering

(1) Any new development or substantial redevelopment in Special Flood Hazard Areas and additional areas identified in the Base Level Engineering data requires a land disturbance permit, which functions as the floodplain development permit, in accordance with Sec. 50-721(e) Land disturbance permit. See the City's Flood Damage Prevention Code.

(c) Wetlands

(1) When Bentonville GIS indicates there may be wetlands on the site or when the Transportation Director has reason to believe wetlands are present on the site, an assessment must be prepared by a qualified environmental consultant certifying the presence or absence of wetlands.

(2) If wetlands are present:

a. Wetland boundaries must be shown on all development plans; and

b. A jurisdictional determination must be requested from the United States Army Corps of Engineers.

(3) If development will impact wetlands, a permit from the United States Army Corps of Engineers must be obtained before a land disturbance permit is issued.

(d) Steep grades

(1) Existing grades greater than thirty percent (30%) are considered unbuildable. They must be designated as open space or included within new lots.

(2) New lots containing steep grades must include enough buildable land outside those areas to accommodate a habitable structure that complies with the setback and zoning requirements of Article 50-4 Zoning.

(e) Natural resource areas

(1) Identification and evaluation

a. Areas of contiguous forest, woodland, or natural landscape located within a development site must be identified and evaluated as part of the site analysis for potential eligibility under subsection (f) Conservation development.

b. Natural resource areas include:

1. Contiguous areas at least ½ acre in size.
2. Forests and woodlands:
    i. Include naturally occurring tree canopy and understory vegetation; and
    ii. Have not been substantially altered by development, grading, or clear-cutting.
3. Natural landscapes:
    i. Are free from noxious weeds;
    ii. Composed of native or non-invasive plants of any origin; and
    iii. May include natural lawns, pollinator gardens, rain gardens, meadow vegetation, prairie gardens, native planting, and other managed ecological landscapes.

(2) Preservation and protection

a. Development that avoids disturbance of identified natural resource areas may qualify for incentives under subsection (f) Conservation development.

b. To qualify for incentives, the preserved area must be:

1. Retained in its natural state with minimal disturbance, allowing only selective thinning for health or safety; and
2. Protected by a conservation easement, deed restriction, or other binding instrument recorded with the property.

(3) Petition for new areas

a. Applicants may petition for the designation of new natural resource areas to qualify for the incentives of subsection (f) Conservation development

(4) Mitigation of disturbance

a. If preservation of a natural resource area is not feasible, the applicant must submit a mitigation plan that demonstrates how development will:

1. Limit grading and soil disturbance;
2. Minimize canopy or vegetation fragmentation; and
3. Provide replacement planting or habitat restoration equal to the area disturbed.

(f) Conservation development

(1) Purpose

a. Conservation development encourages preservation of natural forests, woodlands, and natural landscapes by allowing flexible site design and providing measurable development incentives.

(2) Eligibility

a. Development that avoids disturbance of areas defined in this section may qualify for incentives if the area is:

1. At least one-half (1/2) acre in size;
2. Retained in its natural state with minimal disturbance; and
3. Protected by a conservation easement, deed restriction, or other binding instrument recorded with the property.

(3) Incentives

a. For qualifying areas, the following calculations may be determined at the site level rather than the individual lot level, exclusive of rights-of-way:

1. Lot coverage;
2. Impervious surface; and
3. Setbacks.

b. Sites that preserve natural resources in accordance with this section may count those areas toward up to one hundred percent (100%) of the site's required civic space, using the Conservation Park civic space type under Table 5.1 Civic Space Types.

ARTICLE 50-6 STREETS, TRAILS, AND UTILITIES

SEC . 50-601 . PURPOSE AND INTENT

(a) This Article sets the rules for street and trail design and the location of utilities, in coordination with the surrounding built environment.

(b) These rules are intended to:

(1) Design streets that are safe and efficient for all users in a balance that fits the area's land use;

(2) Create a connected street network that enhances mobility for all users, reduces congestion, and supports a walkable and bikeable City;

(3) Coordinate the location of public and franchise utilities with street design, planting areas, and building frontages to minimize conflicts and support long-term maintenance; and

(4) Apply the same rules to both subdivided and non-subdivided sites to ensure a consistent development pattern across the City.

SEC . 50-602 . STREET DESIGN

(a) Applicability

(1) Streets and alleys within new subdivisions and developments must follow this section.

(2) Streets depicted on the Master Street Plan are not subject to this section.

(3) Major driveways must comply with the applicable street design standards of this Section, except as expressly modified by subsection (n) Major driveway allowances, as follows:

a. All dimensions, features, and locations of travel lanes, parking lanes, medians, on- and off-street bicycle facilities, curbing, parkways, sidewalks, and special requirements;

b. Street design speed, centerline radius, sight distance, and other geometric design constrains;

c. Signage and striping requirements;

d. Planting, lighting, and street furniture;

e. Right-of-way width may be as depicted along future blocks if not dedicated as a street;

f. Drainage may be designed for the overall large-scale application; and

g. Any additional rules applicable for public streets that are not followed will disqualify future dedication as a public street until remedied and approved by the Transportation Director.

(b) General

(1) The following standards and documents apply in addition to this section. Where in conflict, the Transportation Director will determine the applicable requirements in accordance with the purpose and intent of this section:

a. The Bentonville Street Specifications;

b. The Bentonville Stormwater Management and Drainage Manual;

c. The Americans with Disabilities Act (ADA);

d. Standards from Arkansas Department of Transportation (ARDOT), where applicable; and

e. National Association of City Transportation Officials (NACTO) guidelines.

(2) Streets to be dedicated to the City are subject to Sec. 50-724. Public Improvement and Dedication.

(3) Transitions between streets must ensure safe and logical connections.

(4) Transitions between zoning districts affect streets as follows:

a. Both sides of a street must follow the same zoning district standard and transition at the same locations along the street length;

b. Where zoning districts differ on two (2) sides of a street, rules for the most intense zoning district apply;

c. Where zoning districts differ along the side of a block:

1. Rules for the most intense zoning district assigned to lots along the side of the block may be used for the full side of the block; or

2. Rules may transition along each side of the block up to two (2) times, and all segments must follow the rules of the most intense zoning district assigned to adjacent lots.

d. Transition in rules that affect the roadway must be approved by the Transportation Director.

(5) At least sixteen and a half (16.5) feet of vertical clearance must be maintained above the roadway of all streets. Clearance may be higher at intersections with ARDOT right-of-ways.

(6) Alleys must follow the rules in (m) Alleys.

(c) Street standards

(1) Street design must follow the rules below, generally organized by the elements shown in Figure 6.1 Elements of a Street:

a. Roadway

1. Roadway in general: subsection (d) Roadway;

2. Travel lanes: subsection (e) Travel lanes;

3. On-street Parking: subsection (g) On-street parking;

4. On-street bikeways: Sec. 50-604. Trails and Bikeways;

5. Medians: subsection (f) Medians and center turning lanes and the Bentonville Street Specifications;

6. Turn lanes, effective radius (curb return radius), traffic islands, horizontal and vertical alignment, cross slope, knuckles, round-abouts, and construction specifications: Bentonville Street Specifications; and

7. Lanes must contain all its intended uses and not overlap.

b. Border

1. Parkway: subsections (k) Parkways, (9) Shared-use paths must follow the rules in Sec. 50-604. Trails and Bikeways., and (j) Lighting;

2. Sidewalk: subsection (h) Sidewalks, shared-use paths, and crosswalks; and

3. Off-street bikeways: Sec. 50-604. Trails and Bikeways.

(2) Street design must be based on one of the following:

a. The design standards in Table 6.1 Street Standards, as is appropriate for the street location;

b. A street design specified in the Bentonville Street Specifications; or

c. An alternative to the required street design may be approved as an administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers.

(3) Right-of-way must be provided sufficient to accommodate all minimum standards in this section and may be larger than the minimum size listed in Table 6.1 Street Standards.

FIGURE 6.1 ELEMENTS OF A STREET

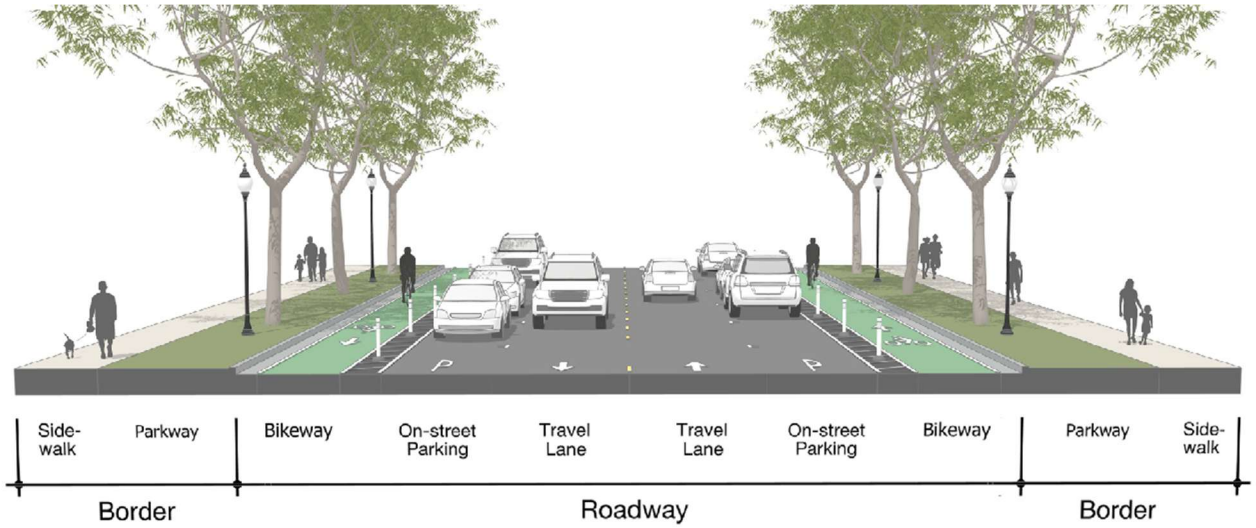
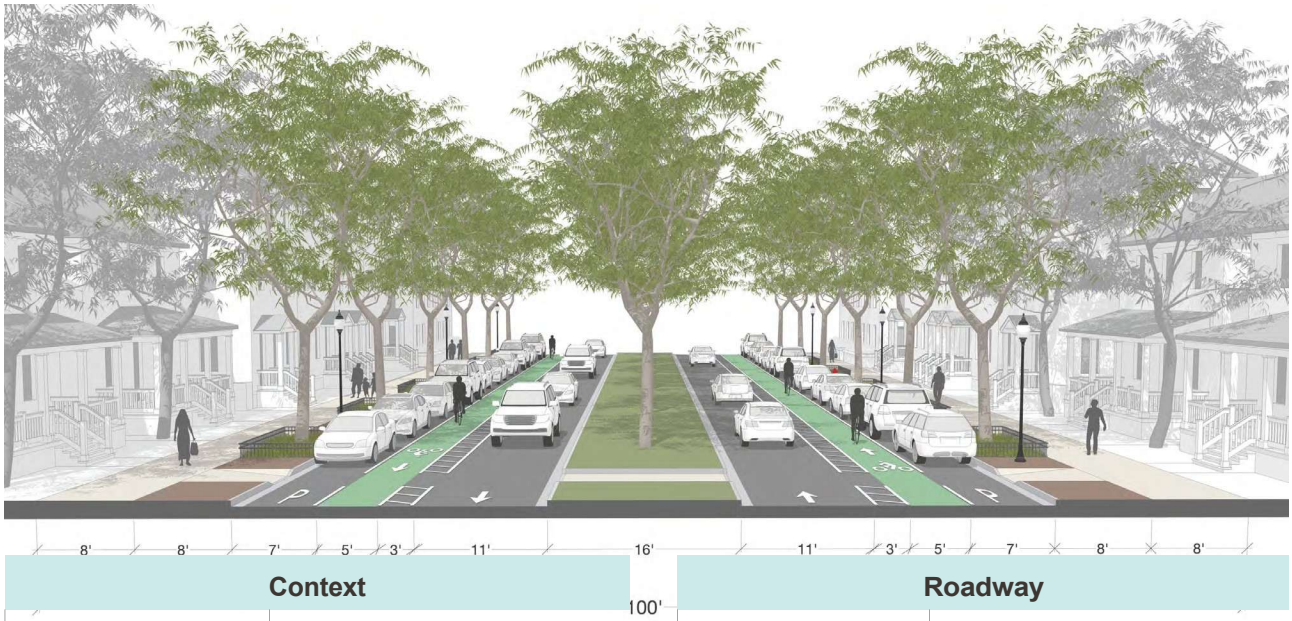


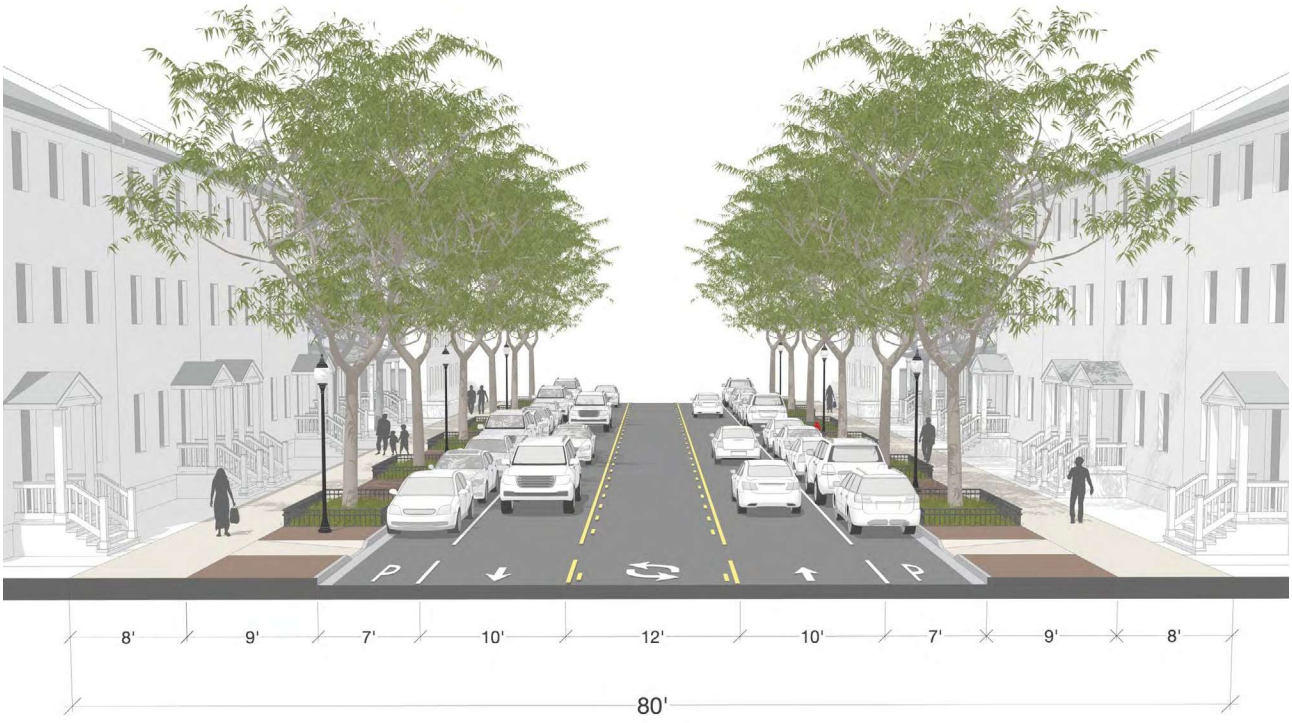
TABLE 6.1 STREET STANDARDS: Walkable Avenue



Context	
Place Type	All
Zoning District	All
Right-of-Way (feet, minimum)	R1, T3, T4, GC, LI, LFI: 90 T5, T6: 100
Design Speed (mph, maximum)	25-30
Border	
Parkway	6 ft. min., see (k) Parkways
Sidewalk (feet, minimum)	Both sides R1, T3, LI, LFI: 6 T4, GC: 8 T5, T6: 12
Off-street Bikeways	Optional

Roadway	
Travel Lanes	2
Travel Lane Width (feet, maximum)	10; 11 for transit and curb-adjacent lanes
Turning Lane (feet, maximum)	12; Within the median
Median (feet, minimum)	14
On-street Parking	Parallel or angled, both sides
On-street Bikeways	Buffered lane required
Centerline radius (feet minimum)	333 (2% cross-slope) 353 (3% cross-slope)
Curb Type	Vertical
Effective radius (feet minimum)	40
Special Requirements	
Angled parking requires Transportation Director approval	

TABLE 6.1 STREET STANDARDS: Walkable Connector



Right-of-Way (feet, minimum)	R1, T3, LI, LFI: 70 T4, T5, T6: 80
Design Speed (mph, maximum)	25-30
Border	
Parkway	6 ft. min., see (k) Parkways
Sidewalk (feet, minimum)	Both sides R1, T3, LI, LFI: 6 T4: 8 T5, T6: 10
Off-street Bikeways	Optional

Turning Lane (feet, maximum)	12; May be within the median
Median (feet, minimum)	14; Optional
On-street Parking	Parallel, both sides
On-street Bikeways	Optional; parallel route required if on-street is not provided
Centerline radius (feet minimum)	333 (2% cross-slope) 353 (3% cross-slope)
Curb Type	Vertical
Effective radius (feet minimum)	35
Special Requirements	

TABLE 6.1 STREET STANDARDS: Mixed-use Street



Context	
Place Type	Centers, Corridors
Zoning District	T4, T5, T6, GC
Right-of-Way (feet, minimum)	T4, GC: 65 T5, T6: 70
Design Speed (mph, maximum)	20-25
Border	
Parkway	6 ft. min., see (k) Parkways
Sidewalk (feet, minimum)	Both sides T4: 8 T5, T6: 10 GC: 6
Off-street Bikeways	Optional

Roadway	
Travel Lanes	2
Travel Lane Width (feet, maximum)	10; 11 for transit and curb-adjacent lanes
Turning Lane (feet, maximum)	None
Median (feet, minimum)	None
On-street Parking	Parallel or angled, both sides
On-street Bikeways	Optional
Centerline radius (feet minimum)	107 (2% cross-slope) 111 (3% cross-slope)
Curb Type	Vertical
Effective radius (feet minimum)	25
Special Requirements	

TABLE 6.1 STREET STANDARDS: Neighborhood Bikeway



Context	
Place Type	Centers, Corridors, Neighborhoods
Zoning District	All
Right-of-Way (feet, minimum)	R1, T3, T4, GC, LI, LFI: 75 T5, T6: 80
Design Speed (mph, maximum)	20
Border	
Parkway	6 ft. min., see (k) Parkways
Sidewalk (feet, minimum)	Both sides R1, T3, LI, LFI: 6 T4, GC: 8 T5, T6: 10
Off-street Bikeways	On or off-street required

Roadway	
Travel Lanes	2
Travel Lane Width (feet, maximum)	10; 11 for transit, in LFI, and curb-adjacent lanes
Turning Lane (feet, maximum)	None
Median (feet, minimum)	None
On-street Parking	Parallel, both sides
On-street Bikeways	On or off-street required
Centerline radius (feet minimum)	107 (2% cross-slope) 111 (3% cross-slope)
Curb Type	Vertical
Effective radius (feet minimum)	25
Special Requirements	

TABLE 6.1 STREET STANDARDS: Neighborhood Street



Context	
Place Type	Neighborhoods
Zoning District	All
Right-of-Way (feet, minimum)	R1, T3, T4, GC: 60 T5, T6: 65
Design Speed (mph, maximum)	20
Border	
Parkway	6 ft. min., see (k) Parkways
Sidewalk (feet, minimum)	Both sides R1, T3: 5 T4, GC: 6 T5: 8 T6: 10
Off-street Bikeways	Optional

Roadway	
Travel Lanes	2
Travel Lane Width (feet, maximum)	10
Turning Lane (feet, maximum)	None
Median (feet, minimum)	None
On-street Parking	Parallel, one or both sides
On-street Bikeways	Optional
Centerline radius (feet minimum)	107 (2% cross-slope) 111 (3% cross-slope)
Curb Type	Vertical
Effective radius (feet minimum)	25
Special Requirements	

TABLE 6.1 STREET STANDARDS: Small Neighborhood Street



Context	
Place Type	Neighborhoods
Zoning District	R1, T3, T4, T5
Right-of-Way (feet, minimum)	R1, T3, T4: 55 T5: 60
Design Speed (mph, maximum)	20
Border	
Parkway	6 ft. min., see (k) Parkways
Sidewalk (feet, minimum)	Both sides R1, T3: 5 T4: 6 T5: 8
Off-street Bikeways	Optional

Roadway	
Vehicle Lanes	2
Travel Lanes	10; 11 for curb-adjacent lanes
Travel Lane Width (feet, maximum)	None
Median (feet, minimum)	None
On-street Parking	Parallel, one side only
On-street Bikeways	Shared lane optional
Centerline radius (feet minimum)	107 (2% cross-slope) 111 (3% cross-slope)
Curb Type	Vertical
Effective radius (feet minimum)	25
Special Requirements	

TABLE 6.1 STREET STANDARDS: Neighborhood Drive



Context	
Place Type	Neighborhoods
Zoning District	R1, T3, T4, T5
Right-of-Way (feet, minimum)	45
Design Speed (mph, maximum)	20
Border	
Parkway	6 ft. min., see (k) Parkways
Sidewalk (feet, minimum)	One side R1, T3: 5 T4: 6
Off-street Bikeways	Optional

Roadway	
Vehicle Lanes	2
Travel Lanes	10; 11 for curb-adjacent lanes
Travel Lane Width (feet, maximum)	None
Median (feet, minimum)	None
On-street Parking	Parallel, one side only
On-street Bikeways	Shared lane optional
Centerline radius (feet minimum)	107 (2% cross-slope) 111 (3% cross-slope)
Curb Type	Vertical
Effective radius (feet minimum)	25
Special Requirements	
The side without a sidewalk must be along civic space, open space, R1, or T3.1	

TABLE 6.1 STREET STANDARDS: Neighborhood Side Street



Context	
Place Type	Neighborhoods
Zoning District	R1, T3, T4
Right-of-Way (feet, minimum)	45
Design Speed (mph, maximum)	20
Border	
Parkway	6 ft. min., see (k) Parkways
Sidewalk (feet, minimum)	Both sides R1, T3: 5 T4: 6
Off-street Bikeways	Optional

Roadway	
Vehicle Lanes	2
Travel Lanes	10; 11 for curb-adjacent lanes
Travel Lane Width (feet, maximum)	None
Median (feet, minimum)	None
On-street Parking	Parallel optional
On-street Bikeways	Shared lane optional
Centerline radius (feet minimum)	107 (2% cross-slope) 111 (3% cross-slope)
Curb Type	Vertical
Effective radius (feet minimum)	25
Special Requirements	

(d) Roadway

(1) Design Speed

a. The design speed for streets as specified in Table 6.1 Street Standards.

b. Design speed should be equal to the target and posted speeds.

(2) Dead-end Streets

a. Temporary dead-end streets are only allowed on streets that have no direct access from adjoining property.

b. Temporary dead-end streets must be fully constructed to the property line and provide temporary road closure signage per MUTCD.

c. Where temporary dead-end streets exceed one hundred fifty (150) feet in length, a temporary turnaround must be constructed to the shape and dimensions required by the fire code.

d. Temporary turnarounds must be entirely within an access easement or street right-of-way. The easement may be vacated by the City when the easement is no longer necessary.

(e) Travel lanes

(1) The number and width of travel lane widths must follow Table 6.1 Street Standards and the following:

a. Where “transit only” is specified in the table, the larger travel lane size is required for lanes providing access to transit vehicles;

b. Curb-adjacent travel lanes must be at least eleven (11) feet, measured to the vertical curb; and

c. At least twenty (20) feet clear width must be provided within the roadway between barriers such as parking lanes and curbs, except where narrower dimensions are approved by the Technical Advisory Committee under Sec. 50-716. Administrative Adjustments and Waivers.

(2) When travel lanes abut a curb, they are measured to the face of the gutter pan.

(f) Medians and center turning lanes

(1) Medians must follow Table 6.1 Street Standards.

(2) Center medians and continuous center turning lanes require approval from the Transportation Director.

(g) On-street parking

(1) Parking lane type must follow Table 6.1 Street Standards.

(2) On-street parking must be set back from the approach or departure of:

1. Controlled intersections: Thirty (30) feet;
2. Crosswalks (marked or unmarked): Twenty (20) feet; and
3. Mid-block crossings: Twenty (20) feet or five (5) feet if mid-block crossings include a curb extension locating the crossing at the travel lane.

(3) Parking lanes are measured to the vertical curb when they are curb-adjacent.

(4) Parallel parking must follow:

a. Lane width: Seven (7) feet, except:

1. T6, GC, and LFI zones: parking lanes may be eight (8) feet wide;

b. Stall length: between twenty-two (22) and twenty-six (26) feet long for each space; and

c. Parking lanes are measured to the face of curb and include the gutter pan.

(5) Angled parking must follow:

a. Angle: Thirty (30)-degree or forty-five (45)-degree;

b. Stall width: Eight and a half (8.5) feet;

c. Stall length: Nineteen (19) feet; and

(6) Accessible spaces must follow ADA.

(7) Curbs along on-street parking are limited to six (6) inches high.

(h) Sidewalks, shared-use paths, and crosswalks

(1) Applicability.

a. Sidewalk construction is required for any of the following:

1. New residential, commercial or industrial construction;

2. Small-scale or large-scale development;

3. All exterior roadways and common or non-buildable lots for preliminary plats ;

4. The expansion of an existing building or site that totals fifty (50%) or more of the gross area of the existing building or site; or

5. The creation of new dwelling units.

(2) Exemptions.

a. This subsection does not apply to:

1. Interior alterations that do not add dwellings;

2. T2.1 zoned lots

3. Accessory dwelling unit construction;

4. Parcels with greater than one hundred fifty (150) linear feet of street frontage used as single-family or two-family; or

5. ArDOT determination that a sidewalk is not allowed within state right-of-way.

(3) Requirement.

a. Where a property abuts a public street identified on the Master Street Plan as requiring sidewalks, a sidewalk must be constructed along the frontage of the site as part of development and right-of-way dedicated per the Master Street Plan.

b. Sidewalks must connect to existing or planned sidewalk networks where feasible.

(4) Sidewalk widths must meet the greater of the required sidewalk width of the Master Street Plan or the following minimums:

a. T6: Ten (10) feet;

b. T5 and GC: Eight (8) feet;

c. T4 and LI: Six (6) feet; and

d. T3, R-1, T2, and LFI: Five (5) feet.

(5) Property owners may request to pay a fee-in-lieu of sidewalk construction in accordance with Sec. 50-721(f) Fee-in-lieu and subject to the criteria below:

a. Construction of the sidewalk is not physically feasible due to site constraints, such as topography, floodway or drainage facilities, existing mature trees or natural features

identified for preservation, or other constraints not created by the applicant;

b. The sidewalk would not connect to an existing public sidewalk network within 1/4 mile along the same block face or corridor, and construction would not create a functional pedestrian route;

c. The proposed sidewalk would be further than 1/2 mile walking distance from pedestrian sidewalk generators such as parks, schools, trail access points, civic facilities, transit stops, or commercial uses; or

d. The sidewalk segment is planned to be constructed as part of an adopted City capital improvement project.

(6) At driveways and alleys, sidewalks must:

a. Maintain a continuous pedestrian surface across all driveway and alley aprons;

b. Remain consistent in width, elevation, and surface material across the full width of the alley or driveway crossing; and

c. Where alley grades require a slope transition, vertical alignment must be ramped outside the pedestrian path or integrated into a detectable warning zone.

(7) Crosswalks must be provided at all controlled intersection quadrants.

(8) Where two streets intersect at an offset of less than two hundred (200) feet, a single set of crosswalks must serve the combined quadrants.

(9) Crosswalks must be clearly marked and constructed with high-visibility materials, as specified in the Bentonville Street Specifications.

(10) Shared-use paths must follow the rules in Sec. 50-604. Trails and Bikeways.

(i) Street furnishings

(1) General requirements

a. Street furnishings must be located within:

1. The parkway, as defined in subsection (k) Parkways; or

2. Private property directly abutting the street.

b. Furnishings must be durable and secured to prevent movement, except:

1. Moveable seating is allowed as long as it is secured outside of business hours.

c. Street furnishing must follow subsection (l) Use of rights-of-way.

d. The quantity or placement of required street furnishings may be adjusted as an administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers.

(2) Required furnishings

a. Street furnishings are required for all large-scale developments and subdivision streets along T5-T6 lots.

b. At a minimum, each development must include:

1. One (1) bench or other fixed seating element per two hundred (200) liner feet of street;

2. One (1) trash and recycling receptacle for each intersection; and

3. Bicycle racks must be provided as required in subsection (g) Bicycle parking.

c. The following are allowed but not required:

1. Planters;

2. Information kiosks; and

3. Wayfinding elements.

(j) Lighting

(1) The purpose of this section is to ensure pedestrian-scale lighting that supports safety, visibility, walkability, and neighborhood character while maintaining consistency with the standards and specifications of the Bentonville Electric Utilities Department (BEUD).

(2) Pedestrian lighting must be provided at the following minimum frequencies:

a. In T2, R-1, T3, T4, and GC, at intersections mid-block locations, and additional locations where specified by BEUD to meet the intent of this subsection; and

b. In LI and LFI at intersections and additional locations where specified by BEUD to meet the intent of this subsection

c. In T5 and T6: no more than sixty (60) feet between fixtures, located on both sides of the street.

(3) Light poles must comply with the following maximum heights:

a. T2, R-1, T3, and T4: Twelve (12) feet;

b. T5, T6, GC, LI, and LFI: Sixteen (16) feet; or

c. Alternative heights may be approved by BEUD where necessary due to utility, safety, constructability, or standard equipment specifications, provided the intent of this subsection is met.

(4) All lighting fixtures must:

a. Use LED lamps;

b. Be shielded to prevent uplighting;

c. Be shielded or diffused to prevent direct view of the light source; and

d. Have a maximum color temperature of three thousand (3,000) kelvin.

(5) Pedestrian lighting is required along all sidewalks, shared-use paths, and pedestrian walkways, including those not located in the right-of-way.

(6) All lighting must be coordinated with BEUD subject to the following:

a. BEUD shall provide the location and placement of fixtures and related infrastructure within the right-of-way.

b. Luminaires, poles, foundations, conduit, and installation specifications shall comply with BEUD standards and specifications, as amended.

c. The cost and availability of luminaires, poles, and related materials are subject to change.

(7) Alternative lighting materials, technologies, or installations may be approved as an administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers.

(k) Parkways

(1) The parkway is located between the curb and sidewalk or in another location approved by the Planning Director if utilities or design constraints exist.

(2) Street trees must be provided within the parkway at a maximum spacing of fifty (50) feet, unless:

a. Utilities prohibit planting or require greater spacing; or

b. In T5 or T6, awnings, canopies, or galleries fully cover the parkway.

(3) Parkway design must follow Table 6.2 Parkway Requirements.

(4) Parkway width is measured from the back of curb to the sidewalk.

(5) Parkway trees and landscaping must comply with Sec. 50-510. Landscape, Screening, and Buffering, and:

a. Trees must be specified as Street Trees within Table 5.21 Approved Tree Species; and

b. Trees located below overhead utilities must be selected for overhead utility compliance.

(6) Where street trees are not allowed within the right-of-way due to utility conflicts, trees must be located on private property immediately abutting the street or be offset with a fee-in-lieu in accordance with Sec. 50-721(f) Fee-in-lieu.

TABLE 6.2 PARKWAY REQUIREMENTS

Standard Tree Well	
Zoning District	T6, T5, GC
Tree Well Width	5.5 ft. min.
Tree Well Length	5.5 ft. min.
Surface: Between Tree Planters	Hardscaped: Matching the sidewalk, using unit pavers, or using pervious pavement
Surface: Tree Planter	Rubberized mulch or expandable grate



Long Tree Well	
Zoning District	T6, T5, T4, GC
Tree Well Width	5.5 ft. min.
Tree Well Length	12-20 ft.
Surface: Between Tree Planters	Hardscaped: Matching the sidewalk, using unit pavers, or using pervious pavement
Surface: Tree Planter	Landscaped, ground cover with tree guards, or rain gardens and LID treatments.



Continuous Planter	
Zoning District	T2, R-1, T3, T4, GC, LI, LFI
Planter Width	5.5 ft. min.
Planter Length	Continuous
Surface: Between Tree Planters	Landscaped; Intermittent rain gardens and LID treatments are allowed



(l) Use of right-of-ways

(1) Use of the public right-of-way requires an encroachment permit in accordance with Sec. 50-721(c) Encroachment permit, including but not limited to:

a. Use of on-street parking spaces for purposes other than vehicle parking;

b. Placement of street furnishings in the parkway; and

c. Use of sidewalks or areas between curb and property line for private or commercial activity.

(2) A-frame signs placed within the parkway do not require a permit, provided they comply with Sec. 50-508. Signs.

(3) Sight triangles must be maintained at intersections and driveways, following the Bentonville Code Bentonville Street Specifications.

(4) A clear pedestrian path at least five (5) feet wide must be maintained along the sidewalk.

(5) Retail or commercial furnishings placed in the right-of-way must be:

a. Removed or stored indoors between 12:00 a.m. and 6:00 a.m.; and

b. Positioned to avoid blocking access to building entrances, crosswalks, fire hydrants, and utilities.

(6) Any other use of the public right-of-way is subject to the review and approval of the Transportation Director and may be subject to revocation in the interest of public safety or accessibility .

(m) Alleys

(1) Design

a. Right-of-way or access easement width must be:

1. Twenty-eight (28) feet; or

2. Twenty (20) feet by administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers.

b. Pavement must meet the following minimum widths:

1. Where solid waste, utility, and fire access are required, excluding aerial access: at least twenty (20) feet;

2. Where aerial fire access is required: at least twenty-six (26) feet;

3. T2, R1, T3, T4: at least twelve (12) feet;

4. T5, T6: at least sixteen (16) feet; and

5. All others: at least sixteen (16) feet, or as approved by administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers.

c. The interior radius of pavement must be:

1. Personal vehicle access only: at least fifteen (15) feet; and

2. Fire, solid waste, and utility access: at least thirty-five (35) feet.

d. Alley design speed is 5-10 mph.

e. Drainage may be provided:

1. All zones: using a V-shaped section, sloping towards the middle of the alley, with a two percent (2%) cross slope; or
2. T2, T3, T4: using a crown section in combination with Low Impact Design features, as approved by administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers.

f. Dead-end alley segments must be:

1. No longer than four (4) abutting lots;
2. At least thirty (30) feet wide; and
3. Paved at least six (6) feet wider than the required minimum but no more than thirty (30) feet.

g. Additional fire access requirements:

1. Design must follow the Arkansas Fire Code to support apparatus access; and
2. 1- and 2-unit dwellings are not allowed fire access from the alley if there is a street abutting the lot, except as approved by the Fire Marshall.

h. Alleys providing fire or solid waste access must be designed to not require a fire apparatus or solid waste vehicles to turn around.

i. Parking is not allowed within alleys, except where striped parking spaces are provided, and:

1. They meet the stall and aisle rules in Table 5.10 Parking Space and Aisle Dimensions;
2. They do not intrude into minimum alley pavement areas; and
3. They do not block vehicles, solid waste trucks, or fire apparatus.

(2) Street intersections

a. Alley intersections with streets must be within fifteen (15) degrees of perpendicular.

b. Alley design at intersections must follow Table 6.3 Alley Apron.

c. All alleys must include a paved apron.

d. Parking accessed from an alley must be set back at least twenty (20) feet from the alley apron.

(3) Existing Alleys

a. Where a development abuts an existing, legally established alley that is less than the required right-of-way or pavement width, the developer shall:

1. Improve the portion of the alley abutting the site to the maximum feasible width within existing right-of-way or easement; and
2. Construct pavement meeting the minimum width of this Section to the extent physically possible without acquisition of off-site property.

b. A developer shall not be required to dedicate additional right-of-way or acquire off-site property to widen an existing alley unless such widening is required through subdivision or development plan approval in accordance with Sec. 50-308 Off-Site Infrastructure Improvements and Sec. 50-724 Public Improvements and Dedications.

c. Improvements shall not preclude future widening to the full standard if adjacent properties redevelop.

(4) Mid-block Alleys

a. Where a development abuts an alley that does not connect to a public street within the same block, the developer shall:

1. Construct the full required pavement width along the portion of the alley abutting the site;
2. Install a compliant alley apron; and
3. Extend the required pavement width at least twenty (20) feet beyond the alley apron into the corridor.

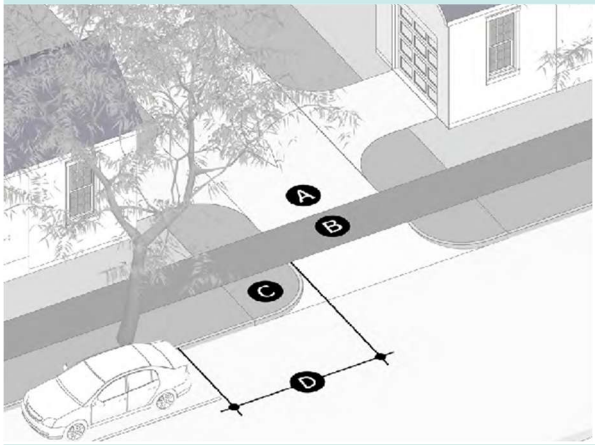
b. The developer shall not be required to construct the alley beyond their property frontage nor acquire off-site property unless:

1. The extension would directly connect the alley to a public street within the same block; and
2. The extension is reasonably proportional to the impact of the development as determined under Sec. 50-308 Off-Site Infrastructure Improvements and Sec. 50-724 Public Improvements and Dedications.

c. Nothing in this subsection shall require off-site property acquisition except where required as part of a subdivision or development plan approval.

TABLE 6.3 ALLEY APRON

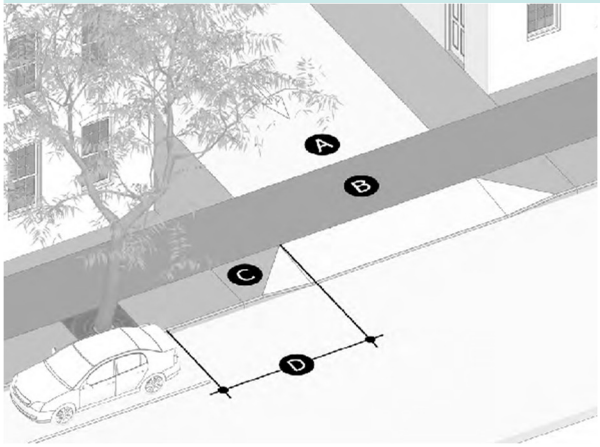
Neighborhood Alley



- **A** Alley pavement must be 20 ft. min. at the alley apron and extend at that width for at least 20 ft. into the alley.
- **B** Where the sidewalk crosses the alley apron, it must be maintained in material, width, and elevation across the alley apron.
- **C** The apron must have a 10 to 15 ft. curb return radius.
- **D** Parking must be set back a minimum of 20 ft. from the alley pavement at the alley apron.

Allowed Zones: T2, T3, T4

Mixed-Use and Non-residential Alley



- **A** Alley pavement must be 20 ft. min. at the alley apron and extend at that width for at least 20 ft. into the alley.
- **B** Where the sidewalk crosses the alley apron, it must be maintained in material, width, and elevation across the alley apron.
- **C** The alley apron may have a 5 ft. taper or a 5 ft. curb return radius.
- **D** Parking must be set back a minimum of 20 ft. from the alley pavement at the alley apron.

Allowed Zones: T5, T6, GC, LI, LFI

(n) Major driveway allowances and modifications

(1) The purpose of this section is to recognize that major driveways are private circulation facilities that may be required to function similarly to public streets for purposes of connectivity, access, and safety, while allowing appropriate flexibility in design standards to reflect private ownership, site-specific conditions, and development context. It is the intent of this section to:

a. Ensure safe and functional circulation for vehicles, pedestrians, bicycles, and emergency services;

b. Support walkable urban form and connectivity objectives; and

c. Avoid requiring private facilities to meet all standards applicable to public streets where such standards are unnecessary or impracticable.

(2) Applicability

a. This section applies to major driveways required or approved under this Code.

b. Major driveways are not public streets unless and until formally dedicated and accepted by the City.

c. Except as modified by this section, major driveways shall comply with the applicable street design standards of Article 50-6.

(3) General Allowance Authority

a. The Director, through the Technical Advisory Committee (TAC), may approve alternative designs or reduced standards for major driveways where it is determined that the proposed design:

1. Provides equivalent or superior safety performance;
2. Maintains adequate emergency access;
3. Supports pedestrian and bicycle circulation appropriate to the development context; and
4. Does not preclude future connectivity or planned circulation improvements.

b. Approval under this subsection shall not be construed as a waiver unless expressly stated.

(4) Specific allowances for major driveways

a. The following allowances may be applied to major driveways without requiring a waiver, unless otherwise noted:

1. *Design speed.* Design speeds may be reduced below the minimums in Table 6.1 where geometric design, access spacing, and pedestrian priority support traffic calming objectives.
2. *Travel lanes.* Minimum curb-adjacent travel lane widths may be reduced to ten (10) feet where fire access requirements are satisfied.
3. *Parking configuration.* Parking adjacent to major driveways may follow the parking layout, stall dimensions, and aisle widths in Table 5.10 Parking Space and Aisle Dimensions, in lieu of on-street parking standards, subject to this subsection.

i. Dimensional standards.

a. Parking stall dimensions shall comply with Table 5.10.

b. Travel lane widths within the major driveway may be adjusted to the required parking aisle widths in Table 5.10.

ii. Permitted parking configurations. The following parking configurations may be permitted along major driveways where consistent with site design and circulation:

a. Parallel parking;

b. Angled parking thirty [30]-degree or forty-five [45]-degree; or

c. Perpendicular parking ninety [90]-degree, where maneuvering space and sight distance are adequate.

iii. Limitations.

a. Parking along major driveways shall not obstruct required fire access routes, loading zones, or pedestrian crossings.

b. Parking configurations that would be prohibited on a public street may be permitted on a major driveway, provided the major driveway is not dedicated as a public street.

4. *Medians and Turn Lanes.* Medians and continuous center turn lanes may be approved administratively as part of site or construction plan review, without separate discretionary approval, where traffic operations warrant.

5. Street Furnishings

i. Required street furnishings may be:

a. Relocated to civic spaces or private frontage zones; or

b. Omitted where pedestrian volumes are low.

ii. Furnishings shall not obstruct emergency access or required clear zones.

6. Lighting

i. Pedestrian lighting spacing may be increased where pedestrian activity is limited.

ii. Lighting design shall prioritize pedestrian safety at crossings, building entrances, and conflict points.

7. Parkways and Landscaping
    i. Where a major driveway is private, required parkway elements may be located:
        a. Within private frontage zones;
        b. Within public access easements; or
        c. On private property immediately adjacent to the travel way.
    ii. Tree spacing and planting requirements may be adjusted to reflect utility constraints and site conditions.
8. Reduced Easement Width.
    i. Where a major driveway is not dedicated as a public street, it may instead be dedicated within a public easement. The required right-of-width may be reduced to the minimum width easement necessary to accommodate the approved facility cross-section, including:
        a. Travel lanes;
        b. Parking lanes, where permitted;
        c. Required sidewalks or shared-use paths;
        d. Drainage facilities; and
        e. Utility corridors approved as part of the development.
    ii. The easement width shall be sufficient to ensure safe operation, emergency access, and long-term functionality of the major driveway, as determined through TAC review.
9. Prohibited Uses of Allowances. Allowances under this section shall not be used to:
    i. Eliminate required connectivity;
    ii. Reduce emergency access below minimum safety standards;
    iii. Circumvent subdivision, public improvement, or dedication requirements; or
    iv. Avoid future dedication obligations where dedication is expressly required by this Code.
10. Relationship to Public Streets and Dedication
    i. Approval of a major driveway under this section does not constitute:
        a. Acceptance of a public street;
        b. A commitment to future dedication; or
        c. A finding that the facility meets all public street standards.
    ii. Any future request for dedication shall require compliance with the standards in effect at the time of dedication.
    iii. Major driveways required by this Code for access and circulation require the dedication.

SEC . 50-603 . PUBLIC STREET IMPROVEMENTS

(a) Purpose

(1) To establish consistent rules for public street improvements required along the frontage of development sites.

(2) To ensure that all new development contributes to a complete and connected public street network, consistent with the adopted Master Street Plan and street design standards.

(3) To support safe, multi-modal access for vehicles, pedestrians, and cyclists.

(b) Applicability

(1) This section applies to all development sites along an existing or proposed public street.

(2) This section does not apply to streets within subdivisions or major driveways.

(3) All public street improvements are subject to Streets to be dedicated to the city are subject to Sec. 50-724. Public Improvement and Dedication.

(c) Required frontage improvements

(1) Development along public streets must include street improvements from the street centerline to the edge of the property line, along the entire property.

(2) The Planning Commission may require the developer to construct the full street and any off-site improvements if needed for safety, circulation, or access in accordance with Sec. 50-308 Off-Site Infrastructure Improvements and Sec. 50-724 Public Improvements and Dedications.

(3) Required improvements include:

a. Curb and gutter;

b. Pavement widening, where the existing street does not meet minimum width;

c. Sidewalks and planting strips;

d. Street lighting and street trees;

e. ADA-accessible ramps at corners or crossings; and

f. Any bicycle or trail facilities required by The Bike & Pedestrian Master Plan.

(4) Improvements must match the street type and cross-section identified on the Master Street Plan or Sec. 50-602. Street Design.

(5) If the Master Street Plan does not identify the street type, the appropriate section must be selected from Sec. 50-602. Street Design based on place type and zoning district.

(6) Where existing rights-of-way cannot accommodate Master Street Plan, Sec. 50-602. Street Design, or Bentonville Street Specifications standards, an alternative streetscape design may be approved by the Planning Commission.

(d) Right-of-way dedication

(1) Right-of-way must be dedicated in accordance with the Master Street Plan and to accommodate the required improvements.

(2) Right-of-way dedication may extend beyond the street edge to include trails or utility corridors.

(3) Dedication must be made by plat or by separate instrument, as approved by the City legal department.

SEC . 50-604 . TRAILS AND BIKEWAYS

(a) Trail design standards

(1) If a trail is identified in the Bike & Pedestrian Master Plan:

a. Trail design must follow the standards specified in the plan, including the trail, landscaping, intersection crossings, lighting, and wayfinding; and

b. Trail signage and construction must follow the Bentonville Street Specifications.

(2) All other trails and shared-use paths must meet the following design standards:

a. Design elements listed in Table 6.4 Trail Design Standards are required;

b. Must be placed within a dedicated tract or easement, providing adequate space for all design elements and future maintenance needs;

c. Must include a paved shared-use path for walking and biking. The TAC may approve the use of pervious materials by administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers;

d. Where trails follow utility corridors or follow utility access roads provisions must be made to accommodate access and maintenance of the utility;

e. Must include lighting along the trail. Light temperature must be 3000K or less; and

f. Street crossings must include:

1. Curb ramps, complaint with ADA standards;
2. “Special emphasis” crosswalk markings; and
3. Crosswalk signage, compliant with the Manual on Uniform Traffic Control Devices.

TABLE 6.4 TRAIL DESIGN STANDARDS

Design Element	Zone	Requirement
Easement, Tract or right-of-Way	MH, T2, T3, R-1, T4	At least 20 feet wide.
	T5, T6, GC, LI, LFI	At least 30 feet wide.
Trail or Shared-use Path	MH, T2, T3, R-1, LI, LFI	At least 10 feet wide.
	T4, GC	At least 12 feet wide.
	T5, T6	At least 14 feet wide.
Trees	All	1 for every 50 feet of trail length, may be clustered.
Landscape	MH, T2, T3, R-1, T4	At least 4 feet wide on both sides of the trail and no less than 10 feet in total width. Must include ground cover and shrubs.
	T5, T6, GC, LI, LFI	At least 5 feet wide on both sides of the trail and no less than 16 feet in total width. May be up to 60% paved and must include ground cover and shrubs where unpaved.
Seating	All	1 bench for every 500 feet of trail length, may be clustered.
Lighting	All	At every intersection between the trail and another right-of-way. Additional lights are required at a spacing determined by BEUD.

(b) Bikeways

(1) If an on-street bicycle facility is identified in the Bike & Pedestrian Master Plan:

a. Facility design must follow the standards specified in master plan, including the facility, buffering or separation, intersection crossings, lighting, and wayfinding;

b. If facility design is not specified in the master plan, it must meet the requirements of this section; and

c. Trail signage and construction must follow the Bentonville Street Specifications.

(2) Trails and shared-use paths, other than sidepaths, must follow Sec. 50-604. Trails and Bikeways.

(3) All bikeways must meet the dimensional and design requirements of Table 6.5 Bikeways and Bentonville Street Specifications.

(4) The alignment of bikeways in existing plans may differ from the plan to respond to site conditions, provided the network connects to all adjacent facilities and is approved by the TAC.

(5) The TAC may require a specific bikeway type or alignment within the site to ensure integration with the citywide bicycle network.

(6) Bikeways must be constructed of smooth, durable paving, clearly demarcated, and designed to minimize conflicts with pedestrians and vehicles.

(7) Curb-adjacent bicycle facility width is measured to the vertical curb.

(8) Manholes, drains, and other obstructions should not be located in bikeways.

TABLE 6.5 BIKEWAYS

Type	District	Functional Classification	Posted Speed (mph, max.)	ADT (max.)	Width (feet, min.)	Separation		Special Standards
Shoulder or Edge Lane	Rules by FHWA Bikeway Selection Guide; Requires approval from County Engineer, TAC, and Planning Commission							
Shared Lane	All	Local	20	2,000	10, max.			Lane width on yield streets may exceed the maximum
Advisory Lane	All	Local	25	3,000	7			
Conventional Lane	T2, T3, T4	Local	30	5,000	5			
	T5, T6, GC, LI, LFI				6			
Buffered Lane	T2, R1, T3, T4	Local, Collector	35	6,000	5	Paint, Flexible post	3 ft. min.	
	T5, T6, GC, LI, LFI				6			
Separated Lane (1-way)	All	Local, Collector	45		7	Grade, Flexible Post, Inflexible Barrier, Parking, Raised Island	2 ft. min.	
Separated Lane (2-way)	All	Local, Collector	45		12			
Sidepath	All				12	By Parkway Rules		

SEC . 50-605 . UTILITY LOCATION STANDARDS

(a) Applicability

(1) This section applies to all public and franchise utility lines, structures, and appurtenances located within or adjacent to public right-of-ways, alleys, and easements.

(2) Utility placement must be coordinated with:

a. Rules and guidelines in BEUD Electric Specifications;

b. Rules and guidelines in BWUD Specifications;

c. Street and alley design rules in Sec. 50-602. Street Design and the Bentonville Street Specifications; and

d. Street trees and planting areas required by Sec. 50-510. Landscape, Screening, and Buffering and Sec. 50-511. Natural Resource Protection.

(b) Utility Location standards

(1) General

a. Utilities located on private property must be within an easement dedicated to the City. Easement width may vary depending on specific or existing site conditions as approved by the BWUD or BEUD Director.

b. Easements must be provided in accordance with Sec. 50-724. Public Improvement and Dedication.

c. Easements and accommodations for existing or planned utilities may be required by the BEUD Director or BWUD Director.

d. Additional easements and utilities may be required based on site location, size, development program, and adjacent uses.

e. Utility easements and specifications may increase setbacks and restrict encroachments specified in Article 50-4 Zoning.

(2) Typical location

a. Utility layout concepts

1. Utilities should be located in accordance with the utility layout concepts shown in Figure 6.3 Typical Utility Locations, which reflect the City's preferred approach to utility coordination, relative separation, and efficient use of right-of-way and easement. The diagrams communicate functional relationships, coordination principles, and separation requirements among utilities rather than prescribe exact, fixed locations.

2. Utility placement may vary as necessary to address site-specific conditions, constructability, or operational needs, provided the overall coordination intent is maintained and adequate access for construction, operation, maintenance, and servicing is preserved, as determined by the BEUD Director and BWUD Director.

b. Approval

1. All utility layouts are subject to final approval by the BEUD Director and BWUD Director.

c. Utilities located within alleys, non-street right-of-ways, or infill development

1. Where a proposed development seeks to locate electric, water, sewer, or other utilities within an alley or other non-street right-of-way, or where utility placement is proposed as part of infill development that may be constrained by existing infrastructure, access, or surrounding development, the Director shall require completion of a Infrastructure coordination conference in accordance with Article 50-7 Administration.

2. The Director is responsible for coordinating and convening the Infrastructure coordination

conference and for identifying the City departments, utilities, and agencies required to participate.

3. Utility placement in these contexts shall be permitted only where the BEUD Director and BWUD Director determine that sufficient access for construction, operation, maintenance, and servicing can be provided and that the proposed layout is compatible with surrounding development and infrastructure.

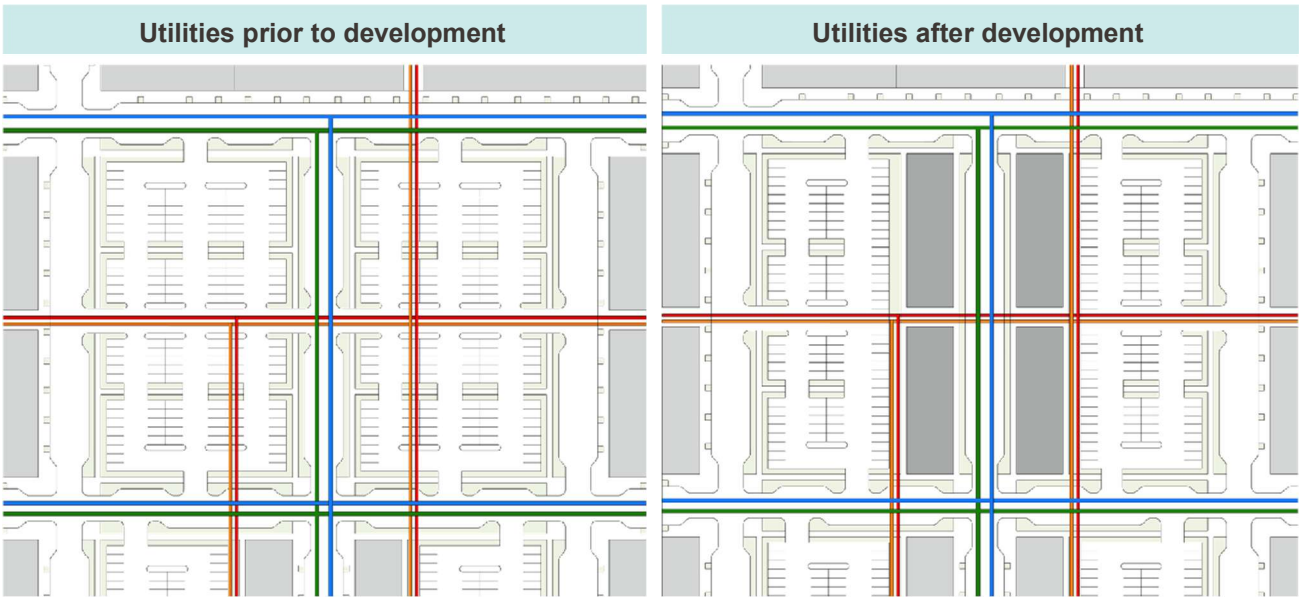
(3) Developments using major driveways and future lots

a. The purpose of this section is to ensure that Utility locations in developments utilizing major driveways shall be designed to:

1. Ensure safe, reliable utility access and long-term maintenance;
2. Preserve the ability to develop future lots as shown on the approved development plan as depicted in Figure 6.2; and
3. Avoid utility placements that would require relocation or redesign during future development phases.

b. Public utilities proposed outside of public streets, major driveways, or other primary circulation corridors as depicted in Figure 6.3 shall require review through a Infrastructure coordination conference prior to approval.

FIGURE 6.2 UTILITY LOCATION IN DEVELOPMENTS USING MAJOR DRIVEWAYS



(4) Preserved trees

a. Where utility installation occurs in proximity to preserved trees, all work must comply with the construction protection measures specified in Sec. 50-509. Tree Preservation, unless conflicts cannot be avoided. This includes:

1. Avoiding trenching or excavation within the critical root zone unless specifically approved in the Tree Preservation Plan;
2. Using directional boring, root-sensitive excavation, or hand trenching where conflicts cannot be avoided;
3. Installing tree protection fencing, implementing soil compaction prevention, and applying root pruning methods consistent with approved preservation practices; and

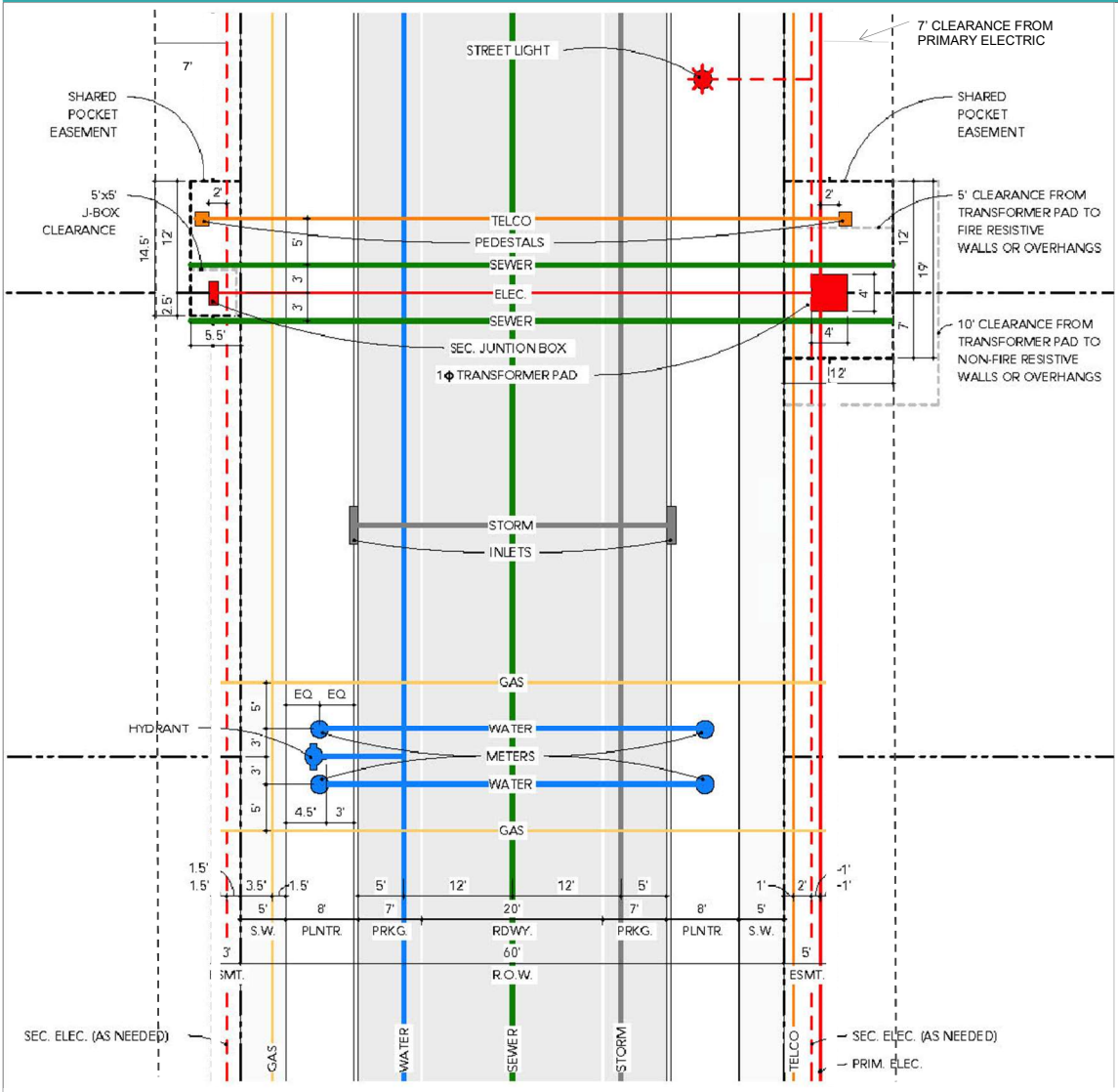
4. A modified tree protection strategy, subject to the approval of the Director, BEUD Director, and BWUD Director, to minimize harm and preserve long-term health of the tree to the greatest extent practicable.

b. Where compliance with these standards is infeasible due to utility service requirements, the Planning Director may approve removal of the tree consistent with Sec. 50-509. (e) Tree Removal.

FIGURE 6.3 TYPICAL UTILITY LOCATIONS

FIGURE 6.3 TYPICAL UTILITY LOCATIONS

1. 34ft Roadway without Alley

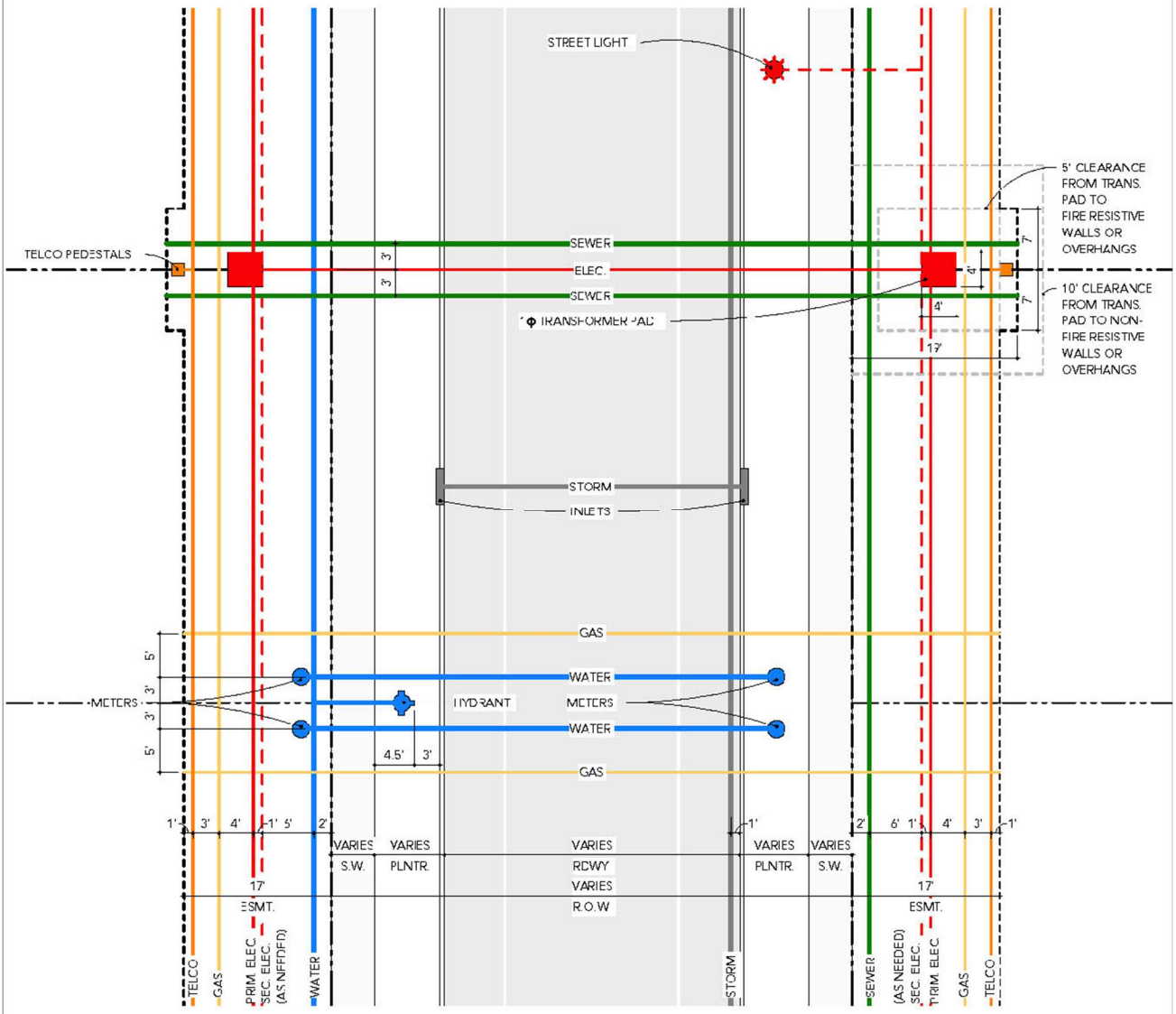


Notes

- 60 ft right-of-way depicted with 34 ft vertical curb-to-curb with on-street parking both sides.
- Fire access accommodated from street, aerial access may require an alternative layout.
- Stripe parking lane to disallow parking in proximity to fire hydrants.
- Electric and telecom service are accommodated within utility easements on private property.
- Additional pocket easement depicted for telecom pedestals, confirm easement dimension and construction type.
- Locate streetlight transformer in park strip.
- Coordinate street tree requirements with utility locations and minimum setbacks.
- Site conditions, load conditions, and existing or planned utilities may require additional easements.
- Foundations required to be set back seven (7) feet minimum from primary electric lines.
- Final utility alignment must be approved by BEUD and BWUD.

FIGURE 6.3 TYPICAL UTILITY LOCATIONS

2. Roadway without Alley, Water & Sewer in Easement

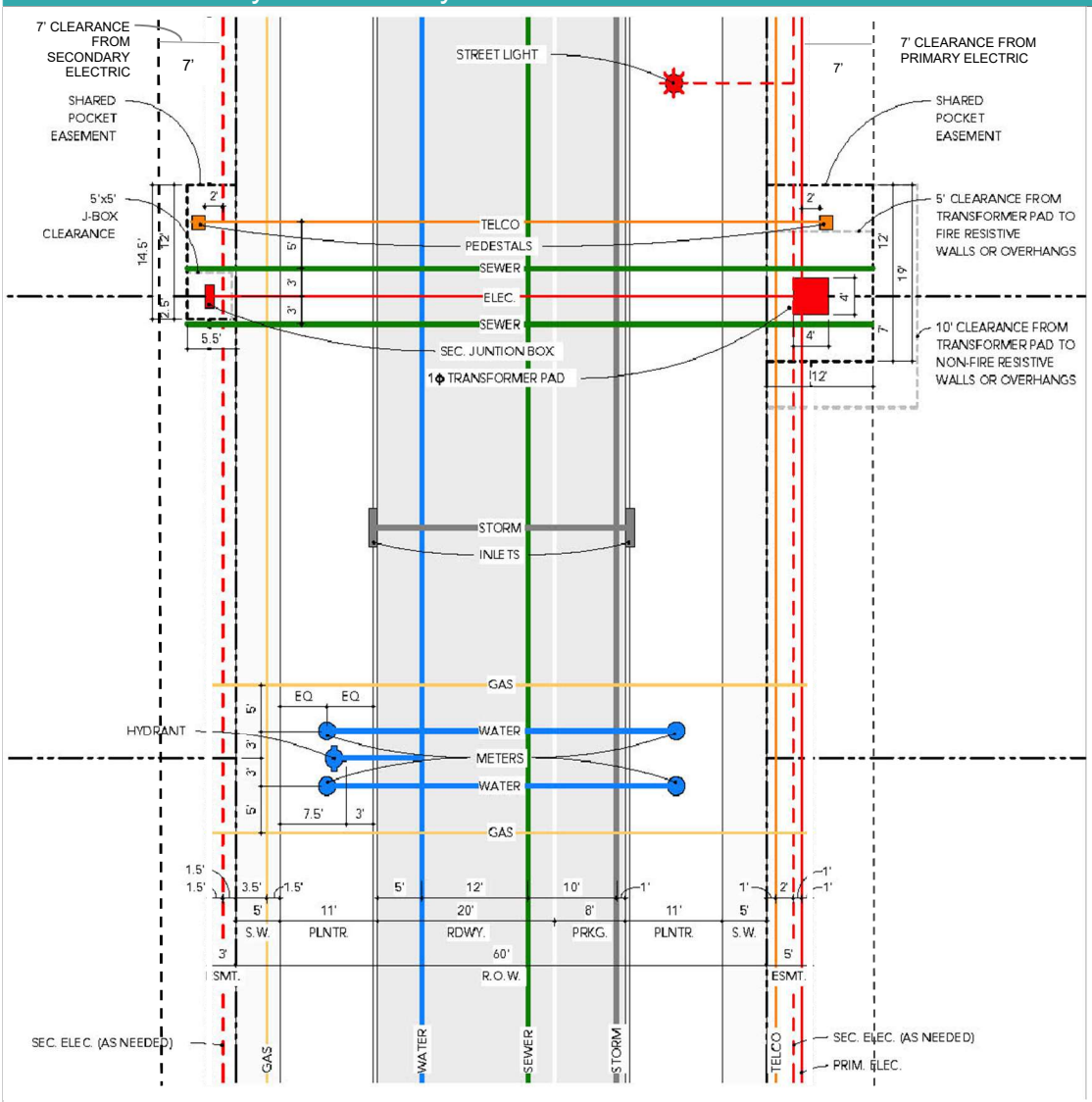


Notes

- 60 ft right-of-way depicted with 34 ft vertical curb-to-curb with on-street parking both sides. Right-of-way width and roadway width may vary.
- Fire access accommodated from street, aerial access may require an alternative layout.
- Stripe parking lane to disallow parking in proximity to fire hydrants.
- All utilities are located within easements on private property, except fire hydrants.
- Additional pocket easement depicted for telecom pedestals, confirm easement dimension and construction type.
- Coordinate street tree requirements with utility locations and minimum setbacks.
- Site conditions, load conditions, and existing or planned utilities may require additional easements.
- Foundations required to be set back seven (7) feet minimum from primary electric lines.
- Final utility alignment must be approved by BEUD and BWUD.

FIGURE 6.3 TYPICAL UTILITY LOCATIONS

3. 28 ft Roadway without Alley

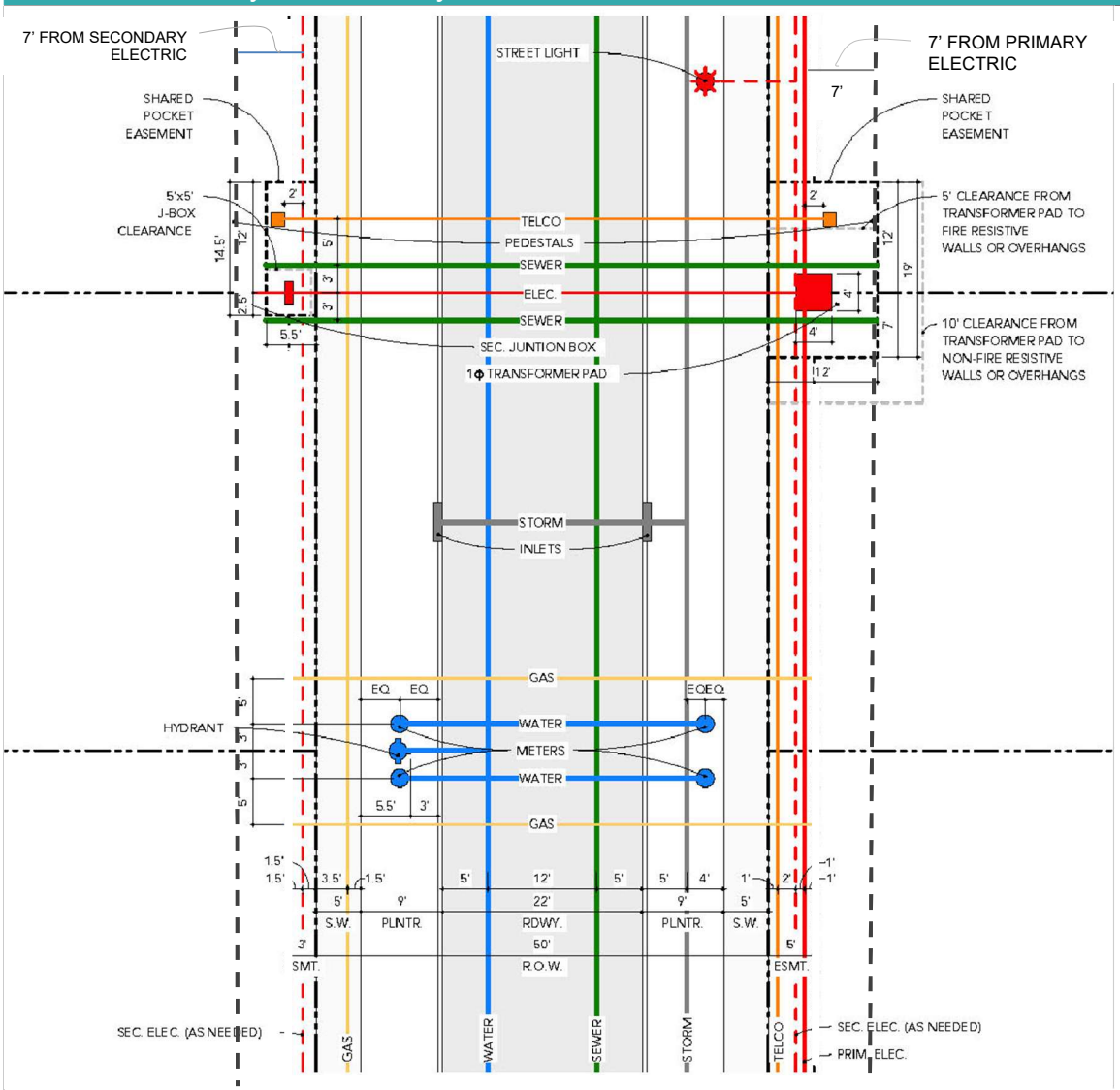


Notes

- 60 ft right-of-way depicted with 28 ft vertical curb-to-curb with on-street parking on one side.
- Fire access accommodated from street, aerial access may require an alternative layout.
- Stripe parking lane to disallow parking in proximity to fire hydrants.
- Electric and telecom service are accommodated within utility easements on private property.
- Additional pocket easement depicted for electric and telecom pedestals, confirm easement dimension and construction type.
- Locate streetlight transformer in park strip.
- Coordinate street tree requirements with utility locations and minimum setbacks.
- Site conditions, load conditions, and existing or planned utilities may require additional easements.
- Foundations required to be set back seven (7) feet minimum from primary electric lines.
- Final utility alignment must be approved by BEUD and BWUD.

FIGURE 6.3 TYPICAL UTILITY LOCATIONS

4. 22 ft Roadway without Alley



Notes

- 50 ft right-of-way depicted with 22 ft vertical curb-to-curb with no on-street parking.
- Fire access accommodated from street, aerial access may require an alternative layout.
- Electric and telecom service are accommodated within utility easements on private property.
- Secondary electric service located under sidewalk, locate streetlight transformer in park strip.
- Additional pocket easement depicted for electric and telecom pedestals, confirm easement dimension and construction type.
- Coordinate street tree requirements with utility locations and minimum setbacks.
- Site conditions, load conditions, and existing or planned utilities may require additional easements.
- Foundations required to be set back seven (7) feet minimum from primary electric lines.
- Final utility alignment must be approved by BEUD and BWUD.

SEC . 50-606 . COMMUNICATIONS EQUIPMENT

(a) Purpose and intent

(1) To regulate the placement, design, and lighting of communications towers and antennas in order to minimize visual impacts, ensure compatibility with surrounding development, and protect public health and safety.

(2) To allow communications services while ensuring equipment is visually unobtrusive, appropriately integrated with surrounding context, and safely maintained over time.

(b) Applicability

(1) This section applies to all towers, antennas, and supporting telecommunications equipment within the City.

(2) The BEUD Director may waive one (1) or more of these standards upon determining that the location, surrounding context, or project scope does not require visual or operational mitigation.

(3) All separation requirements of the BEUD Electric Specifications and BWUD Specifications must be met.

(c) Lighting

(1) Towers must be illuminated only when required by the FAA or other applicable regulatory authority.

(2) When lighting is required, it must:

a. Comply with the minimum specifications established by the applicable regulatory authority; and

b. Be designed to minimize glare and disturbance to surrounding properties.

(3) Security lighting or motion-activated lighting at the base of a tower or within a telecommunications facility must:

a. Be fully shielded; and

b. Prevent light spillover onto adjacent lots or public right-of-ways.

(d) Stealth and camouflage

(1) Towers and antennas must be designed using stealth techniques or camouflage to reduce visibility and integrate with their surroundings.

(2) Towers must:

a. Be finished with galvanized steel, wood laminate, or a neutral paint color; and

b. Comply with any FAA standards related to marking or lighting.

(3) All buildings, shelters, and ground-mounted equipment associated with telecommunications facilities must be designed to blend with surrounding structures or vegetation, using materials, colors, and architectural detailing consistent with adjacent development.

(4) If an antenna is mounted on a structure other than a tower, including a building or utility structure, the antenna and all visible support equipment must:

a. Match or closely complement the color of the supporting structure; and

b. Be mounted in a manner that minimizes visual prominence and avoids silhouette against the sky.

(e) Maintenance and removal

(1) All communications equipment must be maintained in a clean, structurally sound, and operational condition.

(2) Any facility that is damaged or no longer in use must be repaired, replaced, or removed within ninety (90) days of notification by the City.

(3) If a tower or antenna is unused or abandoned for a continuous period of twelve (12) months, it must be removed by the facility owner, service provider, or property owner.

(4) Upon removal, the site must be restored to its prior condition or to a condition consistent with adjacent development, including the removal of foundations, fencing, and other supporting infrastructure unless otherwise approved by the Director.

SEC . 50-607. ADDRESSING AND STREET NAMING

(a) Applicability

(1) This section applies to:

a. The naming of public and private streets;

b. The assignment of address numbers; and

c. The labeling of units, suites, or floors.

(2) These standards apply to all development within the City, including:

a. New subdivisions;

b. Site developments;

c. Multifamily and commercial projects; and

d. Existing properties subject to renaming or renumbering.

(b) Official Street Map and City Grid Centroid

(1) The City's directional and address grid is centered at the intersection of Main Street and Central Avenue, which serves as both the directional grid centroid and the address grid centroid. From this point, the north–south centerline extends east–west and the east–west centerline extends north–south to the City limits and addressing boundary.

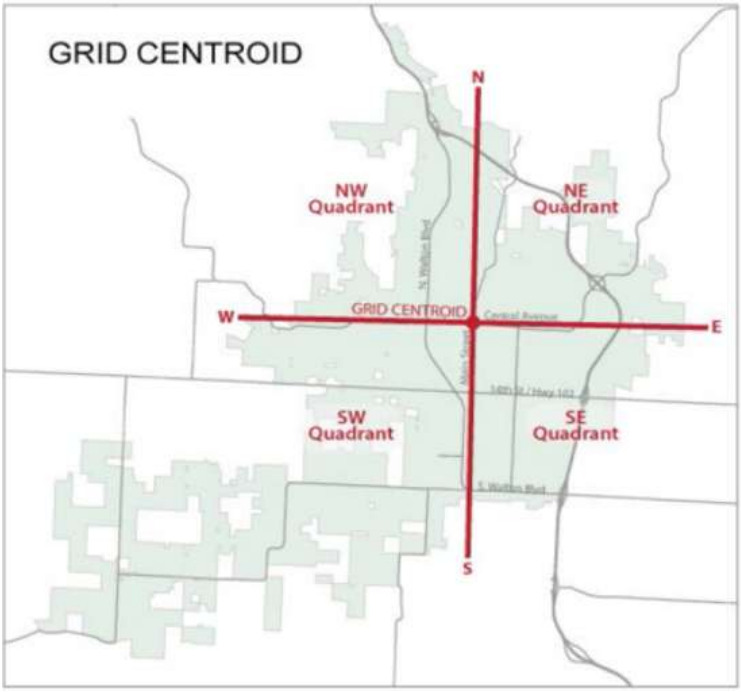
(2) All street address numbering begins at this centroid, increasing outward in all directions, with each block ranging from 100–199 and continuing sequentially to the City limits.

(3) Based on this centroid, the City is divided into four quadrants: NE, NW, SE, and SW.

(4) The public GIS Master Map shall serve as the authoritative reference for street names and addresses within the City.

(5) It must be updated upon approval of plats or master plan developments.

FIGURE 6.4 GRID CENTROID



(c) Authority

(1) The GIS Coordinator, or designee, is responsible for:

a. Assigning addresses and street names;
b. Maintaining the authoritative GIS Master map;
c. Reviewing proposed names and numbers;
d. Resolving conflicts; and
e. Initiating or processing name or number changes.

(d) Street naming standards

(1) General requirements

a. Street names will be updated and confirmed before final plat approval and coordinated and assigned during the large-scale development process.

(2) Street naming

a. Proposed names must be submitted on the preliminary plat.
b. Names must be approved by the GIS Department pursuant to this Code.
c. Duplicate or phonetically similar names are not allowed.
d. Street names may not include directional or type confusion (such as Northglen Drive).
e. Streets that align with existing named streets must use the same name.
f. Loop streets must include an appropriate suffix such as “Loop,” “Circle,” or “Court.” At the discretion of the assigned designee, this requirement may be waived when it is determined that the loop should retain the name of the street from which it originates or with which it is primarily aligned.
g. Street names honoring individuals require a proclamation by City Council.

h. Alleys must be named and addressed in accordance with these standards and must use the suffix 'Alley'.

i. Full street names, including the suffix and directional (prefix) are limited to a maximum of seventeen (17) characters in length.

j. Numeric street names must use the appropriate numeric suffix (e.g., 1st, 2nd, 3rd, 4th).

k. Streets that are also designated state or federal highways may be identified by a local street name in conjunction with the highway designation on the Official Street Address Map.

(3) Street name components

a. All streets must have directional prefixes that follow the approved abbreviations:

1. North: N
2. South: S
3. East: E
4. West: W
5. Northeast: NE
6. Northwest: NW
7. Southeast: SE
8. Southwest: SW

b. Suffixes must match the direction of the street:

1. East–West streets: Avenue or Boulevard
2. North–South streets: Road or Street

(4) Renaming

a. Renaming may be initiated by the City Council, Planning Commission, Mayor, GIS Department, or the public following the below process.

b. Requests must include:

1. A completed application; and
2. Signatures from one hundred percent (100%) of abutting property owners, with at least eighty percent (80%) in support.

c. Requests must be reviewed by City departments and by the Traffic Safety and Signage Committee.

(e) Address formatting

(1) General.

a. Every habitable or substantial structure must be assigned an address.

b. Accessory structures and minor features will not receive separate addresses.

c. Final addresses, other than corner lots, and street names will be assigned before final plat approval or building permit issuance.

d. Suite and unit numbers are assigned as part of the project approval process or at commercial tenant infill for pre-existing structures.

e. Only whole numbers may be used. Fractions, letters, and decimals are not allowed.

f. Even numbers are placed on the right side of the street and odd numbers are placed on the left side, in relation to the centroid.
g. Corner lots must receive one (1) address based on the location of the front door.

(2) Labels

a. Labels are assigned as follows:
   1. Main address (M)
   2. Suite (STE)
   3. Apartment (APT)

(3) Commercial Addressing

a. Suites in commercial buildings are numbered from 1 to 99, or by floor using 100-level ranges.
b. Suite numbers are assigned based on building parity and layout.
c. In a suite split, the next available number is used, regardless of odd–even pattern.
d. Address spacing must allow for future splits or tenant changes.

(4) Multifamily addressing

a. Multifamily buildings must be assigned a main address and unit numbers.
b. Units must be numbered sequentially, increasing from the centroid.
c. When floors are stacked, unit numbers must correspond to the floor:
   1. First floor: 100–199; and
   2. Second floor: 200–299, and so on.
d. Duplexes must be assigned one (1) main address with numbered units.
e. Townhomes must receive separate street addresses, not unit numbers.
f. The official address for apartments or condominiums is the main address plus the unit number.

(5) Readdressing

(1) When renumbering is necessary, it must follow the same standards.
(2) Corner lots must receive one address based on the location of the front door.

(g) Address display

(1) Addresses must be posted on all buildings as required by the Fire Code.
(2) If not visible from the street, a secondary sign must be installed at the point of access.

(h) Enforcement

(1) Inspectors will confirm address compliance at final inspection. A certificate of occupancy or compliance will not be issued unless the correct address is posted and matches City records.

ARTICLE 50-7 ADMINISTRATION

SEC. 50-701. PURPOSE AND INTENT

(a) To establish the procedures for review and approval of development activities and enforce the rules in this Code.

(b) To protect the public interest through consistent and thorough review of development proposals.

(c) To provide clear and predictable review processes that comply with Arkansas State Statutes and other laws.

(d) To establish the responsibility and authority of decision-making bodies and city staff.

SEC. 50-702. APPLICABILITY

(a) Any development activity regulated by this Code, or any change affecting features of the development site subject to its standards, may require review and approval as specified in this article.

SEC. 50-703. APPROVAL BODIES

(a) Review responsibilities

(1) Each application is subject to the review responsibilities identified in Table 7.1 Approval Authority.

(2) The roles of City Council, Planning Commission, and Board of Adjustment in this section and Table 7.1 Approval Authority apply only to decisions and recommendations required by this Code.

(3) Nothing in this section changes, limits, or expands the duties of these bodies under state law or other provisions of City code.

(4) Applications are routed to the appropriate departments, staff reviewers, or approval bodies based on the type of request and applicable technical requirements.

(5) The Director is responsible for determining application completeness and assigning routing based on this section and the approval bodies schedules.

(6) When an application includes multiple components requiring different approvals, review bodies may consider them concurrently or consecutively, as determined by the Director.

(b) Technical Advisory Committee

(1) Establishment and purpose

a. The City of Bentonville hereby establishes a Technical Advisory Committee (TAC) to review as an interdepartmental staff body responsible for integrated technical review of development applications.

b. The purpose of the TAC is to ensure coordinated application of adopted codes, standards, and specifications and to provide clear, consolidated staff feedback to applicants and decision-making bodies.

(2) Authority and Function

a. TAC is administrative and technical in nature. The TAC does not act as a legislative or quasi-judicial body unless expressly authorized by this Code.

b. The TAC is responsible for:

1. Reviewing development applications for technical compliance with applicable codes, standards, and adopted manuals;

2. Conducting pre-application conferences, infrastructure coordination conferences, and pre-construction conferences;
3. Reviewing and approving construction documents as authorized by this Code;
4. Reviewing and approving minor subdivisions as authorized by this Code; and
5. Providing written technical findings, comments, and recommendations for applications requiring Planning Commission or City Council action.

(3) Composition

a. The TAC consists of representatives from the following City departments and utilities:
   1. Planning;
   2. Transportation;
   3. Building and Fire Safety;
   4. Bentonville Electric Utility Department (BEUD); and
   5. Bentonville Water Utility Department (BWUD).

b. Each department or utility shall designate one (1) or more qualified representatives with authority to speak on behalf of the department.

c. The Director may request participation by additional City departments or agencies, when an application involves subject matter within their jurisdiction or expertise. Such participation does not alter approval authority under this Code.

(4) Administration

a. The Planning Director serves as Chair of the TAC and is responsible for:
   1. Scheduling TAC meetings;
   2. Establishing agendas and priorities;
   3. Coordinating interdepartmental review;
   4. Requesting participation by additional departments when appropriate; and
   5. Documenting and consolidating staff comments and recommendations.

b. TAC meetings shall be held in accordance with the published TAC schedule and submission deadlines.

(c) Planning Director

(1) The Director is responsible for administering and enforcing this Code, including:
   a. Determining application completeness and eligibility;
   b. Coordinating application routing and development review;
   c. Reviewing and approving permits where authorized;
   d. Making determinations on administrative adjustments where authorized; and
   e. Providing staff support to the Planning Commission and Board of Adjustment.

(2) The Director may refer an application to a higher approval body where authorized by this Code or where necessary to ensure compliance with applicable standards.

(3) The Director may require consolidated review where multiple applications or permits are proposed in a manner that would circumvent the intent of this Article.

TABLE 7.1 APPROVAL AUTHORITY

Application or Action	Applicable Department Director	Technical Advisory Committee	Planning Commission	City Council	Board of Adjustment
Administrative Actions					
Permits	Approve				Appeal
Plans					
Small-scale Development	Review	Approve	Appeal		
Large-scale Development		Review	Approve	Appeal	
Campus Development Plan		Review	Approve	Appeal	
Construction Documents		Approve			
Subdivision of Land					
Minor Subdivisions		Review	Approve	Appeal	
Preliminary Plat		Review	Approve	Appeal	
Final Plat		Review	Approve and Accept Dedications	Appeal	
Construction Documents		Approve			
Amendments					
Rezoning		Review	Recommend	Adopt	
BCC Amendment		Review	Recommend	Adopt	
FLUM Amendment		Review	Recommend	Adopt	
Land Actions					
Annexation		Review	Recommend	Adopt	
Independent Dedications		Review		Accept	
Vacation		Review	Recommend	Adopt	
Relief and Exceptions					
Administrative Adjustment	Approve		Appeal		
Variance		Review			Approve
Waivers		Review	Approve	Appeal	

SEC . 50-704 . SMALL-SCALE DEVELOPMENT PROCESS

(a) Purpose and applicability

(1) Small-scale development review applies to development plans classified as small-scale development pursuant to Sec. 50-303(b) Small-scale development.

(2) The purpose of small-scale development review is to evaluate site-specific development proposals that do not establish a new street or block framework and that are limited in scale, intensity, or complexity.

(b) Pre-application review

(1) Pre-application review is required prior to submitting a small-scale development plan and shall be conducted in accordance with Sec. 50-714 Pre-Application Review.

(2) Infill development shall comply with the infrastructure coordination conference requirements of Sec. 50-714 Pre-Application Review, regardless of scale.

(3) Completion of pre-application review does not constitute approval or guarantee application completeness.

(c) Plan submittal

(1) A small-scale development application, small-scale development application fee, and plan shall be submitted in accordance with the requirements in the City's published Development and Submittal Guide.

(2) If the scope of work is limited, the Director may allow a reduced set of plans showing only the affected features.

(3) At a minimum, the small-scale development plan must demonstrate meeting the review criteria is subsection (f).

(d) Plan Review

(1) The TAC shall review complete small-scale development applications for compliance with this Code, according to subsection (f) Review criteria.

(e) Administrative Action

(1) The TAC may approve, approve with conditions, or deny a small-scale development plan.

(2) The TAC's decision is final unless appealed in accordance with subsection (i) Appeals.

(3) The Director may refer a small-scale development application to the Planning Commission for review and decision where the Director determines that the proposal:

a. Raises policy considerations;

b. Requires interpretation of Code standards; or

c. Is otherwise appropriate for Planning Commission review.

(f) Review criteria

(1) A small-scale development may be approved upon finding that the submission:

a. Meets all applicable rules in this Code;

b. Complies with zoning, access, and site design standards in Articles 50-4 Zoning and 50-5 Design Standards;

c. Keeps public infrastructure demands within existing capacity;

d. Protects trees and landscaping as required;

e. Meets all applicable codes and utility and engineering specifications;

f. Keeps or improves pedestrian and vehicle circulation; and

g. Meets utility spacing and alignment rules.

(g) Administrative adjustments and waivers

(1) Applicants may request an administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers if the site cannot meet all regulations due to physical constraints.

(2) All requests must follow the limits, criteria, and process in Sec. 50-716 Administrative Adjustments and Waivers.

(h) Effect of approval

(1) Approval confirms that the site meets zoning, design, and utility rules.

(2) Approval is valid for eighteen (18) months from the date of issue unless extended.

(3) Approval does not waive compliance with other required permits or inspections.

(4) If construction plans are not required, applicants may move forward with permitting once the small-scale development is approved.

(5) If construction plans are required, approval is the authorization to apply for pre-construction review according to Sec. 50-715. Pre-construction Review.

(i) Appeals

(1) Any person aggrieved by the final action on a small-scale development may file an appeal in accordance with Sec. 50-718 Appeals.

SEC . 50-705 . LARGE-SCALE DEVELOPMENT PROCESS

(a) Purpose and applicability

(1) Large-scale development review applies to development plans classified as large-scale development pursuant to Sec. 50-303(c) Large-scale development.

(2) The purpose of large-scale development review is to evaluate and approve the overall development framework for complex or multi-phase projects, including the street and block network, infrastructure layout, stormwater approach, and general development pattern, prior to subdivision, permitting, and construction.

(b) Pre-application review

(1) Pre-application review is required prior to submitting a large-scale development plan and shall be conducted in accordance with Sec. 50-714 Pre-Application Review.

(2) For infill development, the infrastructure coordination conference required by Sec. 50-714 Pre-Application Review shall occur prior to the pre-application conference.

(3) Completion of pre-application review does not constitute approval or guarantee application completeness.

(c) Plan submittal

(1) A large-scale development application, large-scale development application fee, and plan shall be submitted in accordance with the requirements in the City's published Development and Submittal Guide.

(2) At a minimum, a large-scale development plan shall demonstrate compliance with applicable standards and review criteria in subsection (f) Review criteria.

(d) Plan Review

(1) The TAC will review complete large-scale development applications for technical compliance with this Code and applicable engineering, utility, and infrastructure standards, based on the criteria in subsection (f) Review criteria.

(2) The TAC shall provide written comments and a recommendation to the Planning Commission for consideration as part of its review and approval.

(3) TAC review does not constitute approval of a large-scale development plan.

(e) Planning Commission Action

(1) The Planning Commission will review the application based on subsection (f) Review criteria and take action in accordance with state law and adopted Planning Commission bylaws..

(f) Review criteria

(1) A development plan may be approved upon finding that:

a. The plan complies with zoning, access, and site design standards in Articles 4 and 5;
b. The plan conforms to the Master Street Plan and Future Land Use Plan;
c. Streets are depicted as required by this Code;
d. Street connections are consistent with this Code and the Master Street Plan;
e. The proposed street typologies support the intended place type and land use;
f. If the site requires a traffic study, one has been provided;
g. Blocks meet the standards of Sec. 50-502 (b) Blocks;
h. Hypothetical blocks, if applicable, are laid out in accordance with the standards of this Code;
i. Adequate areas are reserved for utilities, drainage, and park space;
j. Lot area, setbacks, and parking location meet the standards of Table 4.1 Zone Standards; and
k. Future lots, if applicable, comply with dimensional and use requirements of this Code.

(g) Administrative adjustments and waivers

(1) Applicants may request an administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers if the site cannot meet all regulations due to physical constraints.

(2) All requests must follow the limits, criteria, and process in Sec. 50-716 Administrative Adjustments.

(h) Effect of approval

(1) Approval of a large-scale development plan constitutes entitlement of the development framework and authorizes the applicant to proceed to pre-construction review in accordance with Sec. 50-715 Pre-construction Review, as applicable.

(2) Approval does not constitute approval of construction plans or authorize commencement of construction.

(3) All construction plans, public improvements, and guarantees shall comply with Sec. 50-715 Pre-construction Review and Sec. 50-724 Public Improvements and Dedications prior to construction.

(4) Any modification to an approved large-scale development plan shall be processed in accordance with Sec. 50-723 Duration, Expiration and Amendment of Approvals.

(5) Approval is subject to the duration, expiration, and extension provisions of Sec. 50-723 Duration, Expiration and Amendment of Approvals.

(i) Appeals

(1) Any person aggrieved by the final action on a large-scale development may file an appeal in accordance with Sec. 50-718 Appeals.

SEC . 50-706 . MINOR SUBDIVISION PROCESS

(a) Purpose and applicability

(1) Minor subdivision review applies to minor subdivisions pursuant to Sec. 50-304 Minor Subdivisions.

(2) The purpose of minor subdivision review is to provide a streamlined process for the review and approval of limited and low-complexity land divisions, while ensuring that resulting lots can be served by adequate access, utilities, drainage, and public infrastructure, and that subdivision regulations are not used to circumvent development, public improvement, or design requirements of this Code.

(b) Plan submittal

(1) A minor subdivision application, minor subdivision application fee, and plan shall be submitted in accordance with the requirements in the City's published Development and Submittal Guide .

(2) At a minimum, the minor subdivision shall demonstrate meeting the review criteria is subsection (e) Review criteria.

(c) Plan review

(1) The TAC shall review complete minor subdivision applications for compliance with this Code, according to subsection (e) Review criteria.

(d) Administrative action

(1) The TAC may approve, approve with conditions, or deny a minor subdivision.

(2) The Director may refer a minor subdivision application to the Planning Commission for review and decision where the Director determines that the proposal:
a. Raises policy considerations;
b. Requires interpretation of Code standards;

d. Requires waivers, or

e. Is otherwise appropriate for Planning Commission review.

(e) Review criteria

(1) A minor subdivision may be approved upon finding that the plan:

a. Meets all applicable rules in this Code;

b. Complies with zoning, access, and site design standards in Articles 4 and 5;

c. Keeps public infrastructure demands within existing capacity;

d. Protects trees and landscaping as required;

e. Meets all applicable utility and engineering specifications;

f. Keeps or improves pedestrian and vehicle circulation; and

g. Meets utility spacing and alignment rules.

(f) Administrative adjustments

a. Applicants may request an administrative adjustment under Sec. 50-716. Administrative Adjustments if the site cannot meet all regulations due to physical constraints.

b. All requests must follow the limits, criteria, and process in Sec. 50-716 Administrative Adjustments.

(g) Effect of Approval

a. Approval authorizes the applicant to proceed to pre-construction review in accordance with Sec. 50-715 Pre-construction Review, where construction plans are required.

b. Approval does not constitute approval of construction plans or authorize commencement of construction.

c. Approval does not waive compliance with other required permits, inspections, or approvals.

d. Approval is subject to the duration, expiration, and amendment provisions of Sec. 50-723 Duration, Expiration, and Amendment of Approvals.

(h) Appeal

a. Any person aggrieved by the final action on a minor subdivision may file an appeal in accordance with Sec. 50-718 Appeals.

(i) Recording

a. No minor subdivision may be recorded until:

1. All required public improvements have been constructed and accepted or a financial guarantee has been approved by the Director; and
2. All conditions of approval have been satisfied.

b. All minor subdivisions must be submitted to the City for recording within thirty (30) days of approval.

SEC 50-707 MAJOR SUBDIVISION PROCESS

(a) Purpose and Applicability

(1) Major subdivision review applies to major subdivisions pursuant to Sec. 50-305 Major Subdivisions.

(2) The purpose of major subdivision review is to evaluate and approve the overall development framework for complex or multi-phase projects, including the street and block network, infrastructure layout, stormwater approach, and general development pattern, prior to large scale development, permitting, and construction.

(b) Pre-application review

(1) A pre-application meeting with the TAC is required before preliminary plat submittal. The meeting will determine eligibility under Sec. 50-305. Major Subdivisions and confirm any additional information needed for review.

(2) If the Director determines that the subdivision requires public improvements, the applicant must obtain approval of the following:

a. A preliminary plat in accordance with subsection (c) Preliminary plats;

b. Public improvement plans in accordance with Sec. 50-724. Public Improvement and Dedication; or

c. A final plat in accordance with subsection (e) Final plats.

(c) Preliminary plat

(1) Plan submittal

a. The preliminary plat application, preliminary plat application fee, and plans shall be submitted in accordance with the requirements in the City's published Development and Submittal Guide .

b. At a minimum, the preliminary plat shall demonstrate meeting the review criteria is subsection (c)(4) Review criteria.

(2) Plan Review

a. The TAC will review complete preliminary plat applications for technical compliance with this Code and applicable engineering, utility, and infrastructure standards, based on the criteria in subsection (c)(4) Review criteria.

b. The TAC shall provide written comments and a recommendation to the Planning Commission for consideration as part of their review and approval.

c. TAC review does not constitute approval of a preliminary plat.

(3) Planning Commission Action

a. The Planning Commission will review the application based on the criteria in subsection (c)(4) Review criteria and take action in accordance with state law and Planning Commission bylaws .

(4) Review criteria

a. A preliminary plat may be approved upon finding that it:

1. Conforms to the requirements of this Code;
2. Complies with zoning, access, and site design standards in Articles 4 and 5;
3. Results in lots of a size, shape, and arrangement suitable for the proposed development; and
4. Is consistent with the adopted Future Land Use Plan.

(5) Administrative adjustments and waivers

a. Applicants may request administrative adjustments and waivers in accordance with under Sec. 50-716. Administrative Adjustments and Table 7.2 Administrative Adjustment Criteria.

(6) Effect of approval

a. Approval of a preliminary plat confirms compliance with this Code and authorizes application for construction document approval according to Sec. 50-715. Pre-construction Review. It does not authorize conveyance of any lot or guarantee final plat approval.

(7) Appeal

a. Any person aggrieved by the final action on a preliminary plat may file an appeal in accordance with Sec. 50-718 Appeals.

(d) Early-build permits

(1) A building permit may be issued prior to final plat approval only if the following conditions are met:

a. A preliminary plat is approved for the subdivision.

b. The early-build occurs within the first phase of the preliminary plat.

c. The developer has executed an early-build development agreement with the City.

(2) No early-build permit may be issued until:

a. A temporary or permanent access road is installed, inspected, and approved. The road must:

1. Provide access for emergency, utility, and inspection vehicles;
2. Be capable of supporting a minimum vehicle weight of eighty-six thousand (86,000) pounds;
3. Meet applicable City specifications and the Arkansas Fire Prevention Code; and
4. Be constructed within 0.10 feet of approved grading and thickness values.

b. The Stormwater Pollution Prevention Plan is implemented and maintained.

c. The following infrastructure systems and any crossings are installed, inspected, and approved:

1. Sanitary sewer;
2. Stormwater;
3. Water;
4. Contractor-installed electrical infrastructure; and
5. Fire protection service.

d. Each lot proposed for early-build permits is staked by a licensed surveyor and remains staked through foundation inspection.

e. The engineer of record requests and passes an early-build inspection by the Planning Department.

(3) Electric and sewer services must not be connected to any structure until the final plat is recorded.

a. Permanent connections must be completed prior to yard line inspection.

b. BEUD electric infrastructure will not be installed until the final plat is recorded.

c. All contractor-installed electric infrastructure must be in place prior to final plat approval.

(4) No Certificate of Occupancy may be issued for any early-build home until the final plat is recorded with the Benton County Recorder's Office.

(5) The City may deny an early-build permit if:

a. Any requirement of this subsection is not met; or

b. The developer has a prior record of non-compliance or misuse of early-build approvals.

(6) The developer or property owner is responsible for the cost of repairs to public infrastructure resulting from early-build activity.

(e) Final plats

(1) Plan submittal

a. The final plat must be submitted while the approved preliminary plat remains valid.

b. The final plat application, final plat application fee, and plans shall be submitted in accordance with the requirements in the city's published Development and Submittal Guide .

c. At a minimum, the final plat shall demonstrate meeting the review criteria is subsection (e)(4) Review criteria.

(2) Plan review

a. The TAC will review complete final plat applications for technical compliance with this Code and applicable engineering, utility, and infrastructure standards, based on the criteria in

subsection (e)(4) Review criteria.

b. The TAC shall provide written comments and a recommendation to the Planning Commission for consideration as part of their review and approval.

c. TAC review does not constitute approval of a final plat.

(3) Planning Commission action

a. The Planning Commission will review the application based on the criteria in subsection (e)(4) Review criteria and take action according to state law and Planning Commission bylaws .

(4) Review criteria

a. The final plat must conform to the approved preliminary plat, if one was required. If not required, the final plat must:

1. Comply with all applicable standards of this Code;
2. Result in lots suitable for the proposed use; and
3. Be consistent with the Future Land Use Plan.

(5) Appeal

a. Any person aggrieved by the final action on final plat may file an appeal in accordance with Sec. 50-718 Appeals.

(6) Dedications and improvements

a. The City Council delegates authority to the Planning Commission to accept dedications of public improvements, easements, and right-of-ways upon final plat approval.

(7) Effect of approval

a. Approval of a final plat confirms compliance with this Code and authorizes recordation of the plat once all conditions of approval have been satisfied and required public improvements have been constructed or guaranteed in accordance with this Code.

b. Approval of a final plat does not authorize grading, construction, sale, transfer, or conveyance of any lot until the plat is recorded.

c. Approval of a final plat by the Planning Commission does not constitute acceptance of public improvements, easements, or right-of-ways. Acceptance occurs only in accordance with Sec. 50-724. Public Improvement and Dedication.

d. All conditions of approval and all required guarantees remain in effect after final plat approval and continue to apply until released or satisfied in accordance with this Code.

e. Final plat approval does not create a vested right to develop property except as expressly provided by state law.

f. If a final plat is not recorded within the time required by subsection (8) Recording, the approval is void and a new application is required.

(8) Recording

a. No final plat may be recorded until:

1. All required public improvements have been constructed and accepted or a financial guarantee has been approved by the Director; and
2. All conditions of approval have been satisfied.

b. All plats must be submitted to the City for recording within thirty (30) days of approval

(f) Concurrent review of subdivision and development applications

(1) Purpose and intent

a. The purpose of this subsection is to allow coordinated review of subdivision and development applications where efficiency can be achieved without altering required approval sequencing, infrastructure obligations, or construction authorization thresholds.

(2) Applicability

a. Concurrent review may be requested when a preliminary plat includes lots or tracts that may require large-scale development or small-scale development application(s).

(3) Review procedure

a. The preliminary plat and associated development application may be reviewed concurrently by staff, the TAC, and the Planning Commission.

b. Each application shall be evaluated against its respective approval criteria and standards.

c. Conditions of approval may be coordinated across applications to ensure consistency.

(4) Effect of approval

a. Approval of a preliminary plat and a development application under concurrent review does not, by itself, authorize construction of site-specific development regulated under a large-scale or small-scale development approval.

b. The preliminary plat may proceed to pre-construction in accordance with Sec. 50-715 Pre-construction Review and upon approval begin construction of subdivision improvements authorized by the approved preliminary plat, including streets, utilities, and other public improvements, subject to compliance with Sec. 50-724 Public Improvement and Dedications and issuance of required permits.

c. Pre-construction conferences, approval of construction documents, or commencement of site-specific development work under an approved large-scale or small-scale development shall not occur until:

i. The final plat is recorded; and

ii. Required public improvements serving the platted lots are installed, accepted, or secured in accordance with Sec. 50-724 Public Improvement and Dedications.

d. Development approvals granted under this subsection shall not expire while the subdivision approval remains valid. Upon recordation of the final plat, the large-scale development approval period shall commence in accordance with Sec. 50-723 Duration, Expiration and Amendment of Approvals.

(5) The Director may require applications to be processed separately if the scale, infrastructure complexity, phasing, or coordination needs of the project warrant independent review.

(g) Violations

(1) It is a violation of this Code for any person to subdivide land or adjust legal lot boundaries without first obtaining subdivision approval under this section.

SEC . 50-708 . CAMPUS DEVELOPMENT PLAN PROCESS

(a) Purpose and relationship to other approvals

(1) A campus development plan is an optional, framework-level entitlement that may be used in conjunction with a large-scale development, a preliminary plat, or both, to allow the use of alternative development standards authorized by Sec. 50-507, Campus Development Standards.

(2) A campus development plan may be submitted:

a. Concurrently with a large-scale development application or preliminary plat; or

b. Prior to submission of a large-scale development application or preliminary plat.

(3) Approval of a campus development plan does not, by itself, authorize subdivision, permitting, or construction, and does not replace any other approvals required by this Code.

(b) Pre-application review

(1) Pre-application review is required prior to submittal and shall be conducted in accordance with Sec. 50-714 Pre-Application Review, including coordinated technical review by the TAC.

(2) Pre-application review shall confirm eligibility under Sec. 50-507 Campus Development Standards, and identify any additional information required for plan review.

(3) Completion of pre-application.

(c) Plan submittal

(1) A campus development plan application, campus plan application fee, and plan shall be submitted in accordance the requirements in the City's published Development and Submittal Guide .

a. The applicant must submit an eligibility and intent packet that includes the following:

1. A letter of intent describing the proposed campus concept and purpose;
2. A legal description or boundary survey of the campus area;
3. Documentation of property ownership for all parcels within the proposed campus;
4. A statement of unified control that demonstrates coordinated management of the campus through a binding agreement, ownership entity, or other enforceable mechanism responsible for maintaining shared infrastructure and ensuring compliance with this Code; and
5. A conceptual plan demonstrating which standards are proposed to be modified in accordance with Sec. 50-507. Campus development standards.

(2) The plan must demonstrate it meets the review criteria in subsection (f) Review criteria.

(d) Plan Review

(1) The TAC will review complete campus development plan applications for technical compliance with this Code and applicable engineering, utility, and infrastructure standards, based on the criteria in subsection (f) Review criteria.

(2) The TAC shall provide written comments and a recommendation to the Planning Commission for consideration as part of their review and approval.

(3) TAC review does not constitute approval of a campus development plan.

(e) Planning Commission Action

(1) The Planning Commission will review the application based on the criteria in subsection (f) Review criteria and take action in accordance with state law and Planning Commission bylaws .

(f) Review criteria

(1) No campus development plan may be approved unless the TAC finds that:

a. Internal circulation is adequate for all modes of travel and connects logically to the surrounding street network;

b. Shared open space is provided and framed by building placement in a manner consistent with the purpose of Sec. 50-502 (e) Civic space standards;

c. Phasing is coordinated and supported by the timely extension of infrastructure;

d. The proposal meets the intent of Sec. 50-507. Campus development standards and is consistent with the Future Land Use Plan.

(g) Administrative adjustments and waivers

(1) Applicants may request administrative adjustments and waivers in accordance with Sec. 50-716. Administrative Adjustments and Waivers and Table 7.2 Administrative Adjustment Criteria.

(h) Effect of approval

(1) Approval of a campus development plan authorizes the use of alternative development standards in Sec. 50-507 Campus Development Standards, subject to compliance with the approved campus framework and phasing plan.

(2) Approval does not authorize subdivision, permitting, or construction except as allowed by subsequent approvals under this Code.

(3) Approval of a campus development plan establishes the governing framework for subsequent large-scale development, subdivision, and site plan approvals within the campus area.

(4) Approval is subject to the duration, expiration, and amendment provisions of Sec. 50-723 Duration, Expiration, and Amendment of Approved Plans.

(5) Approval of a campus development plan authorizes the use of alternative development standards in Sec. 50-507. Campus Development Standards and remains valid so long as development proceeds in accordance with the approved phasing plan.

(i) Appeal

(1) Any person aggrieved by the final action of a campus development plan may file an appeal in accordance with Sec. 50-718 Appeals.

SEC . 50-709 . REZONING

(a) Applicability

(1) A rezoning application may be filed by:

a. A property owner or authorized representative;

b. The Director,

c. The Planning Commission; or

d. The City Council.

(b) Application submittal

(1) A rezoning application and rezoning application fee shall be submitted in accordance with the requirements in the City's published Development and Submittal Guide .

(c) Relationship with future land use map

(1) The Future Land Use Map identifies adopted place types across the City.

(2) Rezonings must conform to Table 2.1 Place Type Correlation with Zoning Districts, which classifies proposed zoning districts as Standard Review (SR), Enhanced Review (ER), or Nonconforming in Sec. 50-203 Place Types and Zoning.

(3) These classifications determine the level of review in subsection (e) Review criteria.

(d) Acceptance and processing by Director

(1) If a proposed zoning district is not identified in Table 2.1 Place Type Correlation with Zoning Districts for the relevant place type, the application will not be processed.

(2) The Future Land Use Map must be amended before a rezoning may proceed for such districts.

(3) The Director will review the Future Land Use Map annually to identify areas that may require amendment.

(4) Property owners whose applications were set aside due to a Future Land Use Map conflict may appear at the annual public hearing to request a Future Land Use Map amendment.

(5) Notice of the annual hearing must be provided in accordance with Sec. 50-720. Public Hearings.

(e) Review criteria

(1) Standard Review Criteria (SR).

a. For districts labeled "SR" in Table 2.1 Place Type Correlation with Zoning Districts, the proposed district must:

1. In the case of Transect Districts:

i. Establish an orderly transition of intensity from the center to the edge of the place type; and

ii. Be within one (1) transect degree of the zoning of adjacent properties, except where:

- Significant natural barriers separate properties;
- A street classified as an arterial separates the sites; or
- The subject property is less than six hundred (600) feet deep, abuts an arterial, and is proposed for T5.1 or T5.2.

2. In the case of Special Purpose Districts:

i. Be supported by adequate infrastructure; and

ii. Demonstrate that the current zoning is unlikely to result in appropriate development.

b. If the request applies to a site larger than forty (40) acres, the proposed zoning mix must comply with Table 3.1 Zoning Mix for Subdivisions over 40 Acres.

(2) Enhanced Review Criteria (ER).

a. For districts labeled "ER" in Table 2.1 Place Type Correlation with Zoning Districts, the proposed district must:

1. Meet the review criteria in subsection (e)(1) Standard Review Criteria; and

2. Review must consider the following, in total, to determine the appropriateness of the requested zoning district:

i. The proposed zone will not result in exceeding existing or planned utility capacity for the place type.

ii. The property lies on a place type boundary and the requested district matches a district applied on either side of that boundary.

iii. The property is within one quarter (1/4) mile of transit, a four (4)-lane road, or a shared use trail, and additional travel demand can be served by existing infrastructure.

iv. The property is within one (1) mile of a job center that supports alternatives to driving.

v. The property is adjacent to vacant land and the requested district sets a clear pattern for compatible future development.

vi. The request is consistent with the surrounding development pattern.

vii. The request advances the goals of the Comprehensive Plan.

(f) Public hearing

(1) The Planning Commission must hold a public hearing before making a recommendation.

(2) The City Council must hold a public hearing before taking final action.

(3) Notice must be provided in accordance with Sec. 50-720 Public Hearings .

(g) Planning Commission action

(1) Following the public hearing, the Planning Commission will review the application based on the criteria in Subsection (e) Review criteria and make a recommendation to City Council in accordance with state law and Planning Commission bylaws.

(h) City Council action

(1) Following the public hearing, City Council will review the application based on the criteria in subsection (e) Review criteria and take action in accordance with state law.

(j) Appeal

(1) Any person aggrieved by the final action of a Zoning Map Amendment request may file an appeal in accordance with Sec. 50-718 Appeals.

SEC . 50-710 . BENTONVILLE COMMUNITY CODE AMENDMENTS

(a) Applicability

(1) An amendment to this Code may be initiated by:

a. The Director;

b. The Planning Commission; or

c. The City Council.

(b) Review criteria

(1) In reviewing and deciding on a proposed amendment, the Planning Commission and City Council must consider whether:

a. The proposed amendment corrects an error or inconsistency or responds to a changing condition;

b. The proposed amendment is consistent with the Future Land Use Plan and the stated purpose of this Code; and

c. The proposed amendment serves the public interest and promotes good planning and development practices.

(c) Public hearing

(1) A public hearing must be held by the Planning Commission before any recommendation is forwarded to the City Council.

(2) Notice of the hearing must be provided in accordance with Sec. 50-720 Public Hearings.

(3) Courtesy notice may be provided by the Director, as described in Sec. 50-720. Public Hearings.

(d) Planning Commission action

(1) Following a public hearing, the Planning Commission will make a recommendation to City Council in accordance with state law and Planning Commission bylaws

(e) City Council action

a. If the Planning Commission recommends approval with modifications, the City Council must consider the modifications .

b. After deliberation, City Council will take action in accordance with state law...

SEC . 50-711 . FUTURE LAND USE PLAN AMENDMENTS

(a) Applicability

(1) A review of the Future Land Use Plan may be initiated by:

a. The Director;

b. The Planning Commission; or

c. The City Council.

(a) Periodic review

(1) The Planning Commission must review the Future Land Use Plan periodically to ensure continued alignment with public needs and planning objectives.

(2) Following review, the Planning Commission may recommend amendments to the City Council.

(b) Review criteria

(1) In considering an amendment to the Future Land Use Plan, the Planning Commission must consider whether the amendment:

a. Promotes fiscal and environmental sustainability;

b. Responds to changing conditions or needs; and

c. Advances the public health, safety, and welfare.

(c) Public hearing

(1) A public hearing must be held by the Planning Commission before any recommendation is forwarded to the City Council.

(2) Notice of the hearing must be provided in accordance with Sec. 50-720 Public Hearings.

(3) Courtesy notice may be provided by the Director, as described in Sec. 50-720. Public Hearings.

(d) Planning Commission action

(1) After the public hearing, the Planning Commission will review in accordance with (c) Review criteria and take action in accordance with state law and Planning Commission bylaws

(e) City Council action

(1) If the Planning Commission recommends approval with modifications, the City Council must consider the modifications.

(2) After deliberation, City Council will take action in accordance with state law.

SEC . 50-712 . ANNEXATIONS

(a) Applicability

(1) This section applies to voluntary annexation petitions filed under state law, including Arkansas Code § 14-40-609 and § 14-40-601 et seq.

(b) Pre-application coordination

(1) Applicants must meet with Planning, Engineering, and Utilities staff to review service availability, zoning options, and infrastructure needs.

(2) A conceptual zoning plan and infrastructure map may be requested prior to submittal.

(c) Application submittal

(1) The annexation application and annexation application fee shall be submitted in accordance with the requirements in the City's published Development and Submittal Guide and as required by state law.

(d) Public hearing

(1) A public hearing may be held in accordance with A.C.A. §§ 14-40-101 — 14-40-2202, when required by state law.

(e) Review criteria

(1) Annexation applications are reviewed based on the following criteria:

a. Whether the proposed annexation aligns with the Future Land Use Plan and growth policies;

b. Whether the property is contiguous to the existing City limits and capable of being served efficiently;

c. Whether existing or planned infrastructure can support the annexation without creating capacity or access issues;

d. Whether utility extensions or improvements are feasible and coordinated with master plans;

e. Whether transportation connections can be extended or improved to maintain continuity; and

f. Whether the annexation would unreasonably burden city services or staff capacity.

(f) Technical Advisory Committee review

(1) The TAC will review the application for completeness and provide findings related to:

a. Public service provision;

b. Utility capacity;

c. Street network connectivity; and

d. Service delivery timing.

(g) Planning Commission action

(1) The Planning Commission will review the application in accordance with subsection (e) Review criteria and will make a recommendation to City Council in accordance with state law and Planning Commission bylaws.

(h) City Council action

(1) After deliberation, City Council will take action in accordance with state law.

(i) Future land use and zoning

(1) Future land use may be assigned through the same ordinance, if not already assigned.

(2) Zoning may be assigned through the same ordinance or in a separate zoning map amendment.

(3) If zoning is not assigned and is undeveloped, it will be assigned T2.1 upon annexation.

(4) If zoning is assigned separately, it must be initiated concurrently and follow the rezoning process in Sec. 50-709. Zoning Map Amendments.

SEC . 50-713 . VACATIONS

(a) Applicability

(1) This section applies whenever an easement, street, alley, or public right-of-way, or any portion thereof, is proposed for vacation or release from public use within the corporate boundaries of the City.

(2) The City retains exclusive control over its public right-of-ways and may vacate or abandon them only by ordinance.

(3) No vacation or abandonment is valid unless:

a. A recommendation is provided by the Planning Commission; and

b. An ordinance is adopted by the City Council.

c. When a vacation alters property boundaries or changes the configuration of platted lots, the applicant submits a Property Line Adjustment (PLA) application consistent with Sec. 50-304. Minor Subdivisions.

(b) Authority to file

(1) An application for a vacation may be filed by:

a. The owner of property abutting the right-of-way to be vacated;

b. The Director on behalf of the City; or

c. The Planning Commission.

(c) Application submittal

(1) A vacation application and vacation application fee shall be submitted in accordance with the requirements in the City's published Development and Submittal Guide.

(2) If the applicant is a private property owner, written consent from all owners of properties abutting the right-of-way must be submitted with the application.

(3) The Director may require additional documentation, such as title or survey data, to verify ownership or easement boundaries.

(d) Review criteria

(1) In reviewing a proposed vacation, the Director, Planning Commission, and City Council must consider whether:

a. All adjacent properties retain legal and physical access to a public street;

b. The vacation does not create a block or street pattern in violation of Sec. 50-502. Land Development or Sec. 50-511. Natural Resource Protection;

c. The vacation does not create or extend a dead-end street or alley without a turnaround meeting City standards;

d. The right-of-way proposed for vacation is not designated for future improvement on the Master Street Plan; and

e. No public infrastructure or utility easement may be vacated or disrupted unless:

1. The infrastructure or utility line has been abandoned and is no longer in service; or

2. An alternative alignment or facility is already constructed or secured by easement; and

3. All affected providers confirm in writing that the vacation will not reduce service reliability, access for maintenance, or system capacity.

(e) Planning Commission action

(1) The Commission will make a recommendation to the City Council in accordance with state law and Planning Commission bylaws.

(f) City Council action

(1) The City Council will hold a public hearing in accordance with A.C.A § 14-301-302.

(2) The City Council must consider the recommendation of the Planning Commission and will take action in accordance with state law.

(3) The City may condition approval on the reservation of easements or infrastructure access.

SEC. 50-714 PRE-APPLICATION REVIEW

(a) Purpose and intent

(1) The purpose of pre-application review is to provide applicants with early, informal guidance regarding applicable plans, policies, and regulations prior to formal application submittal.

(2) Pre-application review is intended to:
a. Identify known site constraints and regulatory issues early in the process;
b. Reduce unnecessary costs, redesign, and delays; and
c. Clarify the applicable development review process and approval path.

(3) Pre-application review occurs prior to entitlement review and does not include review of construction-ready drawings.

(b) Types of pre-application review

Pre-application review may include one (1) or more of the following meetings, as applicable:

(1) **Conceptual meeting**

a. The conceptual meeting is the initial step in the development review process.

b. The applicant may present a preliminary development concept.

c. Planning staff will:

1. discuss general zoning and land use considerations;

2. summarize the applicable development review processes; and

3. identify required next steps in the pre-application process.

(2) **Infrastructure coordination conference**

a. The purpose of the infrastructure coordination conference is to identify known technical constraints, infrastructure considerations, and required interdepartmental coordination prior to preparation of detailed plans or formal application materials. The conference is intended to reduce avoidable delays, conflicts, and redesign during subsequent pre-application, entitlement, and construction review stages.

b. A infrastructure coordination conference may be required when the Director determines that a proposed development involves one or more of the following conditions:

1. Infill development where existing infrastructure, access, or surrounding development may materially affect feasibility or constructability;

2. Placement or relocation of electric, water, sewer, or other utilities within an alley or other non-street right-of-way; or

3. Other site, infrastructure, or operational conditions that, in the Director's judgment, require early interdepartmental technical coordination to identify constraints, applicable standards, or required sequencing.

c. Timing and sequencing

1. A infrastructure coordination conference occurs after a conceptual meeting, if required, and prior to a pre-application conference.
2. Completion of a required infrastructure coordination conference is a prerequisite to scheduling a pre-application conference.
3. The conference does not constitute an application, approval, denial, or vested right.

d. Procedure

1. The infrastructure coordination conference is conducted by the TAC and coordinated by the Director.
2. Discussion is limited to applicable technical standards, known infrastructure constraints, utility placement and access considerations, and required interdepartmental coordination.
3. The Director shall identify and request participation from the City departments, utilities, or agencies necessary to address the subject matter of the proposed development.

e. Effect

1. Outcomes of the infrastructure coordination conference shall be documented and may inform subsequent staff guidance and review.
2. Guidance provided during the conference is advisory and does not bind the City to a future decision or approval.

(3) **Pre-application conference**

a. A pre-application conference is required for development types as assigned in this Article.

b. The pre-application conference is conducted as a TAC meeting and provides coordinated, multi-departmental review.

c. Discussion typically includes zoning and land use, utilities, street and access requirements, drainage and stormwater considerations, and other site-specific or policy issues relevant to the proposed development.

(c) Sequencing of pre-application review

(1) Pre-application review shall generally occur in the following order, as applicable:
a. Conceptual meeting;
b. Infrastructure coordination conference, where required; and
c. Pre-application conference.

(2) Completion of required pre-application review shall occur prior to formal application submittal.

(d) Procedures

(1) Pre-application meetings shall be scheduled and conducted in accordance with published City policies, procedures, and published schedules.

(2) No fees shall be charged for pre-application review unless otherwise adopted by the City Council.

(e) Effect of pre-application review

(1) Pre-application review is advisory and non-binding.

(2) Discussion or feedback provided during pre-application review shall not be construed as approval, denial, or endorsement of any subsequent application.

(3) Participation in pre-application review does not:
a. Guarantee application completeness;
b. Establish vested rights; or
c. Limit the City's authority to apply adopted regulations at the time of application review.

SEC . 50-715 . PRE-CONSTRUCTION REVIEW

(a) Applicability

(1) Pre-construction review applies to approved small-scale development, large-scale development, and preliminary plat applications when construction plans are required prior to site work, grading, or construction.

(b) Authorization to submit construction plans

(1) Following approval of a small-scale development under Sec. 50-704 Small-Scale Development Process, a large-scale development under Sec. 50-705 Large-Scale Development Process , or a preliminary plat under Sec. 50 706 Subdivision Process, the applicant may submit construction plans for City review when required by this Code.

(c) Construction plan submittal

(1) Construction plans, when required, must be submitted in accordance City's published Development and Submittal Guide.

(2) An applicable development or subdivision approval is required prior to construction plan submittal.

(d) Review process

(1) Pre-construction review is an administrative review conducted by City staff to resolve outstanding technical comments, coordinate utility service design, and align approved development plans with construction level documents prior to the start of site work.

(e) Pre-construction conference

(1) A pre-construction conference is required prior to commencement of grading, site work, or construction unless waived by the Director.

(2) The pre-construction conference may be scheduled only after all of the following have occurred:

a. All City departmental review comments have been addressed to the satisfaction of the reviewing departments;

b. Building Inspections and the Fire Department have provided preliminary acceptance of architectural plans, when applicable;

c. All required outside agency approvals have been submitted; and

d. All required fees, fees in lieu, and performance guarantees have been paid.

(f) Effect of pre-construction review

(1) At the conclusion of the pre-construction conference, City staff may stamp construction plans and identify required permits, inspections, and conditions applicable to construction.

(2) Authorization to proceed is limited to permits issued and does not waive compliance with this Code or other applicable regulations.

(g) Phase-specific pre-construction review

(1) Where a development is approved with an adopted phasing plan, construction plans shall be submitted, reviewed, and approved on a phase-by-phase basis unless the applicant elects, at their option, to submit a consolidated construction plan set covering multiple phases.

(2) Each phase submitted for construction shall be assigned a separate project number and shall include all construction documents necessary to fully construct that phase in accordance with the approved development framework and phasing plan.

(3) Where a consolidated construction plan set is approved, construction activity shall remain limited to the phase or phases authorized to proceed, and inspection and enforcement shall be based on the approved phase boundaries.

(4) Construction of any phase shall be limited to the plans approved for that phase.

SEC . 50-716 . ADMINISTRATIVE ADJUSTMENTS AND WAIVERS

(a) Purpose

(1) The purpose is to provide a clear and consistent process for limited modifications to the standards of this Code where strict application would create unintended hardship or prevent reasonable design solutions.

(2) This section distinguishes between:

a. Administrative adjustments, reviewed and decided by technical staff; and

b. Planning Commission waivers, reviewed and decided by the Planning Commission.

(3) Neither administrative adjustments nor waivers change the allowed uses of land or the required process for development review.

(b) Intent

(1) To allow flexibility where strict application of a standard would produce outcomes that conflict with the goals of this Code.

(2) This section is intended to:

a. Address physical or regulatory site constraints;

b. Accommodate established engineering or design practices;

c. Preserve natural features or existing infrastructure;

d. Support coordinated streetscape or utility design; and

e. Maintain consistency with the Future Land Use Plan and the purpose of the zoning district.

(3) This section does not permit exceptions based on personal preference, project cost, or routine design choices.

(c) Applicability

(1) Administrative adjustments may only be requested for the standards listed in Table 7.2 Administrative Adjustment Criteria.

(2) Planning Commission waivers may only be requested for standards identified in:

a. Art. 50-3 Land Development;

b. Art. 50-5 Design Standards except Sec. 50-505 Zone Transitions, Sec. 50-506 Overlay Districts or Sec. 50-508 Signs which are variances approved by the Board of Adjustment; or

c. Art. 50-6 Streets, Trails and Utilities.

(3) Neither process will:

a. Change the list of allowed or restricted uses;

b. Modify or waive procedural requirements, including application types, notice, or hearing procedures;

c. Authorize any type of development otherwise not allowed by this Code; or

d. Override conditions of approval from a previous rezoning, variance, or development approvals.

(4) An administrative adjustment is not required if the proposed development complies with all applicable standards.

(5) Where both an administrative adjustment and a waiver could apply, the Director determines which process is appropriate based on the scale of deviation and the approving authority for the underlying application.

(d) Administrative adjustments

(1) Approval criteria and findings

a. The adjustment is the minimum modification necessary to accommodate a physical constraint or to achieve a coordinated design outcome.

b. The adjustment is consistent with the intent of the applicable standard and the purpose of the zoning district.

c. The adjustment does not create adverse impacts on surrounding properties, infrastructure, or the public realm.

d. The adjustment does not reduce pedestrian access, frontage conditions, or emergency access, unless expressly allowed by Table 7.2 Administrative Adjustment Criteria.

e. The adjustment complies with all numeric limits and conditions in Table 7.2 Administrative Adjustment Criteria.

f. The adjustment will not adversely affect public health, safety, or welfare, or such impacts have been mitigated.

g. The request demonstrates compliance with all criteria in this subsection and all limits and conditions in Table 7.2 Administrative Adjustment Criteria.

h. The review authority may require documentation or technical studies to demonstrate compliance with these criteria.

(2) Authority and procedure

a. The Director or the TAC as listed in Table 7.2 Administrative Adjustment Criteria serves as the review authority.

1. Requests are reviewed concurrently with the underlying development or subdivision application.

2. Decisions are final unless appealed under Sec. 50-718. Appeals.

(3) Effect of approval

a. An approved adjustment remains valid only for the duration of the underlying approval under Sec. 50-723. Duration, Expiration and Amendment of Plan Approvals.

b. Expiration of the underlying approval voids any associated adjustment.

(e) Planning Commission waivers

(1) Approval criteria

a. The waiver is the minimum modification necessary to accommodate a physical constraint or achieve a coordinated design outcome;

b. Strict application of the standard would create undue hardship or practical difficulty not caused by the applicant:

c. The waiver is consistent with the intent of the applicable section and the overall purpose of this Code;

d. The waiver does not create adverse impacts on surrounding properties, infrastructure, or the public realm;

e. The waiver does not reduce public safety, access, or environmental protection; and

f. Any impacts are fully mitigated through design, conditions, or equivalent improvements.

(2) Procedure

a. Requests must be submitted in accordance with the City's published Development and Submittal Guide;

b. Requests may be reviewed concurrently with the underlying development or subdivision application, or as separate project applications.

(3) Effect of approval

a. A granted waiver remains valid for the duration of the underlying approval under Sec. 50-723 Duration, Expiration and Amendment of Plan Approvals;

b. Expiration of the underlying approval voids any associated waiver.

TABLE 7.2 ADMINISTRATIVE ADJUSTMENT CRITERIA

BCC SECTION	STANDARD	MAXIMUM ADJUSTMENT	APPROVAL AUTHORITY	ADDITIONAL CONDITIONS
Sec. 50-303(f)(6)	Future block exemption	Full exemption	Planning Director	Allowed where the site is too narrow for two compliant streets, or all neighboring sites are developed, or streets or trails on abutting sites cannot be extended through site. Also allowed if the site has an existing street along only one boundary and is less than 200 ft. wide along that street
Sec. 50-406(c)(3)g	Front setback for institutional use	Up to 100% increase	Planning Director	Allowed only to permit a civic entry and gathering area.
Table 4.1	Front or side street setback	10%	Planning Director	Allowed only to maintain alignment with existing structures along the block frontage
Table 4.1	Side setback	Up to 2 ft.	Planning Director	Allowed if all exterior walls, eaves, and overhangs that project into 5 ft. fire separation distance are rated per latest adopted building and fire safety codes.
Table 4.1	Lot width	10 ft.	Planning Director	Allowed only where irregular shape, easements, or civic frontage limit buildable width
Table 4.1	Lot coverage	10%	Planning Director	Allow if lot is unusually shaped or access is restricted
Table 4.1	Building footprint	10%	Planning Director	Allowed only for buildings with public entries on two or more façades or structured parking
Table 4.1	Parking setback	20%	Planning Director	Allowed if garage is internalized and 12 feet wide or less

Sec. 50-502(b)(3)	Block size	100%	TAC	Allowed if an existing building exceeds the maximum block size. Allowed if site is zoned T2, LI, or LFI. Allowed for topography, rail, limited access road, or highway adjacency, floodway adjacency, slopes over 20%, or lack of connections to adjacent parcels
Sec. 50-502(c)(6)	Cul-de-sac layout	50% lot width reduction	TAC	Allowed if topography prevents wider lots

BCC SECTION	STANDARD	MAXIMUM ADJUSTMENT	APPROVAL AUTHORITY	ADDITIONAL CONDITIONS
Sec. 50-502(c)(2)k	Offset intersections	Elimination	Planning Director	Only allowed where the design speed or posted speed limit of the roadway is 25 mph or less
Sec. 50-502(c)(4)	Pedestrian network	Full block sidewalk	Planning Director	May be required if project exceeds 30% of the block length
Sec. 50-503(e)(5)	Walkway materials	Substitution	Planning Director	Allowed as asphalt walkways in LI and LFI Districts or in all other districts where ADA-compliant gravel/pervious materials are used
Sec. 50-503(g)(2)e	Entertainment and institutional bicycle parking location	Alternative	Planning Director	Allowed in alternate location if it supports secure and sheltered storage for the duration and frequency of events.
Sec. 50-503(h)(2)	Driveway maximum number	No fixed limit	TAC	Requires a traffic study that demonstrates separate ingress and egress are necessary
Sec. 50-503(h)(3)	Curb cut radius	Up to 100% increase	TAC	Requires turning templates for large design vehicles.
Sec. 50-503(h)(4)	Driveway width	Up to 20% wider	TAC	Requires a traffic study that demonstrates the need to accommodate high traffic volumes or large design vehicles.
Sec. 50-510(b)(2)	Landscape standards	Full exemption	Planning Director	Allowed for small-scale applications if the area of disturbance is less than 25% of the total site area; if existing landscaping meets at least 75% of the required plant quantity; or required planting is not physically feasible due to existing buildings, utilities, or drainage facilities.
Sec. 50-510(e)(1)	Fence setback	Two (2) feet	TAC	Allowed if no existing or planned utility corridor exists.
Sec. 50-510(e)	Fence height	Two (2) feet	Planning Director	Allowed when topographical, utility, or other contextual constraints or conditions exist
Sec. 50-602(c)(2)	Street design	Alternative	TAC	Must be necessary to provide sufficient traffic capacity; result in better safety performance following professional standards; accommodate a physical constraint; or reflect an established best practice that achieves equal or better transportation, safety, and design outcomes.

TABLE 7.2 ADMINISTRATIVE ADJUSTMENT CRITERIA

BCC SECTION	STANDARD	MAXIMUM ADJUSTMENT	APPROVAL AUTHORITY	ADDITIONAL CONDITIONS
Sec. 50-602(e)(1)c	Travel lane clear width	Full exemption	TAC	Must provide sufficient access for emergency services; and increase roadway safety.
Sec. 50-602(i)(1)d	Street furnishing quantity and placement	No fixed limit	Planning Director	Only if one of the following conditions are met: • The site includes a civic space that incorporates equivalent furnishings; • The site is constrained by existing grade or permanent improvements; or • The alternative design provides equal or greater pedestrian comfort and public benefit
Sec. 50-602(j)(7)	Lighting materials or technology	Substitution	TAC	Only if standard materials are unavailable
Sec. 50-602(m)(1)a	Alley ROW width	Minimum 20 feet	TAC	Only if emergency access, utility access, fire service, and solid waste service are not limited by the narrower width.
Sec. 50-602(m)(1)b	Alley pavement width	Reduction to 12 feet	TAC	Only if emergency access, utility access, fire service, solid waste service, and property access are not limited by the narrower width.
Sec. 50-602(m)(1)e	Alley drainage	Crown section and LID features permitted	TAC	Only if the change maintains compliance with stormwater requirements or improves current stormwater capacity
Sec. 50-604(a)(2)c	Pervious materials	Alternative material	TAC	Only if the material complies with ADA standards and can support service vehicles requiring access.

SEC. 50-717. VARIANCES

(a) The Board of Adjustment (BOA) may grant a variances from Article 50-4 Zoning, Sec. 50-505 Zone Transitions, Sec. 50-506 Overlay Districts, or Sec. 50-508 Signs. .

(b) The BOA may not grant a variance to:

(1) Allow a use not allowed in a zoning district; or

(2) Override conditions of approval or requirements imposed by another decision-making body; or

(c) Decision-Making Criteria

(1) The BOA must find that:

a. Strict application of this Code would create undue hardship due to unique physical circumstances of the property;

b. The hardship is not self-imposed;

c. The variance is the minimum relief necessary;

d. No reasonable alternatives exist to avoid the need for a variance; and

e. The variance is consistent with the purpose and intent of this Code.

(d) Board of Adjustment action

(1) Following a public hearing held in accordance with Sec. 50-720. Public Hearings, the BOA will take action in accordance with state law and adopted BOA bylaws.

SEC . 50-718 . APPEALS

(a) Applicability

(1) This section governs appeals of any final administrative or quasi-judicial decision made under this Code, including interpretations by the Director, other Directors, site-plan determinations, variances, and subdivision decisions.

(b) Submittal

(1) Appeals must be submitted in writing with the Director within fifteen (15) business days of the date of the interpretation or decision.

(c) Procedure

(1) Appellate bodies are specified in Table 7.1 Approval Authority.

(2) The appellate body must presume the original decision correct.

(3) The appellant bears the burden of proof to show error.

(d) Judicial review

(1) Any person aggrieved by a final decision of the Board of Adjustment or City Council may seek judicial review in Benton County Circuit Court in accordance with Ark. Code § 14-56-425.

SEC . 50-719. REVIEW PROCEDURES

(a) Filing and completeness

(1) The Director must publish and maintain a checklist of minimum submittal requirements for each application type in the city's published Development and Submittal Guide. The Director may revise the checklist as needed to reflect current standards.

(2) At the time of application, the applicant must submit all materials and fees required by the checklist. Incomplete applications will not be reviewed.

(3) The Director will conduct a completeness review within a reasonable time frame. If the application is complete and all fees are paid, the application is accepted for processing.

(4) If the application is incomplete or fees are unpaid, the Director will notify the applicant of deficiencies. The applicant must correct the deficiencies within thirty (30) days or the application will be considered withdrawn.

(b) Resubmittals and review priority

(1) The Director may collect resubmittal fees in accordance with the adopted fee schedule.

(2) The Director may prioritize review of applications that are resubmitted promptly and completely in the interest of efficient review and quality development.

(c) Application routing

(1) The Director is responsible for determining which applications are routed to TAC, Planning Commission, Board of Adjustment, or City Council pursuant to this Code.

(2) Applications involving multiple actions may be reviewed concurrently or consecutively, as determined by the Director.

(3) Applications may be paused at any stage to obtain additional information or clarification.

(d) Review sequencing

(1) Development plan, subdivision, or construction document applications may not proceed until required prior approvals have been granted, unless early review is authorized by the TAC or Director.

(2) Where allowed by this Code, the TAC may authorize concurrent review of related applications.

(e) Project and permit sequencing

(1) The purpose of this section is to establish clear sequencing requirements for land disturbance, construction plan approval, building permits, and certificates of occupancy, while allowing flexibility for different development types, including subdivided and non-subdivided development.

(2) No permit authorizing site or vertical construction shall be issued unless the property is lawfully eligible under one (1) of the following conditions:

a. The property is part of a recorded plat approved in accordance with this Code; or

b. The project is subject to an approved development plan that does not create or propose multiple legal lots, unless otherwise specified in this Section.

(3) Land disturbance permits

a. A land disturbance permit may be issued only after one (1) of the following has occurred:

1. Approval of a small-scale development or large-scale development;

2. Approval of a preliminary plat; or

3. Approval of a stand-alone land disturbance permit.

b. Issuance of a land disturbance permit authorizes only the land disturbance activities expressly approved and does not authorize vertical construction, installation of public improvements, or creation of legal lots.

c. Issuance of a land disturbance permit does not establish a legal lot of record, authorize subdivision, or waive future platting requirements.

(4) Approved construction plans (pre-construction review)

a. Approved construction plans are required prior to installation of public improvements or civil site work beyond authorized land disturbance.

b. Where a project includes or results in subdivision of land, construction plans shall not be approved and stamped until:

1. A preliminary plat has been approved by the Planning Commission and received approval through pre-construction review; or

2. For development plans, concurrent review has been authorized, provided that authorization to proceed with construction is expressly conditioned on final plat or minor

subdivision recordation prior to completion.

(5) Building permits

a. Building permits may be issued only when one (1) of the following applies:

1. The structure is located on a lot created by a recorded plat;

2. The structure is part of an approved development plan on a single, unsubdivided site with no subdivision proposed;

3. The structure is part of an approved development plan that proposes seven (7) or fewer lots, provided that:

1. Construction plans have been approved;

2. An application for Minor Subdivision has been submitted; and

3. No Certificate of Occupancy shall be issued until the Minor Subdivision has been approved and recorded.

(6) Certificate of occupancy.

a. A Certificate of Occupancy shall not be issued unless:

1. Required public improvements have been fully constructed, inspected, and accepted, unless deferred in accordance with Sec. 50-724 Public Improvements and Dedications; and

2. Any required subdivision plat has been approved and recorded.

(7) *Director authority*.

a. The Director is authorized to determine:

1. Whether a subdivision is required, proposed, or pending;

2. Whether proposed sequencing complies with the concurrency provisions expressly permitted in this Section; and

3. Whether proposed sequencing complies with this Article and Sec. 50-724 Public Improvements and Dedications.

b. Such determinations shall not be used to circumvent subdivision, public improvement, or dedication requirements.

SEC 50-720 PUBLIC HEARINGS

(a) Notice required

(1) Notice is required for all public hearings before the Planning Commission, Board of Adjustment, or City Council and will include published, mailed, posted, and optional courtesy notice as specified below.

(2) Notice method per hearing type is in accordance with Table 7.3 Notification Responsibility.

(b) Published notice

(1) Must be published in a newspaper of general circulation in the City of Bentonville;

(2) Must be published at least fifteen (15) business days prior to the hearing; and

(3) Must include the case number, applicant name, subject location, hearing date, time, and place.

(c) Mailed notice

(1) Must be sent to all property owners within the boundaries of the subject site and within two hundred (200) feet of the property lines;

(2) Owner information must be based on the most recent Benton County Assessor's records;

(3) Notice must be sent by certified mail and postmarked at least fifteen (15) business days prior to the hearing; and

(4) Applicant is responsible for preparing and mailing notice unless otherwise authorized by the Director.

(d) Posted notice

(1) Must be placed on the subject property at least fifteen (15) business days prior to the hearing;

(2) Must be visible from all abutting public rights-of-way;

(3) Signage must include project name, case number, hearing date, and time; and

(4) The number, size, and location of signs will be sufficient to fulfill these requirements as determined by the Director.

(e) Proof of notice

(1) The applicant must submit proof of mailing and an affidavit of posting before the hearing.

(2) The Director may cancel or refuse to schedule a hearing if notice requirements are not met.

(f) Responsible Party

(5) In all zoning or land-development applications requiring a public hearing, notice responsibilities are according to Table 7.3 Notification Responsibility.

TABLE 7.3 NOTIFICATION RESPONSIBILITY

HEARING TYPE	NOTICE METHOD	CITY RESPONSIBILITY	APPLICANT RESPONSIBILITY
Rezoning	Certified mail to property owners within 200 ft.	Review mail receipts, document compliance	Applicant mails and pays for certified owner list and certified-mail postage/fees
	Certified mail to the School District Board of Directors	Review mail receipts, document compliance	Applicant mails and pays for certified owner list and certified-mail postage/fees
	Newspaper advertisement in Arkansas Democrat-Gazette	Staff places ad at least 15 business days prior to hearing; approves content and timing	Applicant pays ad costs (billed via application process)
	Site-posted public hearing sign	Staff oversees sign placement not fewer than 15 business days before hearing	City provides and installs signs; Applicant pays for sign production and placement (billed via application process)
Variance	Newspaper advertisement	Staff places ad at least 7 days before hearing, reviews format and timing	Applicant pays advertisement cost (billed via application process)
	Site-posted hearing sign	Staff verifies and supervises installation not fewer than 7 days before hearing	Applicant provides, installs, and pays for sign production and placement (billed via application process)

(g) Courtesy notice

(1) Courtesy notice may be distributed by the City or applicant at their discretion.

(2) Formats may include mailed flyers, email newsletters, or digital platforms.

(3) Courtesy notice does not replace required notice and may not be used to cure deficiencies in required notice.

(h) Public hearings

(1) Hearings must follow published agendas and conform to Arkansas Law.

(2) A quorum must be present for the body to conduct business.

(3) The applicant must be given an opportunity to present, and the public must be given an opportunity to comment.

SEC . 50-721 . PERMITS

(a) General provisions

(1) The permits and approvals in this section apply to specific activities that may occur independently or in connection with an approved development, subdivision, or master plan.

(2) These permits ensure that construction, site work, public right-of-way use, and other activities are performed in a safe, orderly, and legally compliant manner.

(3) Nothing in this section replaces the requirement to obtain any primary land use approval where otherwise required by this Code.

(4) Unless otherwise stated, all permits expire if work is not started within six (6) months of issuance or completed within one (1) year, unless extended by the Director in accordance with Sec. 50-723 Duration, Expiration, and Amendment of Approvals.

(5) Payment of all applicable fees is required when the application is received.

(b) Building and Demolition permits

(1) A building permit is required according to the requirements of the Bentonville Municipal Code, Chapter 14 and is subject to the adopted Building Codes.

(2) A demolition permit is required according to the requirements of the adopted Building Codes and the current policies and procedures of the Building and Fire Safety Division.

(c) Encroachment permit

(1) An encroachment permit is required for any private use or structure that extends into or occupies the public right-of-way or a public easement.

(2) Uses and structures requiring a permit

a. Encroachment permits apply to, but are not limited to:

1. Awnings, canopies, balconies, bay windows, overhangs, marquees, signs, and similar building projections.
2. Parklets, sidewalk cafés, outdoor seating, and other furnishings within the right-of-way.
3. Private utilities, planters, landscaping features, fences, and other permanent or semi-permanent elements placed in a public right-of-way or easement.

(3) Application requirements

a. All applications must include:

1. A site plan or detailed drawing showing the location, dimensions, and design of the proposed encroachment;
2. Documentation demonstrating that utilities, drainage facilities, or other public infrastructure will not be adversely affected;
3. Proof of liability insurance naming the City as an additional insured, if the encroachment presents a liability risk; and
4. An agreement to indemnify the City from claims related to the encroachment.

b. Applications for parklets must also include:

1. A completed permit form provided by the City;
2. A letter of support from any adjacent property owner if the parklet extends beyond the responsible establishment's frontage;
3. A detailed drawing or rendering showing seating, railings, barriers, planting, or other

parklet features;

4. A signed Encroachment Agreement with the City, including all terms specified in Sec. 50-602(l) Use of rights-of-way and Sec. 50-407(c)(28) Parklets.

(4) General standards

a. All encroachments must be structurally sound, properly anchored if required, and maintained in good condition.

b. Encroachments must not block or restrict safe pedestrian or vehicle movement.

c. Encroachments must not block access to public utilities, fire hydrants, fire escapes, transit stops, accessible parking spaces, or other public infrastructure.

d. A minimum clear pedestrian path of five feet must be maintained along all sidewalks at all times.

e. Encroachments must not obstruct sight triangles or interfere with utilities, drainage, or street trees.

f. Encroachments must comply with all applicable design standards of Sec. 50-602. Street Design, and any relevant state or federal visibility or safety requirements.

(5) Parklet standards

a. Parklets must meet the requirements of Sec. 50-406(c)(28) Parklets.

(6) Maintenance and operation

a. The permit holder must maintain all encroachments in good repair and safe condition.

b. The area surrounding the encroachment must be kept clean and free of litter, debris, or hazards.

c. If the encroachment is removed, the right-of-way or easement must be restored to its original condition, to the satisfaction of the Transportation Director.

d. Parklet permit holders must:

1. Maintain the parklet in good, clean, and safe condition at all times;

2. Keep all furniture, planters, railings, and other elements in good repair and free of hazards; and

3. Remove snow and ice where applicable.

(7) Insurance and indemnity

a. All permit holders must maintain liability insurance in an amount acceptable to the City and name the City as an additional insured.

b. The permit holder must release, defend, and indemnify the City from any claims or damages arising from the installation, use, or operation of the encroachment, including parklets.

(8) Duration, renewal, and revocation

a. An encroachment permit remains valid for the period specified in the approval or, for parklets, one (1) year from the date of approval.

b. Renewal

1. The permit may be renewed annually if the permit holder remains in compliance with all requirements.

2. Renewal applications must be submitted before the current permit expires.

c. Revocation

1. The City may revoke an encroachment permit if the encroachment becomes unsafe, fails to comply with permit conditions, interferes with public use or maintenance, or otherwise

violates this Code or any other law;

2. Upon revocation, the permit holder must remove the encroachment and restore the area to the satisfaction of the Transportation Director.
3. A decision to revoke may be appealed under Sec. 50-718. Appeals.

(d) Fence permit

(1) A fence permit is required prior to construction and replacement of all applicable fences and walls, except those shown on an approved preliminary plat or large-scale development.

(2) Application requirements.

a. All applications must include:

1. A site plan or detailed drawing showing the location and dimension of the following:

i. property lines;

ii. existing structures;

iii. existing or proposed pool or spas;

iv. existing fencing on or adjacent to the property that is to remain in place.

v. existing fence that will be replaced.

vi. new fencing.

b. A written description of the proposed fence height and the type of construction (i.e. wood privacy, wrought iron, brick, etc.), and any requests for administrative adjustment in accordance with Sec. 50-714 Administrative Adjustments and Waivers.

c. A cut sheet or photo of the fence style, labeling the side of the fence that is the finished surface.

(3) Standards.

a. Fences and walls must be installed in compliance with the fence regulations in Sec. 50-510 (e) Fences and walls and with the information shown on the approved site plan and fence permit application form.

b. Fences and walls must be maintained in good repair and structurally sound.

(e) Land disturbance permit

(1) **Purpose and Intent.**

a. The purpose of this section is to regulate land disturbance activities in order to protect public safety, drainage systems, water quality, public infrastructure, and adjacent property. This section establishes a unified permitting framework for grading, excavation, filling, stockpiling, and related earth-moving activities.

(2) **Applicability.** A land disturbance permit is required prior to commencement of any activity that:

a. Disturbs more than ten thousand (10,000) square feet of land area;

b. Disturbs land within a drainage easement, stormwater facility, floodplain, or public right-of-way;

c. Alters, obstructs, regrades, or redirects drainage conveyance serving public infrastructure or adjacent property; or

d. Requires erosion or sediment control measures under the City's Stormwater Pollution Prevention and Erosion Control Standards ordinance or applicable state or federal permits.

(3) **Permit types.**

a. Land disturbance activity authorized under this section shall be issued under one or more of

the following permit types, as applicable:

1. Full grading permit;
2. Limited grading permit;
3. Floodplain development permit; or
4. Temporary storage or material stockpiling approval.

b. Each permit type is subject to the requirements of this section unless expressly stated otherwise. Any land disturbance activity not associated with an approved development plan, preliminary plat, or large-scale development approval shall be classified as Full Grading.

c. Limited grading may be approved in accordance with subsection (7).

(4) **Default Classification**.

a. Any land disturbance activity not associated with an approved development plan, preliminary plat, or large-scale development approval shall be classified as Full Grading.

b. Limited Grading may be approved in accordance with subsection (7).

(5) **Floodplain development permit**

a. A floodplain development permit is required for any development or land disturbance activity regulated under the City's Flood Damage Prevention Code, the Stormwater Management and Drainage Manual, and applicable FEMA standards.

b. When disturbance qualifying under subsection (b) occurs in a Special Flood Hazard Area or Base Level Engineering (BLE) area within the City, the floodplain development permit shall be issued in conjunction with a land disturbance permit, pending separate application and review of the permit. The floodplain development permit requires a separate fee when issued in conjunction with a land disturbance permit.

c. Approval of a floodplain development permit does not waive compliance with grading, erosion control, or stabilization requirements of this section.

(6) **Full grading permit**

a. *Applicability*. A full grading permit is required for:

1. Stand-alone grading or earthwork not tied to an approved development plan;

2. Land alteration exceeding the thresholds in subsection (2); or

3. Any land disturbance not qualifying for Limited Grading.

b. *Authorization*. A full grading permit only authorizes grading, excavation, filling, and related earthwork activities, subject to approved plans and conditions. A full grading permit does not authorize construction of foundations, vehicular use areas, utilities, or structures. Full authorization to begin work is subject to an approved pre-construction meeting.

c. *Requirements*.

1. A full grading permit application shall include, but is not limited to:

2. A grading and drainage plan prepared by a licensed professional (Civil Engineer, Architect, Landscape Architect, or similar professional);

i. Required erosion and sediment control plans; and

ii. Applicable state or federal stormwater permits;

(7) **Limited grading permit**

a. *Purpose.* A limited grading permit allows restricted land disturbance after Planning Commission approval and prior to final development approvals under narrowly defined

circumstances.

b. *Eligibility*. The Director, in consultation with the City Engineer, may approve a limited grading permit only when:

1. The underlying development has received discretionary approval;
2. The approved plans do not contain unresolved waivers, variances, or relief affecting grading; and
3. The applicant demonstrates a hardship or timing constraint outside normal development sequencing.

c. *Limitations*.

1. Limited Grading authorizes earthwork only and does not permit construction of foundations, vehicular use areas, utilities, or structures.
2. Grading shall be limited to areas and quantities expressly approved.

d. *Duration*. A limited grading permit shall expire within six (6) months unless, prior to expiration, the associated development or subdivision receives approval of construction plans through the applicable development review process, or the permit is extended by the Director. Full authorization to begin work is subject to an approved pre-construction meeting.

(8) **Temporary storage and stockpiling approval**

a. Temporary storage or stockpiling of soil, aggregate, or construction materials exceeding incidental construction activity requires approval under this section. Any stockpile greater than one (1) acre requires a full grading permit.

b. Such approval may be issued as a standalone authorization or in conjunction with a grading permit. A temporary storage or material stockpiling permit must be issued separate from a large-scale development or preliminary plat if said storage is not included within the limits of disturbance for the parent project.

c. Approval shall specify:

1. Location and duration;
2. Required erosion and sediment control measures; and
3. Restoration and stabilization requirements upon removal.

(9) **Inspections and Enforcement**

a. Land disturbance sites are subject to inspection at any time and regular intervals for compliance with the City's Stormwater Pollution Prevention and Erosion Control Standards ordinance.

b. Failure to comply with approved plans or permit conditions constitutes a violation subject to enforcement under this Code.

(f) Outdoor vendor permit

(1) An outdoor vendor permit is required for:

a. Any person or business that sells goods or food from a temporary stand, cart, or vehicle at a fixed outdoor location or as part of an outdoor vendor park.

b. Outdoor vending is allowed according to Sec. 50-406(c)(27) Outdoor and mobile food vendors.

c. Outdoor vending on private property must comply with all applicable setbacks, lot coverage, and parking standards in Article 50-4 Zoning.

d. Outdoor vending within the public right-of-way must comply with the requirements for encroachments in subsection (c) Encroachment permit.

(2) An outdoor vendor permit is not required for:

a. Sidewalk sales lasting three (3) or fewer consecutive days and keeping four (4) feet clear for pedestrian passage.

b. Temporary nonprofit fundraisers lasting five (5) or fewer days.

c. Merchants operating under an approved outdoor market or event permit.

d. Children's lemonade stands.

e. Goods temporarily placed on sidewalks during ordinary deliveries.

(3) An application for an outdoor vendor permit must include:

a. A completed application form provided by the City.

b. The applicant's name, address, contact information, proof of identity, and a current photograph.

c. A description of the goods or food to be sold.

d. A site plan showing the vending location and all distances to property lines, sidewalks, streets, and adjacent buildings.

e. Written consent from the property owner if vending on private property.

f. Proof of notice to adjacent property owners if vending near a residential zone.

g. For food sales, a valid Benton County Health Department certificate.

h. Proof of valid driver's licenses for all drivers, if using a vehicle.

i. Proof of A&P tax registration, if applicable.

j. Any other information needed to demonstrate compliance with this Chapter.

(4) Duration and Renewal

a. A permanent outdoor vendor permit expires each year on December 31.

b. A temporary outdoor vendor permit expires on the date specified on the permit.

c. Renewal applications must be submitted before expiration. Applications submitted after expiration will be processed as new permits.

(5) Suspension or Revocation

a. The Director may suspend or revoke a permit if:

1. The permit was obtained by fraud or misrepresentation.
2. The vendor violates any part of this BCC or the conditions of the permit.
3. The vendor creates a nuisance or hazard to public health or safety.
4. Revocation is subject to the appeal procedures in Sec. 50-718. Appeals.

(g) Right-of-way permit

(1) A right-of-way permit is required for:

a. All work performed within the public right-of-way that is not associated with a defined project in this Chapter.

b. Curb cuts for residential driveways.

c. Removal of trees or planting trees within the public right-of-way.

(2) General Standards

a. Right-of-way permit application must be submitted in compliance with Appendix C Street Specifications, Sec 200.12 Permits.

(h) Sign permit

(1) Sign permits apply to:

a. All new permanent signs.

b. All new temporary signs not exempted under Sec. 50-508 (d) Signs allowed without a permit.

c. Any modification to an existing sign that changes its size, structure, location, illumination, or height.

(2) Signs exempt from permit requirements

a. Signs that do not require a sign permit are listed in Sec. 50-508 (d) Signs allowed without a permit.

(3) General standards

a. All signs must comply with the design, size, height, setback, clearance, illumination, location, construction and maintenance standards in Sec. 50-508. Signs.

b. Signs located within a public right-of-way require an encroachment permit in accordance with Sec. 50-721(c) Encroachment permit in addition to a sign permit.

(4) Applications for sign permits must include:

a. A site plan or scaled drawing showing the sign's location on the lot or building;

b. Elevation drawings showing sign dimensions, design, lettering, and any structural supports;

c. Details of any illumination, including type, brightness levels, shielding, and illustration of sign appearance at night;

d. Details of the sign materials;

e. The business registry number, if applicable;

f. For EMCs, documentation demonstrating compliance with brightness and timing standards; and

g. For signs projecting into a public right-of-way, proof of a valid encroachment permit per Sec. 50-721(c) Encroachment permit.

(i) Temporary use permit

(1) A temporary use permit is required for:

a. Temporary structures such as trailers or other buildings used during construction, sales offices, or staging;

b. Seasonal outdoor sales lots, including holiday tree sales, fireworks stands, or similar uses;

c. Temporary contractor yards, staging areas, or stockpiles associated with allowed construction;

d. Planned activities or special events that may exceed the noise standards in Article 58-V Noise; and

e. Other activities determined by the Director to be temporary and to have potential impact on the surrounding area.

(2) A permit is not required for:

a. Temporary uses or structures that are specifically regulated under another section of this Code; or

b. Uses that are integral to an active, valid building permit, and do not involve a separate

structure or off-site impact.

(3) Applications must include:

a. A description of the proposed temporary use, including duration, hours of operation, and anticipated activities;

b. A site plan showing the location of any structures, parking areas, signage, fencing, or utility connections;

c. A statement describing measures to minimize impacts on surrounding uses, traffic, drainage, and pedestrian circulation;

d. Evidence of any required state or county health permits, if applicable.

(4) Standards for Approval

a. The temporary use must be compatible with surrounding land uses and not create traffic, noise, lighting, or safety problems;

b. Adequate parking and access must be provided;

c. The site must be restored to its original condition or better at the end of the temporary use period;

d. All structures and equipment must comply with applicable building, fire, and health codes.

(5) Duration

a. Temporary use permits are valid for up to six (6) months unless otherwise specified in the permit;

b. One (1) extension may be approved by the Director for up to six (6) additional months if the applicant demonstrates good cause and compliance with all conditions.

(6) Additional Requirements

a. The Director may require a surety to ensure site cleanup and restoration;

b. The Director may impose conditions to address noise, lighting, signage, or screening;

c. Temporary signs must comply with Sec. 50-508. Signs;

d. The Director may refer a temporary use permit to the Planning Commission for review if there is a question whether the proposed use can meet the standards for approval in subsection (4) Standards for Approval; and

e. Permits may be revoked if the use creates a hazard, nuisance, or violates permit conditions.

SEC . 50-723 . DURATION, EXPIRATION, AND AMENDMENT OF APPROVALS

(a) Purpose

(1) To establish consistent time limits for all approvals granted under this Article, and to specify when an approval expires, how extensions may be granted, what effect expiration has on subsequent applications, and how amendments to approvals are processed.

(b) Applicability

(1) This section applies to all development and subdivision applications approved under this Chapter.

(2) When a specific approval type in this Chapter sets a shorter duration, the shorter time period controls.

(3) Expiration under this section does not apply to rezoning or text amendments approved by the City Council.

(c) General duration

(1) Unless otherwise stated in this Code, an approval remains valid for twelve (12) months from the date of final action by the approving authority.

(2) The approval expires automatically at the end of that period if:

a. A pre-construction meeting has not been scheduled and held when required;

b. Construction or authorized site work has not begun; or

c. Any required permits, signatures, or recording actions have not been completed.

(3) Upon expiration, the applicant must submit a new application under the standards and procedures in effect at the time of new submittal.

(d) Extensions

(1) Eligibility. An applicant may request an extension before the expiration date of an approval.

(2) Administrative approvals. The Director may grant one (1) extension of up to six (6) additional months upon a written request showing good cause for the delay.

(3) Approvals by the Planning Commission. The Planning Commission may grant one (1) extension of up to twelve (12) additional months upon a written request showing substantial progress on required improvements or other good cause.

(4) Limitation. Only one (1) extension will be granted for any approval.

(5) Effect of denial. If an extension is denied, the approval expires immediately upon the original expiration date.

(e) Post-expiration effect

(1) When an approval expires, all associated permits, agreements, or conditions tied to that approval become void.

(2) Any further development or construction requires a new application.

(3) The City may rely on any existing public improvements or easements that were completed and accepted prior to expiration.

(f) Recording and minor subdivisions

(1) For minor subdivisions, approval expires if the minor subdivision is not recorded within the time required by Sec. 50-707(e)(8) Recording.

(2) Recording after expiration requires full resubmittal and review under current standards.

(g) Amendments to Approved Plans

(1) Approved plans may be modified through amendments in accordance with this subsection, provided the underlying approval remains valid under this section.

(2) Amendments are intended to allow reasonable flexibility during implementation while preserving the development framework, infrastructure assumptions, and public improvements relied upon during approval.

(3) *Classification of Amendments.* Amendments shall be classified as Minor Amendments or Major Amendments based on their scope, impact, and consistency with the approved development framework.

(4) *Minor Amendments.* Minor Amendments are changes that do not materially alter the approved development framework or the assumptions relied upon during discretionary approval.

a. Examples include, but are not limited to: Minor adjustments to building footprints or architectural elements; minor utility alignment refinements that remain within approved corridors; revisions to grading or drainage that do not affect overall system capacity, flow paths, or downstream impacts; changes to construction details that do not affect public infrastructure, access, or safety; and phase-specific adjustments that do not affect shared infrastructure or future phases.

b. The Director may approve Minor Amendments administratively.

c. Approval of a Minor Amendment does not reset or extend the duration of the underlying approval.

(5) *Major Amendments.* Major Amendments are changes that materially alter the approved

development framework, infrastructure assumptions, or conditions of approval.

a. Examples include, but are not limited to: changes to street layouts, block structure, or access points; modifications affecting the capacity, location, or sequencing of public improvements; changes to stormwater systems that affect detention, conveyance, or downstream impacts; changes that alter approved phasing in a manner affecting infrastructure delivery or timing; increases in intensity or land use not contemplated during approval; or revisions that would have required additional findings during the original discretionary review.

b. Major Amendments require approval by the same body that approved the original application, unless otherwise specified by this Code.

c. Approval of a Major Amendment may reset the duration of the approval, as determined by the approving authority at the time of action.

(6) *Construction Plan Revisions.* Approved construction plans represent the technical implementation of an approved development framework. Construction plan revisions shall be evaluated for consistency with the underlying approval.

a. The Director has the authority to classify construction plan revisions as Minor or Major Amendments.

b. Construction plan revisions shall not be used to circumvent required platting, development approval, or public improvement requirements. Revisions that alter the development framework shall be processed as Major Amendments.

(7) *Relationship to expiration.*

a. Submission of a complete application for a Major Amendment prior to expiration shall suspend expiration of the original approval until the amendment is acted upon.

b. Minor Amendments do not suspend or extend expiration deadlines.

c. Upon expiration of an approval, no further amendments may be approved unless expressly authorized by this Code.

SEC . 50-724 . PUBLIC IMPROVEMENT AND DEDICATION

(a) Applicability

(1) This section applies to any development or subdivision for which the City requires on-site or off-site public improvements pursuant to this code, including but not limited to:

a. Streets, alleys, sidewalks, and related facilities;

b. Water, sewer, and storm drainage facilities;

c. Street lighting, street trees, and planting strips;

d. Utility easements and public access easements; and

e. Parks or open space required for public use.

(b) Improvement plans

(1) *Public improvement plan required.* Where required by the Director, based on the scope and nature of the development and in consultation with the TAC, a Public Improvement Plan must be submitted and approved prior to construction of any public infrastructure.

(2) *Coordinated review.* When a preliminary plat or development plan includes public improvements, the Public Improvement Plan must be submitted as part of the same review process, using a coordinated and consistent set of documents.

(3) *Standards.* All Public Improvement Plans must conform to Appendix C and all applicable standards and specifications.

(4) *Revisions.* The TAC, acting through its member departments, may require revisions to Public Improvement Plans to ensure compliance with applicable standards prior to approval.

(c) Construction and inspection

(1) All public improvements must be constructed by the developer or applicant in accordance with approved plans.

(2) Construction must not begin until the Public Improvement Plan is approved and all necessary permits are issued.

(3) The City, through applicable departments, will inspect improvements during and after construction to verify compliance. The applicant is responsible for coordinating inspections.

(d) Acceptance and dedication

(1) No public improvement will be accepted by the City until it has been inspected and approved.

(2) Dedications of public rights-of-way, easements, utilities, and improvements must be shown on the construction plans and accepted by the City.

(3) The Planning Commission is authorized to accept dedications on behalf of the City unless City Council approval is required by law.

(4) Approved as-built drawings and record documentation shall be submitted and approved prior to acceptance of any public improvement, in accordance with departmental specifications.

(e) Timing of improvements

(1) *General requirement.* Required public improvements shall be fully constructed, inspected, and accepted prior to final plat recording, issuance of a Certificate of Occupancy, or final inspection, as applicable, unless deferred in accordance with this section.

(2) *On-Site and off-site improvements secured by performance surety***.** When public improvements required by this Code and located within the public right-of-way or off-site are approved for deferral by the Director, such improvements shall be either:

a. Constructed prior to commencement of on-site construction as a separate project or phase; or
b. Secured by an approved performance surety prior to the pre-construction meeting.

(3) *Deferred completion items.* Upon determination by the Director, in consultation with the applicable Department Head, that remaining work is eligible for deferral, limited completion items may be secured through a completion guarantee prior to final plat recording, issuance of a Certificate of Occupancy, or final inspection, as applicable.

a. *Eligible completion items.* Completion guarantees may be accepted only for limited items where all required systems are otherwise complete, operational, and legally functional, including:

1. Minor or cosmetic construction items;
2. Adjustment of appurtenances to final grade;
3. Weather-delayed landscaping;
4. Minor corrective work to existing infrastructure;
5. Submission of approved as-built drawings and record documentation; and
6. Other limited items that, from a technical and operational standpoint, do not impair the safe, functional, or lawful operation of the development, as determined by the applicable Department Head.

b. *Ineligible Items.* Completion guarantees shall not be accepted in lieu of construction for improvements necessary for safe access, utility service, drainage, emergency response, or legal occupancy.

(f) Fee-in-Lieu of Construction.

(1) *Authorization.* Where construction of a required public improvement is authorized to be delayed pursuant to Article 3 and this section, the Planning Commission may approve the payment of a fee-in-lieu of constructing the improvement.

(2) *Approval Authority and Findings*. Approval of a fee-in-lieu is discretionary and requires action by the Planning Commission. In approving a fee-in-lieu, the Planning Commission shall make written findings that:

a. Construction of the required improvement is impracticable, premature, or not in the public interest at the time of development; and

b. The fee-in-lieu bears a rational nexus and rough proportionality to the impacts of the development.

(3) *Amount of Fee.* The fee-in-lieu shall equal 125 percent (125%) of the City's estimated cost to complete the improvements, based on an engineer's estimate, reviewed by the City Engineer or applicable Department, and accepted by the Planning Commission. The Planning Commission may approve a lesser amount if they determine a reduced amount is appropriate based on scope or timing.

(4) *Timing of Payment*. An approved fee-in-lieu shall be paid prior to final plat recording, issuance of a Certificate of Occupancy, or commencement of construction, as applicable.

(5) *Use of Funds*. Fees collected in lieu of construction shall be used for the same general type of public improvement and may be expended at any location within the City, provided the improvement serves the same general public infrastructure system impacted by the development, is consistent with adopted capital improvement plans, and is expended within seven (7) years of the date of collection, unless otherwise agreed.

(6) *Satisfaction of Obligation*. Payment of an approved fee-in-lieu satisfies the applicant's obligation to construct the specific improvement for which the fee was imposed, and no performance or completion guarantee shall be required for that improvement.

(g) Performance and completion guarantees

(1) *Performance surety for public improvements.* Public improvements located within the public right-of-way or off-site and approved for deferral under subsection (e)(2) shall be secured by a performance surety prior to the pre-construction meeting.

a. Acceptable forms include a performance bond, irrevocable letter of credit, cashier's check, or other financial security approved by the Director and the City Legal Department.

b. The amount shall be not less than 150 percent (150%) of the City's estimated cost to complete the improvements, based on an engineer's estimate prepared by the engineer of record, reviewed by the City Engineer, and accepted by the Director.

c. A performance surety required under this section is a continuing obligation and shall remain in full force and effect until the guaranteed public improvements have been fully constructed, inspected, and accepted by the City in accordance with this Code.

d. The performance surety shall not expire by passage of time and may be released only upon written authorization by the Director following certification of completion by the City Engineer and final acceptance by the City.

(2) *Completion guarantees.* Deferred completion items approved under subsection (e)(3) shall be secured by a cash or cash-equivalent guarantee, including a cashier's check, irrevocable letter of credit, or other

security approved by the Director and the City Legal Department.

a. The amount shall be not less than 150 percent (150%) of the City's estimated cost to complete the improvements, based on an engineer's estimate prepared by the engineer of record, reviewed by the City Engineer, and accepted by the Director.

b. The completion guarantee shall have an initial term of sixty (60) days.

c. The Director, in consultation with the applicable Department Head, may approve one (1) extension not to exceed sixty (60) additional days upon a showing of good cause.

d. Funds may be deposited with the City and held until completion.

e. If the applicant fails to complete the guaranteed items within the approved term, the City may use the funds to complete the work.

f. The applicant remains responsible for any costs exceeding the amount of the guarantee.

(3) *Release of Guarantees.*

a. *Certificate of Completion*. To request release of a performance or completion guarantee, the applicant's engineer of record shall submit a written certification to the Director stating that the required improvements or guaranteed items have been completed in accordance with approved plans and are complete and functional.

b. *Final Inspection.* Final inspection shall be conducted by the Director and applicable departments, coordinated through the TAC.

c. *Release of Guarantee.* Upon certification of completion by the City Engineer and approval of the final inspection, the Director shall authorize release of the performance or completion guarantee and, as applicable, reimbursement or return of the financial security.

(h) Maintenance Guarantee

(1) Upon acceptance of public improvements, the applicant shall provide a maintenance guarantee to ensure proper performance during the maintenance period.

(2) The maintenance guarantee shall equal twenty-five percent (25%) of the City's estimated replacement cost, as determined by the City Engineer based on an engineer's estimate prepared by the engineer of record.

(3) The guarantee shall remain in effect for a minimum of one (1) year from the date of acceptance and until released in writing by the Director.

(4) If deficiencies are not corrected, the City may draw upon the maintenance guarantee to complete necessary repairs.

(5) A maintenance guarantee is not required for public improvements constructed by the City, under contract with the City, or for public facilities or public uses where the City retains ownership and maintenance responsibility, as determined by the Director.

(i) Tree and landscape survival

(1) Where trees or other landscaping are installed in fulfillment of a public improvement requirement, the applicant must maintain the installed plant material for a minimum of three (3) years.

(2) A minimum survival rate of ninety percent (90%) is required at the end of the maintenance period.

(3) The City may require a separate tree or landscape bond or deposit to ensure compliance.

SEC . 50-725 . ENFORCEMENT AND PENALTIES

(a) Authority

(1) The Director is authorized to enforce the provisions of this Code and to initiate corrective action for any violation.

(2) City departments, including Building Safety, Engineering, Code Enforcement, and Legal, may support enforcement efforts as coordinated by the Director.

(3) Nothing in this section limits the City's authority to enforce other applicable laws or to pursue civil or criminal penalties as provided by law.

(b) Violations

(1) A violation of this Code includes, but is not limited to:

a. Initiating construction, land disturbance, or site modifications without required approvals;

b. Installing signage, landscaping, utilities, or structures not shown on approved plans or not in compliance with BEUD or BWU specifications;

c. Failing to install or maintain required public or private improvements;

d. Removing or damaging protected trees or landscaping without approval;

e. Occupying a site or building in violation of use, parking, or access requirements; or

f. Failing to comply with a condition of approval or decision by the Planning Commission, City Council, Board of Adjustment, TAC, or Planning Director.

(c) Notice and correction

(1) Upon identifying a violation, the Director must provide written notice to the responsible party describing:

a. The nature of the violation;

b. The Code section(s) violated;

c. Required corrective action; and

d. A deadline for compliance.

(2) Notice may be provided in person, by mail, or by posting on the subject property.

(3) Failure to correct the violation within the specified time frame may result in additional penalties or legal action.

(d) Remedies and penalties

(1) The City may pursue one (1) or more of the following remedies for any violation of this Code:

a. Withholding of permits, approvals, or inspections until the violation is corrected;

b. Revocation of permits or approvals granted in error or obtained through misrepresentation;

c. Removal or abatement of noncompliant development or improvements at the owner's expense;

d. Assessment of civil penalties as authorized by ordinance or state law;

e. Filing of legal action in a court of competent jurisdiction to compel compliance.

(2) Each day that a violation continues constitutes a separate offense.

(e) Stop work orders

(1) The Director or Building Official may issue a stop work order if any regulated activity is occurring in violation of this Code.

(2) The order must specify the violation and the conditions that must be met before work may resume.

(3) No work may resume until the violation has been resolved and the order is lifted in writing by the Director.

(f) Appeals

(1) Any person aggrieved by an enforcement action may appeal the decision in accordance with Sec. 50-718. Appeals.

ARTICLE 50-8 NONCONFORMITIES

SEC . 50-801 . PURPOSE AND INTENT

(a) The purpose of this Article is to establish rules for the continued use, maintenance, modification, or replacement of structures, uses, and sites that were legally established but no longer conform to the standards of this Chapter.

(b) The intent is to allow lawful nonconforming conditions to continue under limited circumstances while promoting eventual compliance with current development standards.

SEC . 50-802 . APPLICABILITY

(a) This Article applies to any use, structure, lot, site, or sign that was lawfully established but no longer conforms to one or more requirements of this Chapter as a result of adoption or amendment of this Code or rezoning of the subject property.

SEC . 50-803 . CONTINUATION

(a) Any nonconforming use, structure, lot, site, or sign that was lawfully established before the effective date of this Code or any amendment remains legal and may continue subject to the standards of this Article.

(b) Nonconforming status runs with the land and is not affected by a change in ownership, tenancy, or management, provided that the use or structure continues without interruption and is not expanded or modified except as allowed by this Article.

SEC . 50-804 . NONCONFORMING USES

(a) A nonconforming use may not be expanded, changed to another nonconforming use, or resumed after discontinuance, except as provided in this section.

(1) A nonconforming use that is discontinued or ceases for a period of twelve (12) consecutive months loses its nonconforming status and may not be reestablished.

(2) A use that is removed or replaced with a conforming use may not revert to nonconforming status.

SEC . 50-805 . NONCONFORMING STRUCTURES

(a) A nonconforming structure may be maintained or repaired but may not be enlarged, expanded, or moved unless doing so:

(1) Does not increase the degree of nonconformity;

(2) Increases conformity with this Code; or

(3) Is approved by administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers.

(b) If a nonconforming structure is damaged or destroyed by more than fifty percent (50%) of its replacement value, it may only be reconstructed if brought into full compliance with this Code. The Director may allow reconstruction to its prior condition if:

(1) The damage occurred through no fault of the owner; and

(2) Reconstruction begins within twelve (12) months of the event.

SEC . 50-806 . NONCONFORMING LOTS

(a) A lot that does not meet the minimum area, width, or depth requirements of its zoning district may be developed if it was lawfully established and was not created through a violation of subdivision or zoning regulations.

(b) Development on a nonconforming lot must meet all other applicable requirements of this Code.

SEC . 50-807 . NONCONFORMING SITES

(a) A site that does not meet current standards for landscaping, screening, parking, access, or lighting may continue in use but must be brought into conformity:

(1) Upon construction of a new building or a building expansion of more than twenty-five percent (25%) of floor area or lot coverage;

(2) Upon a change in use requiring a higher parking ratio or more intense site treatment; or

(3) As required through development permit.

(b) The Director may approve phasing of improvements or partial compliance where full compliance is not feasible, based on available space or physical constraints.

SEC . 50-808 . NONCONFORMING SIGNS

(a) Any sign that was lawfully established before the effective date of this Code and does not conform to current standards may continue subject to Sec. 50-508. Signs.

(b) Which signs can remain

(1) A nonconforming sign may remain in place if it is:

a. Properly maintained in safe and good condition;

b. Not abandoned, altered, or enlarged in a way that increases its nonconformity; and

c. Located on property where the associated use remains active.

(2) EMC signs that become nonconforming due to changes in brightness or timing standards may remain in use, provided:

a. They are equipped with dimming and default-off settings; and

b. They do not exceed the illumination limit in Sec. 50-508(h) Electronic message centers (EMCs).

(c) What can be done to a sign

(1) Normal maintenance and routine repair are allowed, including repainting, electrical updates, and replacement of sign face panels, only if:

a. It is not enlarged or structurally altered; and

b. Lighting is not added.

b. The sign copy may be changed as long as the sign structure and overall configuration are not changed.

(d) When it must be removed

(1) A nonconforming sign must be removed if any of the following occur:

(2) The sign is structurally damaged by more than fifty percent (50%) of its replacement value as determined by the average of three commercial estimates;

a. The principal use on the property is discontinued for one hundred eighty (180) consecutive days;

b. The principal use on the property is demolished;

c. The sign is moved, altered, or reconstructed in ways that increase its nonconformity; or

d. The sign becomes abandoned, in which case it must be removed or the display replaced within sixty (60) days.

(3) A sign is considered abandoned when:

a. The sign structure is deteriorated and structurally unsafe; or

b. The sign is left blank for sixty (60) or more consecutive days.

SEC . 50-809 . LOSS OF NONCONFORMING STATUS

(a) A nonconforming use, structure, or site loses its legal status when:

(1) It is discontinued or abandoned for twelve(12) or more consecutive months;

(2) It is voluntarily removed or replaced with a conforming use or structure;

(3) It is damaged or destroyed by more than fifty percent (50%) and not rebuilt within twelve (12) months; or

(4) A permit is issued for construction or renovation that brings the condition into compliance.

SEC . 50-810 . MODIFICATION OR EXPANSION

(a) A nonconforming use, structure, or site may not be expanded or modified unless:

(1) The expansion increases conformance with this Code; or

(2) The expansion is minor and approved by administrative adjustment under Sec. 50-716. Administrative Adjustments and Waivers.

(b) An variance is required for any expansion of floor area, lot coverage, or impervious surface by more than ten percent (10%).

SEC. 50-811. LEGACY PLANNED DEVELOPMENTS (PUD/PRD)

(a) Purpose and Applicability

(1) This Article applies solely to properties that received approval as a Planned Unit Development (PUD) or Planned Residential Development (PRD) prior to the effective date of this Code.

(2) Such approved developments may continue and may be amended only in accordance with this section. No new PUD or PRD zoning districts may be established.

(3) The provisions of this Article govern amendments, phasing, enforcement, expiration, and revocation of approved PUD and PRD master site plans and associated zoning ordinances.

(b) Pre-application review

(1) A pre-application meeting is required prior to submittal for an amendment to a previously approved PRD or PUD and shall be conducted in accordance with Sec. 50-714 Pre-Application Review.

(2) At this meeting, the following information and data shall be considered:

a. Boundaries of the property;

b. Existing easements and covenants affecting the property;

c. Physical characteristics such as drainage, topography, vegetation, and existing structures;

d. Development characteristics such as surrounding land uses, existing streets, and availability of utilities; and

e. Elements of the proposed layout amendment, including land uses, open spaces, densities, traffic flow, and estimated impacts.

(3) City staff shall furnish written comments intended to inform preparation of an amendment application.

(c) Plan submittal

(1) The application shall consist of a request to amend the approved master site plan and associated zoning ordinance that includes:

a. Completed application form;

b. Filing fee;

c. Copy of Land Deed;

d. Amended master site plan;

e. Written description addressing:

1. Consistency with the intent of the originally approved PUD/PRD;

2. Proposed land uses and land area allocation;

3. Proposed zoning and development standards (as previously approved and as proposed to be amended);

4. Structural design (if modified);

5. Consistency with applicable amendment review criteria; and

6. Phasing schedule, if applicable

f. At a minimum, the amendment shall demonstrate meeting the review criteria in subsection (f) Review Criteria .

(d) Plan Review

(1) The Director shall determine whether proposed amendments constitute a minor or major amendment.

(2) *Minor Amendments*. Amendments that meet the following conditions are considered minor amendments and may be approved administratively by the TAC:

a. Number of dwelling units does not change by more than five percent (5%);

b. Common open space is not reduced or substantially relocated;

c. Non-residential area is not increased by more than five percent (5%) or substantially relocated; or

d. Minor infrastructure layout changes.

(3) *Major Amendments.* Amendments that do not meet the conditions for a minor amendment shall be processed as a major amendment must be approved by Planning Commission.

(e) Public Hearing and Notice

(1) A public hearing shall be held for major amendments to approved PUDs or PRDs.

(2) The process shall follow that of Zoning Map Amendments in accordance with Sec. 50-708. Zoning Map Amendments.

(3) Notice must be provided in accordance with Sec. 50-717 Public Hearings.

(f) Review Criteria

(1) An amendment to a PRD/PUD may be approved upon finding that the amendment:

a. Meets the intent and purpose of the originally approved PUD or PRD;

b. Maintains harmony with surrounding development;

c. Does not adversely affect neighboring properties beyond impacts previously evaluated;

d. Keeps infrastructure demands within existing capacity; and

e. Meets the City's published review criteria for PUD/PRDs.

(g) Action

(1) The TAC, for minor amendments, and Planning Commission, for major amendments, shall review all amendments in accordance with the criteria in subsection (f) Review criteria.

(2) Following approval of the amendment, the applicant may proceed with platting or large-scale development, which shall conform to the approved amended master site plan.

(3) Development shall follow the master site plan exactly.

(h) Phasing and Development Schedule

(1) Phasing of an approved PUD or PRD may be permitted.

(2) All existing phasing provisions remain applicable, including:

a. Phasing Boundaries;

b. Construction Schedules;

c. Proportional open space delivery; and

d. Enforcement authority of the Community Development Director.

(i) Guarantee of Completion

(1) Before approval of the final development plan, the planning commission shall require a contract with safeguards satisfactorily to the commission guaranteeing completion of the development plan for any single phase in a period to be specified by the commission, but which period shall not exceed five (5) years unless extended by the commission.

(j) Revocation

(1) The Planning Commission may recommend revocation of an approved PUD or PRD under the following circumstances:

a. Failure to submit a final development plan;

b. Failure to secure building permits;

c. Failure to adhere to approved phasing schedules;

d. Disproportionate delivery of open space; or

e. Failure to construct common facilities as approved.

(2) Upon revocation, the zoning designation shall be void and a zoning map amendment is required.

(k) Expiration

(1) An approved PUD or Planned Residential Development PRD shall expire if the Planning Director determines that no development activity has occurred within a continuous period of one (1) year following approval or following the most recent development activity.

a. Development activity shall include, but is not limited to, the approval of a plat, issuance of a building permit, or commencement of construction consistent with the approved master site plan.

(2) If an approved PUD or PRD expires, no further development activity shall occur until the areas proposed for development are rezoned in accordance with this UDC.

ARTICLE 50-9 TERMINOLOGY

SEC. 50-901. PURPOSE AND INTENT

(a) The purpose of this Article is to provide clear and consistent definitions for all technical and regulatory terms used throughout the Bentonville Community Code.

(b) The intent is to ensure consistent application of standards, reduce ambiguity, and support legally sound interpretation and enforcement. When definitions in this Article conflict with those found elsewhere in the Bentonville Code of Ordinances, the definitions in this Article control for the purposes of interpreting the Bentonville Community Code.

SEC. 50-902. GENERAL

(a) Terms defined by Arkansas state statute, federal law, or other officially adopted documents are incorporated by reference unless otherwise defined in this Article.

(b) All other technical or regulatory terms used in this Code are defined in this Article to support consistency across administrative processes, development standards, and site design requirements. This includes definitions of roles, submittals, street elements, and compliance-related issues.

(c) Terms used to define measurements are defined in this Article and control how such measurements are taken. Where a dimensional standard includes modifiers like “minimum,” “maximum,” or “average,” the modifier is enforceable. Unless otherwise stated, measurements are taken to the nearest quarter of a foot.

(d) If a term is not defined in this Article, it is interpreted as follows:

(1) First, by reference to the Bentonville Code of Ordinances;

(2) If not defined there, by applicable Arkansas statutes or model development regulations; and

(3) If still undefined, by the commonly accepted meaning found in the most recent edition of Merriam-Webster’s Collegiate Dictionary.

(e) The Planning Director is responsible for determining the interpretation of any undefined or ambiguous term subject to guidance from the City Legal Department. Final interpretations may be appealed as provided in Sec. 50-718. Appeals.

SEC. 50-903. ABBREVIATIONS

(a) The following list expands abbreviated terms used throughout this document:

AASHTO: American Association of Highway Transportation Officials. An association comprised of highway and transportation departments of states and territories of the United States. See the AASHTO website.

ADA: Americans with Disabilities Act. A federal law passed by the United States Congress in 1990.

ADEQ: Arkansas Department of Environmental Quality. A department of the State of Arkansas government.

ADT: Average Daily Traffic. A standard measure of daily vehicle traffic on a street.

ADU: Accessory Dwelling Unit. Separately defined under in Sec. 50-904. Use Classifications.

ANSI: American National Standards Institute. An organization that administers and coordinates conformity with many voluntary standards adopted by governments and businesses in the United States. See the ANSI website.

ARDOT: Arkansas Department of Transportation. A department of the State of Arkansas government.

AR: Arkansas.

ATM: Automated Teller Machine, as commonly defined.

BCC: Bentonville Community Code. This document.

BEUD: Bentonville Electric Utility Department. A department of the City of Bentonville.

BFE: Base Flood Elevation. The elevation to which floodwater is anticipated to rise during the base flood, as established by FEMA and shown on the Flood Insurance Rate Map.

BMAO: Bentonville Municipal Airport Overlay. An overlay zoning district that applies zoning rules to areas near and within the takeoff and landing approaches of the Bentonville municipal airport.

BMP: Best Management Practice. Physical, structural, or operational measures used to reduce the volume, rate, or pollutant load of stormwater runoff and improve water quality.

BWUD: Bentonville Water Utility Department. A department of the City of Bentonville.

CPTED: Crime Prevention Through Environmental Design. An approach that uses the design and management of the built environment to reduce crime and the fear of crime. See the International CPTED Association.

DBH: Diameter at Breast Height. A standard measurement of tree trunk caliper.

DCO: Downtown Center Overlay. An overlay zoning district that applies zoning rules specifically to the central portion of downtown Bentonville.

DNO: Downtown Neighborhood Overlay. An overlay zoning district that applies zoning rules specifically to neighborhood areas adjacent to downtown Bentonville.

EMC: Electronic Message Center. A type of digital sign or digital component of other sign types.

ER: Enhanced Review. A rezoning review process emphasizing the need to consider property context and compatibility, detailed in Sec. 50-708. Zoning Map Amendments.

FAA: Federal Aviation Administration. An agency of the United States Department of Transportation.

FEMA: Federal Emergency Management Administration. An agency of the United States Department of Homeland Security.

FHWA: Federal Highway Administration. A division of the United States Department of Transportation. See the FHWA website.

FLUM: Future Land Use Map. A policy document of the City of Bentonville required by the State of Arkansas.

FT: Foot. A standard unit of measure.

GIS: Geographic Information System. A computer-based tool used for digital mapping and data collection and analysis. The City of Bentonville maintains data such as the zoning map in GIS.

HOA: Home Owners Association. A private, non-profit organization that governs a residential community like a subdivision or condominium building. It may collect dues from members to maintain common areas and enforces community rules.

IN: Inch. A standard unit of measure.

ISTZ: Inner Safety and Turning Zone. An area within the XNAO.

ITE: Institute of Transportation Engineers. An association comprised of transportation professionals within the United States. See the ITE website.

L: Large. A comparative measurement.

LED: Light Emitting Diode. An electronic component that produces light.

LID: Low-Impact Development. A stormwater management strategy that uses natural processes to assist in stormwater conveyance, storage, and treatment.

M: Medium. A comparative measurement.

MAX: Maximum. The greatest extent of a numeric regulation.

MIN: Minimum. The least extent of a numeric regulation.

MPH: Miles Per Hour. A standard measure of vehicle speed.

MUTCD: Manual on Uniform Traffic Control Devices. A collection of standards for signs, signals, and markings along streets and trails, published by FHWA.

N/A: Not applicable.

NACTO: National Association of City Transportation Officials. An association comprised of city transportation departments in the United States. See the NACTO website.

NE: Northeast. A compass direction.

NW: Northwest. A compass direction.

OSZ: Outer Safety Zone. An area within the XNAO.

POA: Property Owners Association. A private, non-profit organization that governs a residential community like a subdivision or condominium building. It may collect dues from members to maintain common areas and enforces community rules.

ROW: Right-of-way. A delineation of property owned by the City of Bentonville most commonly associated with streets and alleys.

RPZ: Runway Protection Zone. An area within the XNAO.

S: Small. A comparative measurement.

SE: Southeast. A compass direction.

SR: Standard Review. A rezoning review process for conditions that are anticipated to be contextually appropriate, detailed in Sec. 50-708. Zoning Map Amendments.

SW: Southwest. A compass direction.

SQ.FT.: Square foot. A standard unit of measure.

TAC: Technical Advisory Committee. A committee established in this code that reviews some development applications.

TIA: Traffic Impact Analysis. A study of the vehicular traffic anticipated from a proposed use and its impact on surrounding and nearby streets and uses.

TMD: Transportation Demand Management. A set of strategies to reduce the amount of driving necessary to reach a destination.

TPZ: Traffic Pattern Zone. An area within the XNAO.

USDA: United States Department of Agriculture. A department of the United States federal government.

ULI: Urban Land Institute. An association of real estate, development, and planning professionals in the United States.

VLT: Visible Light Transmittance. The amount of light that is able to pass through and object.

XNA: Northwest Arkansas National Airport. See the XNA website.

XNAO: Northwest Arkansas National Airport Overlay. An overlay zoning district that applies zoning rules to areas near and within the takeoff and landing approaches of XNA.

SEC . 50-904 . USE CLASSIFICATIONS

(a) All use classifications referenced in this Code are defined in this Article. These include general use categories, specific use types, and those subject to additional standards under Sec. 50-407. Use Standards.

(b) Uses within the agriculture category are defined as follows:

Agriculture means the use of land for farming, dairying, pasturage, apiculture (bees), aquaculture (fish, mussels), horticulture, floriculture, viticulture (grapes), or animal and poultry husbandry; this includes the necessary accessory uses for packing, treating, or storing the products from these activities.

Agricultural processing, packaging, and warehousing means a facility which involves the operation(s) of processing, preparing or packaging, agricultural products which are not grown on the site.

Auction yard means a place in which the public may consign livestock for sale by auction open to public bidding.

Commercial dairy, poultry, and swine production means a farm that raises animals for profit in a rural location and has the potential of causing a nuisance if not properly maintained.

Commercial greenhouse means a building used for the growing of plants, all or part of which are sold at retail or wholesale.

Farming and ranching means a tract on which the principal use is the raising of, or the concentrated feeding of, livestock, fowl, or any other edible animals, the sale of such animals or the sale of products derived from such animals; does not include dairies.

Feedlot means a tract on which the principal use is the raising of, or the concentrated feeding of, livestock, fowl, or any other edible animals, the sale of such animals, or the sale of products derived from such animals; does not include dairies.

Grain storage means facilities used to store agricultural products for commercial purposes often ser-ing multiple farms or producers. It may involve processing, grading, or packaging. Examples include large grain elevators and cooperative storage facilities.

Medical housing means a residential use of long, and short-term occupation, which may be licensed by the Arkansas Department of Health, to provide 24-hour non-acute medical services and supportive care on the premises. Medical housing includes congregate living health facilities, skilled nursing homes, residential mental health facilities, and hospice care. Any floor area used for office workspace accommodating the administration of medical services and supportive care shall be incidental to the residential use. Supportive housing: medical care facilities may include dwelling units, common dining areas, or other community rooms.

Medical marijuana cultivation facility is defined as specified by the Arkansas Medical Marijuana Commission.

Stable means a structure or land use in or on which equines are kept for sale or hire to the public. Breeding, boarding, or training of equines may also be conducted.

Stockyard means an enclosure or structure designed or used for holding livestock for purposes of sale or transfer by auction, consignment or other means.

Urban farm means publicly or privately owned land used for the cultivation of fruits, vegetables, plants, flowers, or herbs for sale within a zoning district other than T2 Rural.

(c) Uses within the commercial category are defined as follows:

Commercial means any activity, trade, or business engaged in for profit. Commercial does not include multi-family residential development, short-term rentals, or home-based businesses.

Adult oriented businesses is as defined by the State of Arkansas.

Aquarium means an establishment where aquatic collections of living organisms are kept and exhibited.

Animal Shelter or Kennel: A public or private facility including outside runs for enclosure of animals, especially stray or unlicensed pets, or for pets being boarded for short periods of time, where more than five (5) or more animals, more than four (4) months of age are kept.

Automobile sales means a retail or wholesale establishment selling and/or renting automobiles, trucks and vans, trailers, motorcycles, and scooters with internal combustion engines. May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. Does not include: the sale of auto parts/accessories separate from a vehicle dealership (see “Auto Parts Sales”); manufactured home, recreational vehicle, or watercraft sales (see “Manufactured Home, RV and Boat Sales”); tire recapping establishments (see “Vehicle Services”); businesses dealing exclusively in used parts, (see “Recycling - Scrap and Dismantling Yards”); or “Service Stations,” which are separately defined.

Automobile service means any building, structure, or improvements to land used for the repair and maintenance of automobiles, motorcycles, trucks, buses, or similar vehicles including, but not limited to, body, fender, muffler, or upholstery work, oil change and lubrication, painting, tire services and sales, and towing services.

Car wash means a facility for washing or steam cleaning passenger automobiles (including a self-service operation), operating either as a separate facility or when installed and operated in conjunction with another use, and which installation includes equipment customarily associated with a car wash and is installed solely for the purpose of washing and cleaning automobiles.

Child care means a commercial establishment which provides for the care and supervision of six or more children away from their own homes for less than twenty-four (24) hours per day

Commercial laundry means a place where washing, drying, or ironing of clothes is done other than a self-service laundry.

Crematorium means a building fitted with the proper appliances for the purposes of the cremation of human remains and includes everything incidental or ancillary thereto.

Dry cleaners means retail establishments where customers drop off and pick up clothing, using chemical solvents for cleaning

Food and beverage means any and all edible refreshments, including alcoholic beverages and water, when furnished, prepared, or served by a restaurant, hotel, dining room, snack bar, or other like place of business.

Funeral home means establishments engaged in undertaking services such as preparing the dead for burial and arranging and managing funerals. Definition does not include “crematory” which is separately defined.

Gas station means a facility for furnishing fuels and lubricating oils or materials for use in operation and maintenance of motor vehicles.

Hospital means a facility engaged primarily in providing in-patient diagnostic services and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, in-patient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, abortion clinics as authorized in A.C.A § 12-18-103 and § 20-9-302, accessory retail uses and emergency heliports, and on-site ambulance dispatch facilities.

Medical housing: assisted, extended or rehabilitation means a residential use that provides long-term or short-term dwelling for individuals who require ongoing medical care, medical supervision, or recovery-related support, and where such care is provided on-site or in direct coordination with licensed medical professionals or medical facilities.

Medical marijuana dispensary is defined as specified by the Arkansas Medical Marijuana Commission.

Medical services: outpatient care means a facility other than a hospital where medical, mental health, surgical, and other health services are provided on an outpatient basis. Examples of these uses include:

a. Medical offices with four (4) or more licensed practitioners and/or medical specialties;

b. Out-patient care facilities;

c. Urgent care facilities; and

d. Other allied health services.

Medical services: substance abuse treatment means a facility where the primary activity is the treatment and care of persons suffering from mental or emotional disorders or substance abuse.

Office means a facility for the transaction of general business, including medical offices with three (3) or less licensed practitioners and/or medical specialties, excluding retail sales and manufacturing.

Outdoor vendor means any vending stand, mobile food vehicle, or any other device designed for the purpose of displaying, exhibiting, carrying, transporting, storing, selling, or offering for sale any food, beverages, goods, wares, or merchandise.

Outdoor vendor park means a site that contains more than one (1) outdoor vendor on a regular basis as the principal use of the land.

Parking, structured, means a single or multi-level structure intended for the use of vehicular parking, as opposed to an uncovered surface parking lot. This definition includes both stand-alone parking garages and structured parking as incorporated into a building, the primary purpose of which is not parking (i.e., rooftop or basement parking areas).

Pharmacy means an establishment substantially devoted to the compounding and/or sale of prescription medicines and drugs, supplies, and equipment. This definition does not include medical marijuana dispensaries or medical marijuana cultivation facilities, which are defined separately and consistent with

§ 8 of Amendment 98 of the Arkansas Constitution.

Retail means premises available for the commercial sale of merchandise, prepared foods, and pharmacies, but excluding manufacturing.

Self-storage means a storage facility with separate storage units or cubicles that are intended to be leased by the public.

Service (personal or professional) means establishments providing non-medical services to individuals as a primary use. Examples of these uses include:

a. Barber and beauty shops;

b. Dry cleaning pick-up stores with limited equipment;

c. Laundromats (self-service laundries);

d. Locksmiths;
e. Tailors;
f. Day spas; and
g. Tattoo studios.

(d) Uses within the entertainment category are defined as follows:

Entertainment means any activity provided for the amusement, recreation, or pleasure of the public.

Adult entertainment means a theater, nightclub, bar, restaurant, or similar commercial establishment that regularly features:

a. Individuals appearing in a state of nudity;
b. Live performances characterized by exposure of specified anatomical areas or sexual activities; or
c. Films or visual media that depict such areas or activities.

Event venue means a building or site available for hire to individuals or organizations for private events, including, but not limited to, weddings, receptions, parties, banquets, and meetings.

Golf course means a tract of land designed and maintained for the playing of golf, including fairways, greens, tees, and customary accessory features.

Indoor entertainment facility means establishments providing indoor recreational activities for a fee or admission charge, including:
a. Bowling alley;
b. Coin-operated amusement arcade;
c. Night club;
d. Electronic game arcade (video games, pinball);
e. Ice skating and roller skating;
f. Pool and billiard room as primary use;
g. Movie theater; and
h. Live theater.

This use does not include adult entertainment or adult oriented businesses, which are separately defined. Eight or more electronic games or coin-operated amusements in any establishment, or a premises where fifty percent (50%) or more of the floor area is occupied by amusement devices, are considered an electronic game arcade as described above; seven (7) or fewer machines are not considered a land use separate from the primary use of the site.

Outdoor entertainment facility means a facility for various outdoor recreational activities for a fee or admission charge. Examples include:

a. Amusement and theme park;
b. Go-cart track;
c. Golf driving range;
d. Miniature golf course;
e. Water slide;
f. Drive-in movie theater; and
g. Live outdoor theater.

May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, video game arcades, etc. Does not include golf courses, which are separately defined.

(e) Uses within the industrial category are defined as follows:

Industrial means a facility and surrounding yard designed primarily for the preparation and production of products from raw materials. May include an area for wholesaling, storage, packaging, display, distribution, and those retail uses accessory to the operations.

Electric substation means a facility used for the transmission and distribution of electric power, or communications, provided that such facilities have no office, business, commercial, maintenance, or storage yard operations.

Ground transportation terminal means a facility for the transfer of passengers and goods between vehicles and between modes of transportation, or the receiving, shipping, and temporary storage or housing of vehicles.

Industrial, heavy means the fabrication of products in a manner not consistent with light manufacturing.

Industrial, light means the fabrication of products within buildings which does not include explosive or highly flammable materials, produce discernible noise or odor outside of buildings, and does not include outdoor storage areas exceeding specified limitations.

Recycling or salvage facility means a facility for receiving, sorting, storing, and reconditioning appliances, building materials, and any other salvaged or reclaimed materials.

Sewage treatment facility means a facility designed for the treatment of sewage that is provided and maintained by the county, municipality, or a utility company which a governmental agency has specifically approved as acceptable.

Solar energy system means an energy system which converts solar energy to usable thermal, mechanical, chemical, or electrical energy to meet all or a significant part of a structure's energy requirements.

Solid waste disposal means the entire process of storage, collection, transportation, processing, and disposal of solid wastes by any city, authority, county or any combination thereof, or by any person engaging in such a process as a business. Uses include, but are not limited to, solid waste disposal and garbage or trash: Assembly, incineration, or processing.

Warehouse and distribution means a use engaged in indoor storage of manufactured products, supplies and equipment characterized by frequent heavy trucking activities or nuisances such as dust, noise, and odors, but not involved in manufacturing or production. This definition does not include the "bulk storage of highly flammable materials", which has its own definition.

Water supply facility means a facility operated by a public utility for the pumping, storage, treatment, and distribution of water to buildings and properties.

Wind energy, large means a wind energy conversion system used primarily to generate power for off-site consumption, more than 100kW, consisting of one (1) or more wind turbines and associated accessory facilities.

Wind energy, small means a wind energy conversion system used primarily to generate power for on-site consumption, 100 kW or less, consisting of a wind turbine, tower, base, and associated control or conversion electronics.

Wireless communications: cell tower means any structure that is designed and constructed for the primary purpose of supporting one (1) or more antennas, including lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. This term is not intended to describe buildings or other structures that have been constructed primarily for a purpose other than supporting one (1) or more antennas, despite the fact that such structure may currently, or in the future, actually support one (1) or more antennas.

(f) Uses within the institutional category are defined as follows:

Institutional use means a facility devoted to serving the public. It is unique in that the primary objective of uses is the provision of services, frequently on a non-profit basis, rather than the sale of goods or services.

Convention or exhibition facilities means multipurpose commercial facilities with multiple assembly, meeting, and/or exhibit rooms or spaces and related support facilities, such as full kitchens, offices, and lodging for the primary purpose of hosting business and professional conferences, conventions, meetings, and trade shows.

Cultural means a permanent facility substantially engaged in the arts or cultural heritage, including museums, art galleries, theaters, performing arts centers, libraries, and historic sites.

Emergency services means facilities operated by public agencies for public safety and emergency services, including fire stations, police and sheriff stations, ambulatory service, and including related ad-ministrative facilities and interim incarceration facilities. Does not include “governmental service facility” which is separately defined.

Gallery means a building or space where artwork is exhibited and sometimes sold.

Government facilities means land uses that are publicly owned or operated for public benefit. Government facilities include a wide range of uses from police stations to city offices and libraries.

Library means a place in which literary, musical, artistic, or reference materials, such as books, manuscripts, newspapers, recordings, or films, are kept for use but not for sale, and which allows access to members of the public.

Museum means a nonprofit, noncommercial establishment operated as a repository or a collection of natural, historic, scientific, or literary curiosities, or objects of interest or works of art.

Performing arts means forms of art based upon live human performance, such as music, dance, or theater.

Religious assembly means a building or space used for religious worship, including accessory uses such as Sunday school classrooms, social halls, and administrative offices.

School: K-12 means a building where education of children of elementary, middle school, or high school age takes place.

School: post-secondary means institutions of higher education that typically offer a range of educational programs and degrees beyond high school level, including accessory uses like dormitories, sports facilities, and research centers. Examples include colleges and universities, trade schools, and vocational programs.

(g) Uses within the lodging category are defined as follows:

Lodging means a structure containing guest rooms which are used, rented, or hired for sleeping purposes and customary lodging services, including maid services, the furnishing and upkeep of furniture and bed linens, and telephone and desk service, by transient guests. Related ancillary uses may include, but shall not be limited to, conference and meeting rooms, restaurants, bars, and recreational facilities. Lodging is divided into the following tiers for zoning purposes:

a. Six (6) rooms or less;

b. Seven (7) to twelve (12) rooms; and

c. More than twelve (12) rooms.

Campground or recreational Vehicle (RV) Park means temporary outdoor accommodation, typically in tents, travel trailers, or recreational vehicles. This type of use may include accessory facilities such as a manager’s office, restrooms, showers, and laundry facilities.

(h) Uses within the residential category are defined as follows:

Residential means the use of a lot or structure for dwelling purposes, which includes related accessory uses like home occupations and private garages.

Home occupation means a business, profession, or trade conducted within a residential building that is incidental to the residential use and does not alter the character of the dwelling or residential character of the site.

Accessory dwelling (ADU) means a self-contained and independently accessed living unit on the same parcel as a single-family dwelling of greater square footage that includes its own cooking, sleeping, and sanitation facilities, or as defined by the State of Arkansas.

Group home means a residential living arrangement defined and regulated under applicable state or federal law, including the Fair Housing Act and the Americans with Disabilities Act, that provides housing for persons entitled to protection under those laws.

Manufactured home or dwelling means a dwelling unit constructed in a factory in accordance with and meeting the definitions set forth in the Federal Manufactured Home Construction and Safety Standards, 24 C.F.R. pt. 3280, promulgated by the United States Department of Housing and Urban Development under the authority of 42 U.S.C. 5401 et. seq., as it existed on January 1, 1976 and as defined in the Arkansas State Statute Sec. 20-25-102.

Cottage court means four (4) or more detached dwellings arranged around a shared open space, each unit with its own separate entrance oriented towards the shared courtyard.

Dwelling means a building or portion of a building designed or used for human habitation that contains permanent provisions for living, sleeping, cooking, and sanitation.
For zoning purposes, dwellings are regulated in the following categories:

a. One (1) dwelling detached;
b. One (1) dwelling attached (townhomes);
c. Two (2) dwellings per building;
d. Three (3) to four (4) dwellings per building;
e. Five (5) to eight (8) dwellings per building;
f. Nine (9) to twelve (12) dwellings per building; and
g. Thirteen (13) or more dwellings per building.

SEC. 50-905. DEFINITIONS

Access means a legal means of entering or existing a property for pedestrians, vehicles, emergency services, or utility service.

Accessory building means a structure located on the same property as a principal structure and used in a way that is incidental to the principal use. Accessory buildings do not contain uses listed in the use table. For example, a storage shed, detached garage without an ADU, or guest suite that does not qualify as an ADU.

Accessory Use means a use that (1) is subordinate in area, extent and purpose to the principal use, (2) contributes to the comfort, convenience or necessity of the principal use, and (3) is located on the same lot and in the same zoning district as the principal use.

Addition means any construction that increases the size or footprint of a building.

Adjacent means nearby but not directly abutting. This includes properties or buildings separated by a right-of-way, easement, another building, or by fewer than four (4) intervening properties.

Adjacent grade means the vertical elevation of a surface within five (5) feet of a building or structure.

Administrative adjustment means a practice, design, or dimension that does not meet a standard of this Code but may be approved by the identified City staff when site or application conditions meet the specified criteria.

Aggrieved party means a person with a legal or property interest that is directly and adversely affected by a decision under this Code, in a way that is different from the general public.

Airport facilities means a landing facility for fixed or rotary winged aircraft containing a minimum of sixty (60) acres, subject to the FAA's requirements of safety and the applicant securing air space utilization from the FAA.

Alley means a service way that provides vehicle access to abutting properties.

Alley apron means the transition area between alley paving and the sidewalk, parkway, curbing, and pavement of a street.

Alteration means any change, addition, or modification in construction or type of occupancy, any change in the structural members of a building, such as walls or partitions, columns, beams, or girders the consummated act of which may be referred to herein as "altered" or "reconstructed".

Appeal means a request for review of a final interpretation or administrative decision made by the Director or other reviewing body, in accordance with the procedures of this Code.

Application means a complete request submitted by a property owner, applicant, or authorized agent for review under the procedures of this Code.

Attached building means a building that shares a continuous wall, roof, floor, or other structural element with an adjacent building.

Awning means an overhead protective structure that projects from a wall or roof structure of the building that is constructed to allow pedestrians or vehicles to pass under or as a decorative embellishment.

Beacon means a stationary or revolving light which flashes or projects illumination (single or multicolored) in any manner that has the effect of attracting or diverting attention, with exceptions for certain required safety lighting.

Bicycle parking, long term means parking for a duration exceeding two (2) hours, typically associated with residents or employees, as well as attendees of long-duration special events.

Bicycle parking, short term means parking for a duration less than two (2) hours, typically associated with customers of retail or service businesses, residential visitors, and most assembly-use attendees.

Block means a group of properties bounded on all sides by streets, civic space, water bodies, or other physical barriers.

Buffer means a strip of land designed to separate or protect one land use, waterway, or natural feature from another.

Building means any structure used or intended for supporting or sheltering any use or occupancy.

Buildable area means the space remaining for construction on a lot after the minimum area requirements (yards, setbacks, lot coverage) have been met.

Building frontage means the facade of a building facing a frontage line, typically including the primary entrance.

Building setback means the area of a property between a lot line and a building facade that must remain clear of permanent structures, except for allowed encroachments.

Canopy means:

a. A permanent structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity, or decoration, most commonly associated with building entry covering and attached signs;

b. A permanent freestanding overhead protective structure that is constructed to allow pedestrians and vehicles to pass under, that is supported by columns extending to the ground, most commonly associated with gas stations; and

c. See tree canopy when associated with trees and landscaping.

Certificate of occupancy means the official certification that a structure complies with the zoning ordinance, building code, and all other adopted regulations, and may be occupied.

Chasing lights means a sequence of lighting effects on a sign or display in which individual light elements are illuminated in time-sequenced succession, creating the illusion of movement or directional light flow (sometimes also referred to as a chaser effect).

Civic space means an open space intended for active of passive recreational use and gathering that complies with specific design requirements.

Commercial waste means any waste produced by commercial, institutional, or industrial operations, excluding domestic sewage.

Compliance means the condition of meeting the requirements, procedures, or conditions established by this Code or by a decision made under its authority.

Conceptual drainage framework means an engineered plan that shows the locations, types, and approximate sizes of proposed drainage/conveyance facilities (including bioswales, wetponds, or other water quality facilities).

Conceptual utility framework means a utility map submitted with the preliminary plat, consisting of a schematic drawing (with the subdivision plat as background) showing all water and sanitary sewer lines in the subdivision and connections outside the subdivision.

Condominium means a property arrangement where each owner posseses their individual unit (such as an apartment, townhouse, or commercial space) and shares possesion of common areas (like hallways, roofs, parking areas, green space, or utilities) with other owners usually through an association.

Conservation Park (civic space) means an area designated to preserve significant natural open space areas, wildlife habitats, riparian corridors, and unique geological features. Development is restricted to minimal public access improvements such as trails and interpretive signage.

Construction plan means detailed design drawings and specifications used for construction of streets, sidewalks, curbs, utilities, and other site improvements.

Corner lot means a property located at the intersection of two (2) streets that do not share a common center line.

Curb return radius means the curved edge of a street corner that connects the curb lines of intersecting streets, measured either as the actual curb or as the effective path traced by turning vehicles.

Deciduous tree means a woody plant that sheds its leaves seasonally.

Dedication means land or improvements offered to the city, county, or state and accepted by them for public use, ownership, or maintenance.

Detached building means a building that shares no wall, roof, floor, or other structural element with another building.

Defined channel or **bed** means an area that shows clear evidence of the passage of water over time, including a visible path or depression.

Development means the process of:

a. Converting land to a new purpose by constructing buildings or other improvements; or

b. Expanding or altering existing improvements.

Driveway means a travel-way installed, owned, and maintained by a property owner or other private party, not part of the City street system, and intended to provide access to and from a property.

Driveway apron means the transition area between a driveway and the sidewalk, parkway, curbing, and pavement of a street.

Dwelling means any room or group of rooms within a structure forming a single habitable unit with facilities intended for living, sleeping, cooking, and sanitation by one household.

Dwelling unit means a measure of the number of dwellings in a building, on a lot, or within a development.

Easement means a grant by a property owner allowing the public, a utility, or another party to use part of the property for a specific purpose.

Eave means a projecting overhang at the lower border of a roof and extending from a building wall or support.

Encroach means to extend a structural or decorative building element into a required setback, easement, right-of-way, or above a maximum height limit.

Encroachment means any structural element or feature that extends into a setback, easement, right-of-way, or above a height limit.

Erosion control means temporary or permanent practices designed to prevent or reduce soil erosion and sedimentation during or after land disturbance activities.

Façade means the exterior face of a building facing or visible from a frontage line.

Farm building means a structure used for agricultural operations on a rural lot. Farm buildings include barns, equipment sheds, grain storage, livestock shelters, and similar structures used for crop production or animal husbandry. They do not include dwellings or buildings used for commercial processing, retail sales, or industrial activities.

Fence means a structure made of posts, boards, wire, metal, or similar materials that marks a boundary or encloses an area. A fence is mostly open to view and does not retain soil.

Fencing means fences or walls constructed to marks a boundary or encloses an area, not used to support a building or enclose interior space.

Festival street means a portion of public right-of-way designated by the City for recurring temporary closure to vehicular traffic for the purpose of hosting pedestrian-oriented public events, festivals, and community activities. Designated festival streets are intended to facilitate frequent special uses of the street without requiring individual special event permits for each occurrence.

Final plat means an engineering drawing, certified for accuracy by a land surveyor or civil engineer, that reflects the final conditions of a subdivision and is submitted for recording.

Flood hazard area means land subject to special flood hazard or other high-risk flooding, including areas adjacent to high-risk flood zones.

Floodplain as defined in Art. 34-V Flood Damage Prevention.

Floodway as defined in Art. 34-V Flood Damage Prevention.

Floor area means the total gross area on all floors as measured to the outside surfaces of the exterior walls, excluding crawl spaces, garages, carports, breezeways, attics without floors, and open porches, balconies, and terraces.

Forecourt means an area along a frontage line where a recessed building or portion of a building creates an outdoor space partially enclosed by building walls. Forecourts are commonly used for entries, outdoor dining, landscaped amenity space, or to provide access to multiple spaces or uses in a single building or collection of buildings.

Front lot line means the property line that runs along the frontage or right-of-way of the street to which the property is addressed.

Frontage means the area between a building facade and street or civic space, inclusive of its varying built and planted components.

Frontage line means the property boundary adjacent to a street or civic space, as distinguished from internal or side property lines.

Future land use map means a land planning policy document adopted by the City and required by the State of Arkansas.

Gallery means an encroachment where the facade is aligned close to the frontage line with an attached cantilevered shed or lightweight colonnade overlapping the sidewalk.

Garage means an accessory building, including carports, or part of a primary building used primarily for storage of motor vehicles. Commercial garages may also include service, repair, rental, or sales of motor vehicles, separately regulated for automobile sales and automobile service use categories.

Grade means the vertical elevation of a plane or surface from a given basepoint.

Green (civic space) means a medium-sized public space available for unstructured recreation, circumscribed by building facades or natural areas, its landscape consisting of grassy areas and trees, naturalistically disposed and requiring only limited maintenance.

Green street means a street or right-of-way that integrates green infrastructure (such as street trees, bio retention, permeable paving, swales, or other low-impact stormwater devices) to manage stormwater runoff and enhance environmental performance of the street.

Greenway (civic space) means a linear open space that runs along multiple blocks, typically used for passive recreation and active transportation, often connecting with the bikeway network.

Groundwater means water located below the surface of the ground, including water that percolates into or out of subsurface soils or rock.

Hazardous material means any material, substance, or waste identified or specified as hazardous in Code of Federal Regulations, Title 40, Chapter I.

Hedge means a fence or boundary formed by closely growing bushes or shrubs.

Impervious surface means any surface that does not allow water to infiltrate into the ground, including but not limited to rooftops, asphalt, concrete, and compacted gravel.

Improvements means permanent additions to or enhancements of property that increase its functional or capital value. Improvements include, but are not limited to: streets, parking, grading, drainage structures, sidewalks, curbs, gutters, utility lines, bridges, landscaping, and buildings.

Infill Development means development, redevelopment, or expansion occurring on property located within an area characterized by existing buildings, streets, utilities, and other urban infrastructure, where the site is surrounded by or adjacent to previously developed land.

Infiltration means the process by which water on the ground surface enters the soil.

Interior lot means a lot which is bounded by abutting properties or alleys alongside and rear lot lines.

Kiosk means a small structure affixed to a permanent foundation housing an accessory use, not necessarily related to the main use, for giving information, retailing goods, or providing services.

Landscaping means the placement, planting, and maintenance of trees, shrubs, grass, and other plant materials.

Landscape architect means a person who holds a license to practice landscape architecture in the State of Arkansas.

Liner building means a building that lines frontages (e.g. sidewalks and civic spaces) with active ground floor uses and hides other non-active uses (e.g. parking garages, theaters, and storage). Liner buildings are typically shallower in depth than other buildings but may also describe a normal building that shields blank walls and other non-active building areas from frontages.

Loading space means an unobstructed, hard-surfaced area located outside of the public right-of-way, intended for the standing, loading, or unloading of trucks and trailers.

Long-term bicycle parking means parking for a duration exceeding two (2) hours, typically associated with residents or employees, as well as attendees of long-duration special events.

Lot means a parcel of land legally described in a recorded deed or plat, with access from a public right-of-way, access easement, or approved private street.

Lot area means the total horizontal area within a legally defined parcel.

Lot combination means the creation of one (1) legal lot by merging two (2) or more existing, contiguous lots.

Lot coverage means the percentage of a parcel's area that is occupied by the footprint of principal and accessory buildings.

Lot line means the boundary line of a parcel of land.

Lot split means the creation of two (2) or more legal lots by dividing one existing lot.

Lot width means the horizontal distance between side lot lines, measured at the front building setback line.

Major driveway means a driveway within a private development site, including commercial driveways, that provides vehicular and pedestrian access within the site and connects to public streets and adjacent sites, designed and located to function like a street.

Median means a raised or painted area that separates lanes of traffic moving in opposite directions and may include landscaping, pedestrian refuge areas, or other design elements.

Mid-block means an area, lot, or feature located in the interior portion of a block, away from intersections.

Multi-family dwelling means a structure that contains three (3) or more dwelling units that share common walls or floor/ceilings with one (1) or more units. The land underneath the structure is not divided into separate lots.

Native means any species of plant indigenous to Northwest Arkansas.

New construction means a new building or structure on a vacant site, as well as a major reconstruction or addition to an existing building, the scope of the work to distinguishes new construction from minor repairs or alterations is as specified in Article 50-8 Nonconformities.

Nonconforming sign means a sign that was lawfully established but does not comply with the current signs standards of this Chapter.

Nonconforming structure means a building or structure that was lawfully established but does not comply with current development standards of this Chapter.

Nonconforming use means a use of land, building, or structure that was lawfully established but does not conform to the use regulations of the applicable zoning district.

Nonconformity means a condition, use, structure, or lot that was lawfully established but does not conform to the current requirements of this Chapter.

Nonresidential means a building or use not intended for dwelling purposes.

Obstruction means any object, material, or vegetation that blocks, hinders, or restricts the safe and free use of public areas. The definition can vary slightly depending on the context, such as street and sidewalk access, visibility at intersections, or emergency access for fire and life safety.

Off-street parking means a parking space located outside of the public right-of-way with permanent access to a public street.

Open space means any area of a property dedicated to recreation, preservation of natural features, stormwater management, or pedestrian connectivity. Open space includes civic space but is not limited to only civic space.

Ordinance means a piece of legislation enacted by a municipal authority.

Ornamental tree means a tree planted primarily for qualities such as flowers, fruit, and attractive foliage or shape.

Overlay district means a zoning district that is mapped over one (1) or more underlying zoning districts and that modifies or supplements the regulations of those underlying districts.

Owner means the person or entity holding legal title to a property or their authorized representative or agent.

Parcel means a tract of land under single ownership, bounded by property lines.

Park means area characterized by open space typically utilized for leisure activities.

Parking lot means any hard-surfaced area designed for vehicular access and parking, including access drives, aisles, and individual parking spaces.

Pedestrian network means the system of sidewalks, paths, trails, and crossings that provides continuous and safe access for people walking or using mobility devices.

Permeable pavement means a paving material designed to allow stormwater to infiltrate through the surface into the soil below.

Permit means written authorization issued by the City allowing a specific use, activity, or improvement in accordance with this Code.

Plan means a fully dimensioned drawing showing all elements of a proposed development.

Plan set means the complete package of documents submitted for review, including drawings, narratives, calculations, exhibits, and submittal forms as required by the Director.

Plat means an engineering drawing certified by a land surveyor or engineer that defines property boundaries and includes details for subdivision and development.

Platted means legally described and recorded on a final plat approved by the City and filed with the Benton County Circuit Clerk.

Play equipment means a manufactured, natural structure, or device that is specifically designed for children’s recreational play in parks, civic spaces, schools, and other public or private settings.

Plaza (civic space) means a mostly paved civic space common to higher intensity zones, often used for gathering, outdoor dining, and community events.

Pocket park (civic space) means a small open space intended to provide active or passive recreation opportunities and act as a gathering space.

Porch means an open air area appended to a building, with floor and roof but no walls facing frontages.

Preliminary plan means a drawing that includes all required information necessary to illustrate pro-posed development features and how the site responds to physical conditions.

Preliminary plat means an engineering drawing certified by a land surveyor or civil engineer that provides all necessary data to illustrate a proposed subdivision.

Premium transit means public transportation that is either fixed guideway (e.g. light rail), bus rapid transit, or buses with a peak-hour service frequency of 10 (ten) minutes or less.

Principal use means the use which fulfills the primary function of an establishment, institution, household, or other entity.

Principal building means the building in which the primary use of a property is conducted.

Private street means a travel way that is privately constructed, owned, and maintained, and not part of the City street system, intended to provide access to and from a property.

Project boundary means the outermost edge of the subject property included in a development or application.

Property Line Adjustment means a transfer or adjustment of a property line which does not create a separate, new lot.

Public improvement means any infrastructure element required by this Code to be constructed and dedicated to the City, including but not limited to streets, sidewalks, water, sewer, drainage, and street trees.

Rain garden means a shallow, vegetated area designed to capture, absorb, and treat stormwater runoff from impervious surfaces.

Retaining wall means a structure that holds back soil or rock from a building/structure/area; prevents downslope movement or erosion; or provides support for vertical or near-vertical grade changes.

Rezone means the process of changing the zoning designation of a parcel.

Right-of-way means the land (and interest in land) dedicated to or acquired by the city or county for public use, including streets, alleys, sidewalks, parkways, drainage, utilities, and related public infrastructure. It includes the area on, above, and below the surface as necessary for public use.

Riparian buffer means a vegetated area located adjacent to a stream, river, lake, or other water body that is intended to protect water quality, stabilize banks, reduce erosion, and preserve natural functions.

Sanitary sewer means a system of pipes, conduits, and other infrastructure that carries domestic sewage and industrial waste from buildings to a sewage treatment plant. Stormwater, surface water, and groundwater are not intentionally admitted to this system.

Screening means a method of visually separating one (1) use or area from another by fencing, walls, landscaping, or other architectural or vegetative means.

Shade tree means a deciduous tree planted primarily for its high crown of foliage or overhead canopy.

Shared street means a space that is shared by people using all modes of travel. The design encourages extremely low vehicle speeds and volumes. Shared streets are often curbless, providing pedestrians with

freedom of movement and creating optimal spaces for special events. They can support a variety of land uses, including commercial, entertainment, dining, and residences. Shared Streets should include strategically defined edges and zones, and unique paving materials where feasible.

Shared-use path means a paved path physically separated from vehicular lanes and designed for joint use by pedestrians and cyclists.

Shop front means a private frontage typical for retail use, with substantial ground-floor glazing and a building entrance located at sidewalk grade, aligned close to the frontage line.

Short-term bicycle parking means parking for a duration less than two (2) hours, typically associated with customers of retail or service businesses, residential visitors, and most assembly-use attendees.

Sidepath means a shared facility for walking and biking located parallel to but physically separated from the street or roadway.

Sidewalk means a walkway improved with approved material located in the public right-of-way generally parallel to abutting property for pedestrian use.

Sign means any object or structure that can be seen from outside and is used to show, advertise, or draw attention to a person, place, product, service, event, or business. This includes words, pictures, symbols, colors, lighting, or similar visual features. Signs include the following permitted types:

a. **A-frame sign** means a temporary, portable, freestanding sign composed of two (2) sign faces hinged at the top or attached back-to-back in a triangular (“A”) shape that is capable of standing on its own without external support.

b. **Awning sign** means a sign mounted to awnings of cloth, canvas, vinyl, or other appropriate materials and are of the same or similar material as the awning.

c. **Banner** means a temporary sign made of cloth, canvas, fabric, or other light pliable material with or without a structural frame that is either mounted to or suspended from a building, pole, or other structure.

d. **Billboard** means a freestanding sign owned by a person, corporation, or other entity that engages in the business of selling or donating the display space on that sign.

e. **Bow flag** means a type of temporary sign composed of lightweight, flexible material mounted on a vertical support pole, designed to wave or flutter in the wind and draw attention to a business, product, service, event, or location.

f. **Canopy sign** means a sign attached to the horizontal face or underside of a canopy. Canopy signs include signs that are painted on, affixed to, or otherwise integrated with the canopy surface and are distinct from wall, projecting, or free-standing signs.

g. **Canopy gas station sign** means a sign face affixed to or integral to a gas station canopy.

h. **Construction sign** means a temporary sign placed on the site of a construction project that identifies the project and the principal parties involved, including owners, contractors, architects, engineers, subcontractors, and material suppliers, where the sign is located on the same property as the construction activity.

i. **Corner sign** means a sign that is installed on the corner of a building and is intended to be viewed from more than one (1) direction. Corner signs are generally oriented at an approximate forty-five (45) degree angle toward the intersection.

j. **Event ground sign** means a temporary, ground-mounted sign placed for the purpose of identifying, directing traffic to, or providing information about a specific event, festival, fair, or community gathering, and displayed on or near the property where the event occurs for a limited period of time.

k. **Feather flag** means A vertical, portable temporary sign composed of lightweight fabric or similar flexible material mounted on a single supporting pole or staff, allowing the fabric to hang or wave in the wind; such signs are often referred to as feather banners, banner flags, or

swooper flags.

l. **Ground sign (multi-tenant)** means a freestanding sign permanently supported by the ground (without attachment to any building or canopy) that identifies or advertises two (2) or more tenants located on the same property where the sign is located.

m. **Ground sign (single tenant)** means a freestanding sign permanently supported by the ground (without attachment to any building or canopy) that identifies or advertises only a single tenant located on the same property where the sign is located.

n. **Marquee sign (canopy)** means a sign which is painted on, attached to, or supported by a canopy.

o. **Marquee sign (vertical)** means a marquee sign that is mounted on the face of a marquee or canopy with its major display dimension oriented vertically (i.e., the height exceeds the width) and attached to or supported by the marquee structure.

p. **Mobile billboard** means a mobile unit that carries, transports, or displays a sign or advertising message for the primary purpose of advertising, whether attached to a vehicle, trailer, bicycle, or similar mobile device.

q. **Pennant** means a temporary sign made of flexible material and generally longer than it is wide, often triangular in shape, and intended to move in the wind, typically displayed alone or in series on a rope or string.

r. **Pole sign** mean a permanent sign supported with one (1) or more uprights or braces placed in or upon the ground and detached from any building or structure that does not qualify as a Ground Sign.

s. **Portable message center sign** means a movable sign that contains changeable copy, where the message can be updated or altered by manual changeable letters, panels, or electronic display, and is not permanently affixed to a building or structure.

t. **Poster / printed board** means a temporary sign composed of printed or other material that is attached or affixed to a building, signboard, or other permitted structure; information is intended to be displayed for a temporary period and may include notices of events, public meetings, elections, or other short-term messaging.

u. **Projecting sign** means a sign attached to, painted on, or erected with the display surface perpendicular to the plane of the wall. Projecting signs do not include awning, canopy, marquee, or freestanding signs.

v. **Roof sign** means an identification sign (or portion) located on, or extending over the roof line, supported by the roof or by an independent structural frame.

w. **Spinner** means a sign or sign-like device composed of lightweight materials and mounted so that it is designed to spin or rotate in the wind, creating motion for the purpose of attracting attention.

x. **Streamer** means a type of temporary sign composed of lightweight, flexible material (such as fabric, plastic, or similar), suspended from a pole, line, or other support, designed to move or flutter in the wind and attract attention.

y. **Subdivision sign** means a sign that identifies and enhances perceptual entry points into a particular residential subdivision.

z. **Temporary sign** means any sign fabricated of paper, plywood, fabric, window whitewash or other light, impermanent materials, and intended to be displayed for a limited duration. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign is not regarded as temporary.

aa. **Wall sign** means a sign attached to, painted on, or erected against the exterior wall of a building with the display surface parallel to the plane of the wall. Wall signs do not include canopy, projecting, or freestanding signs.

ab. **Window sign** means a sign painted on, applied to, attached to, or placed inside a window or glazed area for the purpose of being viewed from outside the building. Window signs do not include interior displays or merchandise that are not intended primarily as signs.

ac. **Worksite sign** means a temporary sign, stating the names of individuals/firms connected with the project, or any safety information related to the project, placed on the premises where construction/repair/renovation is in progress.

ad. **Yard sign** means a temporary sign supported by the ground independent of any other structure.

Significant tree means a tree that meets the criteria established in Sec. 50-509.

Single-family means a detached dwelling.

Site means the land or water area where any facility or activity is located or proposed to be located.

Special street means a street designed that provides access to a limited selection of users such as pedestrian-only streets, is designed to function both as a normal street for vehicles and as a temporary, flexible public space for special events, or in any other manner that provides intermittent or limited access to one (1) or more user - vehicles, public transit, pedestrians, or bicycles. The A Street Promenade is an example of a special street.

Square (civic space) means an open space that is mostly landscaped, consisting of paths, lawns, and trees, formally arranged.

Sound attenuation means a reduction in sound intensity, strength, or volume as it travels from a source to a receiver. It is the process of using engineering or physical methods to reduce the impact of sound that includes techniques like absorption, reflection, barriers, or dissipation naturally over distance.

Stoop means an encroachment where the facade is aligned close to the front lot line with the first story elevated from the sidewalk for privacy, with an exterior stair and landing at the entrance.

Storm drainage means all surfaces, structures, and systems that contribute to or convey stormwater.

Stormwater means runoff resulting from precipitation.

Stream means a flow of surface water sufficient to produce a defined channel or bed.

Street means the entire width of public or private right-of-way designed for both vehicular and pedestrian movement and access to properties.

Street screen means a freestanding wall or fence built along the frontage line or aligned with a building façade to visually screen parking or service areas from the street.

Temporary use means land uses that are not permanent in nature and often include, but are not limited to, carnivals, circus, tent revivals, real estate sales offices, construction facilities, special sales events, community events, private special events, and Christmas tree stands.

Through lot means a property that has frontage on two (2) streets, other than corner lots.

Topping means the practice of removing large portions of the tree's crown without regard to proper pruning techniques, which can significantly damage the tree's health. Topping is an inappropriate pruning practice that contrasts with acceptable methods like crown reduction or removing safety hazards.

Townhome means a single dwelling within a dedicated entrance that shares one wall with another single dwelling or two (2) opposite walls with additional single dwellings.

Transect means a cross-section of the environment that illustrates the range of physical and ecological conditions from rural to urban. In this Code, the rural-to-urban transect is divided into six (6) zones, each describing the intended physical form and land use intensity.

Transect district means a zoning district mapped in accordance with this Code that applies the

standards of one of the rural-to-urban transect zones.

Tree canopy means the collection of branches, leaves, and sometimes flowers or fruits that form the upper part of a group of trees. When you look up at a group of trees, the branches and leaves that create a sort of roof or covering overhead make up the tree canopy. It provides shade, homes for birds and other animals, and adds beauty to the outdoor environment.

Tree canopy coverage means the area covered by the canopy of trees on a lot, tract, or parcel.

Two-family dwelling means a building that contains two primary dwelling units on one lot. The units must share a common wall or common floor/ceiling.

Understory means vegetation that grows beneath the main tree canopy.

Unit paver means modular, interlocking units (e.g., brick, concrete, or stone) that form a paved surface without continuous poured concrete or asphalt.

Vacation means the act of rescinding (canceling) all or part of a recorded subdivision plat or designation of public right-of-way, including legal descriptions and grants of easements.

Violation means any failure, refusal, or neglect to comply with any provision of this Code.

Wall means one of the sides of a room or building connecting floor and ceiling or foundation and roof. A wall may also be a free-standing feature on a site, erected for privacy, sound deflection, security, aesthetic, or other purpose. A wall which is not part of a building is constructed of masonry and is considered a permanent feature of the site.

Waiver means an official mechanism that allows City staff or legislative bodies to grant exceptions to regulations, fees, or requirements under specific circumstances, often to prevent undue hardship or to serve a broader public purpose.

Wastewater means any water or liquid waste discharged from a facility, excluding uncontaminated stormwater.

Wetland means land that is inundated or saturated by surface or groundwater often enough to support vegetation typically adapted to saturated soil conditions.

Woodland means an area characterized by a more or less dense and extensive tree cover; more particularly, a plant community predominantly of healthy trees and other woody vegetation, well-stocked and growing more or less closely together.

Yard means the portions of a lot not allowed to be built upon due to setbacks (front, side, rear, and alley yards associated with setbacks) or portions of a lot which are not built upon (interior yard), other than fencing, decks, paving, pools, and other elements that may be allowed.

Zoning district means a mapped area of the City in which specific land uses and development standards are applied according to this Code.

Zoning district boundary means the mapped line that separates one (1) zoning district from another.

PLAN
BENTONVILLE

	Bentonville Zoning Map
	PC Date: 3/3/2026

Staff Report Details

Zoning Translation

Bentonville's current zoning map consists of 24 different zones (though planning staff only supports rezone requests for 19 of these zoning districts: A-1, R-E, R-1, R-2, R-3, R-4, DN-1, DN-2, DN-3, DN-4, D-C, D-E, C-1, C-2, C-3, I-1, I-2, PUD, and PRD). As part of the adoption of the new zoning code, the City is proposing to transition from these 24 existing zoning districts to 16 new zoning districts. Certain zoning districts will remain unchanged in the translation, such as R-1, PUD, and PRD. All other existing districts will be translated into a new zoning district in accordance with the adopted Future Land Use Map.

Using a property's assigned Place Type from the Future Land Use Map, each current zoning district will be converted to one of the new zoning districts that most closely implements the Place Type (see the Translation Table). An assigned Place Type establishes the intended development pattern and intensity for that area. In some places, the translation is Place Type dependent, meaning that the same zoning district may convert differently depending on the assigned Place Type. For example, a DN-2 zoning district translates to T3.2 in the Urban Neighborhood Place Type and T3.1 in the Traditional Neighborhood Place Type. In other cases, the translation is uniform citywide. For example, all R-1 properties remain R-1 and all properties currently zoned A-1 or R-E will convert to T2.1, regardless of the Place Type.

For the cases that do not have a translation shown on the table, city staff carefully reviewed each property and manually assigned a zoning district based on the current zone and nearby context. This applied to all properties within the Outdoor Entertainment, Parks and Public Spaces, and Civic and Institutional place types (that were not A-1, R-E, R-1, PUD, or PRD, which have citywide translations).

Batch Rezone Requests

Using the map available on planbentonville.com, applicants could request a zone that differed from the proposed translation shown on the zoning map, (as long as they were consistent with Table 2.1, identifying which zones are envisioned with the place type under standard review). The survey could be started by clicking on a parcel and filling out the pop-up, which included fields to provide a signed property owner consent form, a warranty deed showing current ownership of the property, the requested zoning district, contact information, and any comments the applicant wished to provide. Any rezone requests that did not include a property owner consent form and warranty deed were not considered. Planning staff reviewed each request considering the zoning alignment policy (Table 2.1 in the new code), neighborhood context, and other relevant information about the property (such as active projects). In reviewing the batch rezone requests, staff took a conservative approach and recommended only those rezonings that were consistent with the Future Land Use Map and unlikely to generate significant neighborhood impact, particularly given that the batch process did not include the standard mailed notice to surrounding property owners.

- Rezone requests depicted as **Recommended** are rezones that staff felt comfortable recommending to Planning Commission as requested.
- Requests depicted as **Adjusted** are rezones that staff did not feel comfortable recommending to

Staff Report Details

Planning Commission as requested, but felt comfortable with an alternative recommendation. For these requests, staff reached out to the listed contact to check if the applicants still wanted to move forward with the request with the adjusted recommendation.

- Lastly, requests depicted as **Not Recommended** are rezones that staff did not feel comfortable supporting to Planning Commission as requested or with an amended request.

Each request is shown as a list in the "Batch Rezone Requests" attachment and shown on the zoning map.

New Zoning Districts

T2.1 - Rural
T2.2 - Rural Node
T3.1 - Neighborhood Edge
T3.2 - Neighborhood Transition
T4.1 - Neighborhood General
T4.2 - Neighborhood Node
T5.1 - Town Center Low
T5.2 - Town Center High
T6.1 - Urban Center
R-1 - Suburban Single-Family
GC - General Commerical
LI - Light Industrial
LFI - Large Format Industrial
MH - Manufactured Home
PRD - Planned Residential Development
PUD - Planned Unit Development

Property Description

Project Details

Relationship to the Community Plan

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

Analysis / Waivers

Conclusion

Additional Details

ORDINANCE NO. _____

A ORDINANCE ADOPTING THE BENTONVILLE ZONING MAP PURSUANT TO ARKANSAS CODE ANNOTATED §14-56-301; AND FOR OTHER PURPOSES

WHEREAS, City Council adopted the Future Land Use Map and updates of Chapter 2 and Chapter 4 of the Bentonville Community Plan with Resolution No. 02-11-25M on February 11, 2025.

WHEREAS, the city hired DPZ CoDesign to create a unified development code and zoning map to implement the adopted Future Land Use Map and Community Plan.

WHEREAS, the city has published the Bentonville Zoning Map for public review and has provided adequate notice per state law.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTONVILLE, ARKANSAS, THAT:

Section 1: That the Bentonville Zoning Map of the City of Bentonville, Arkansas, as attached in *Exhibit A: Bentonville Zoning Map* which is herein established by the Planning Commission and the City Council pursuant to Ark. Code Ann. §14-56-301, three copies of which are on file with the City Clerk and which is hereby adopted by reference as though it were copied herein fully.

Section 2 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 3 - Repeal of Conflicting Provisions: All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4 – Effective Date: That this Ordinance shall be in full force and effect thirty (30) days from and after the date of its passage. The provisions of this Ordinance shall apply to all development projects for which a pre-application conference has not occurred prior to the date of passage or within sixty (60) days following date of passage. Property owners shall have ninety (90) days from and after the date of passage of this Ordinance to file with the Planning Department a written objection to the zoning district classification assigned to their property.

PASSED and APPROVED this _____day of _____, 2026.

APPROVED:

_____

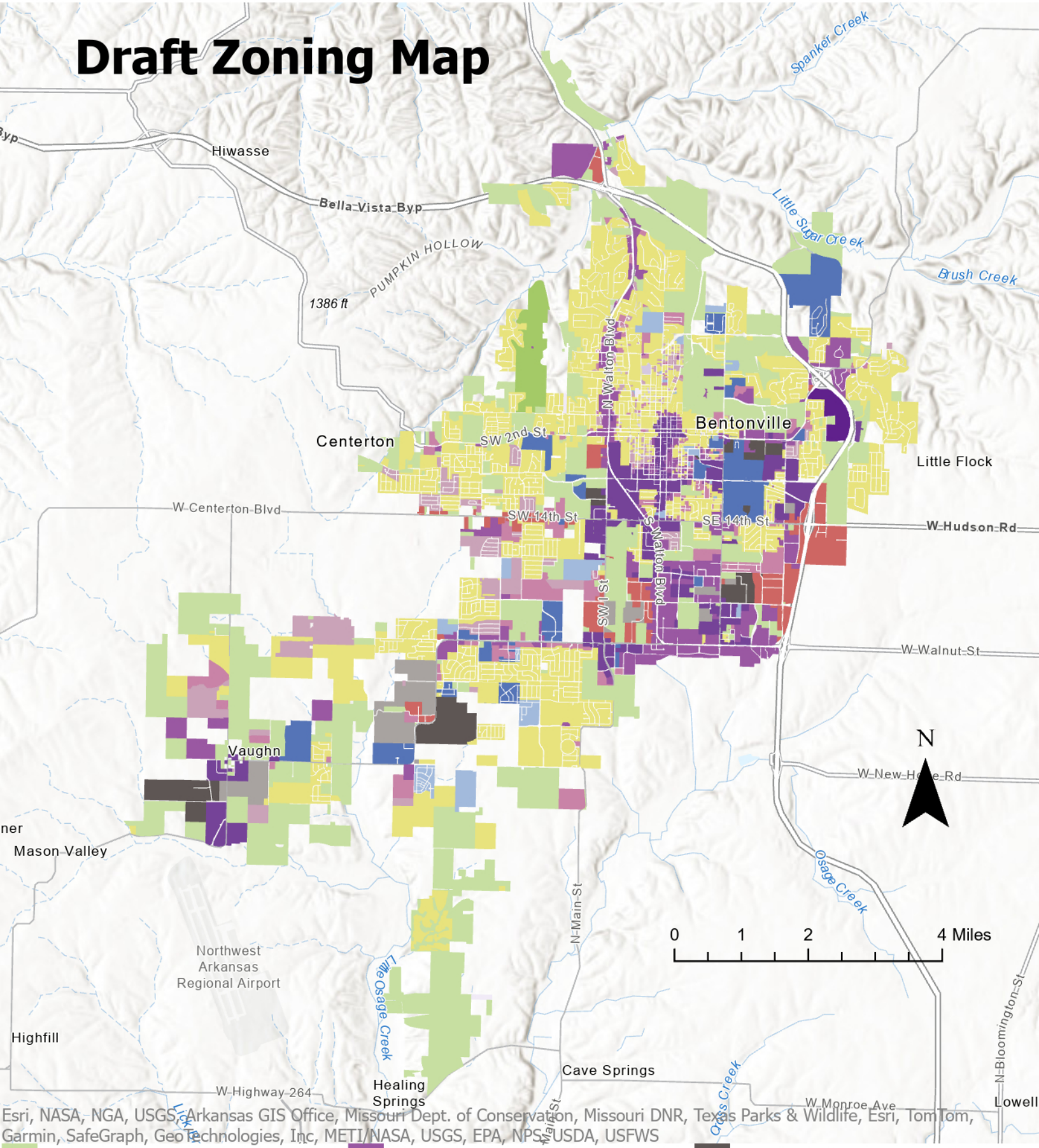
Stephanie Orman, Mayor

ATTEST:

_____

Malorie Marrs, City Clerk

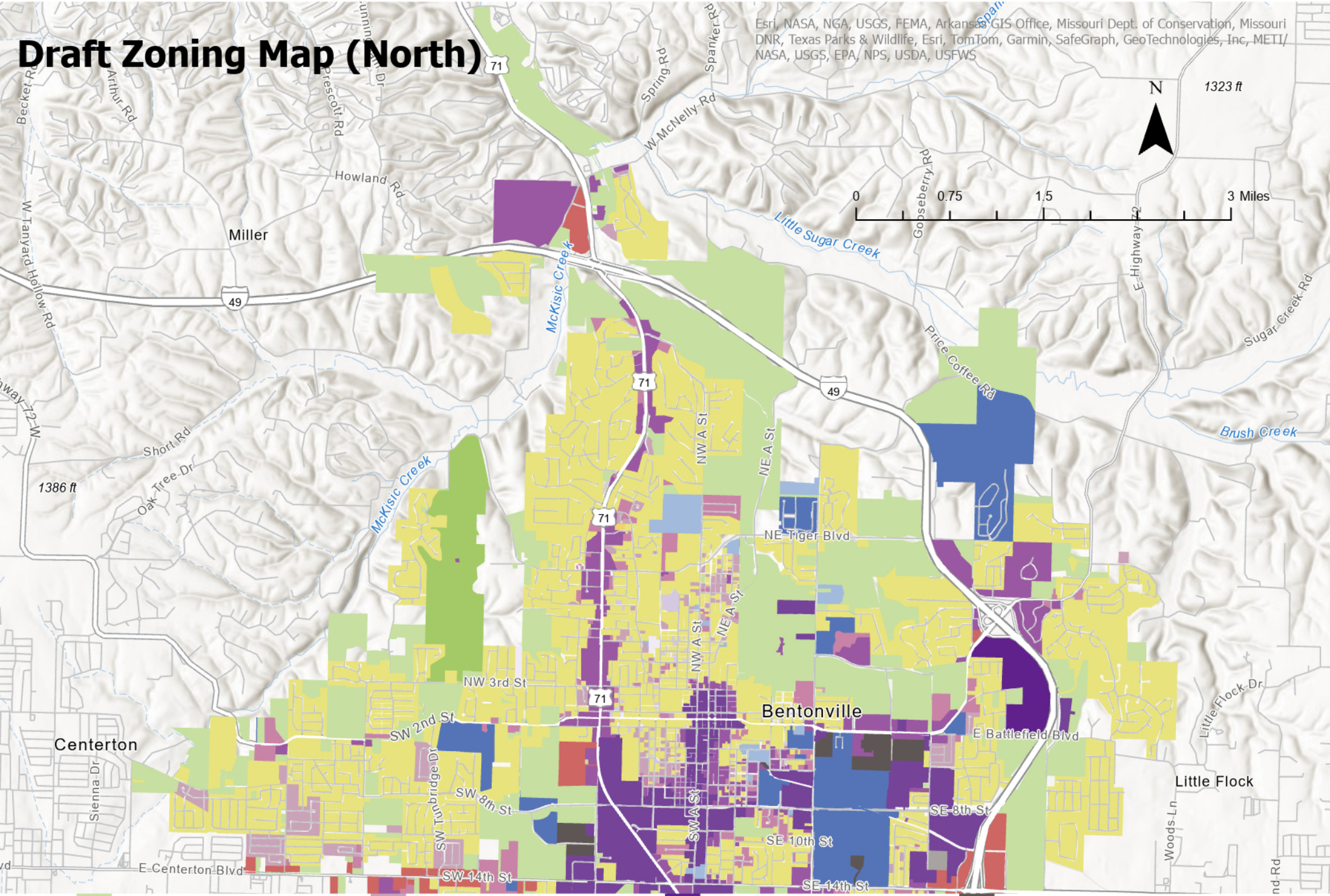
Draft Zoning Map



Esri, NASA, NGA, USGS, Arkansas GIS Office, Missouri Dept. of Conservation, Missouri DNR, Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, USFWS

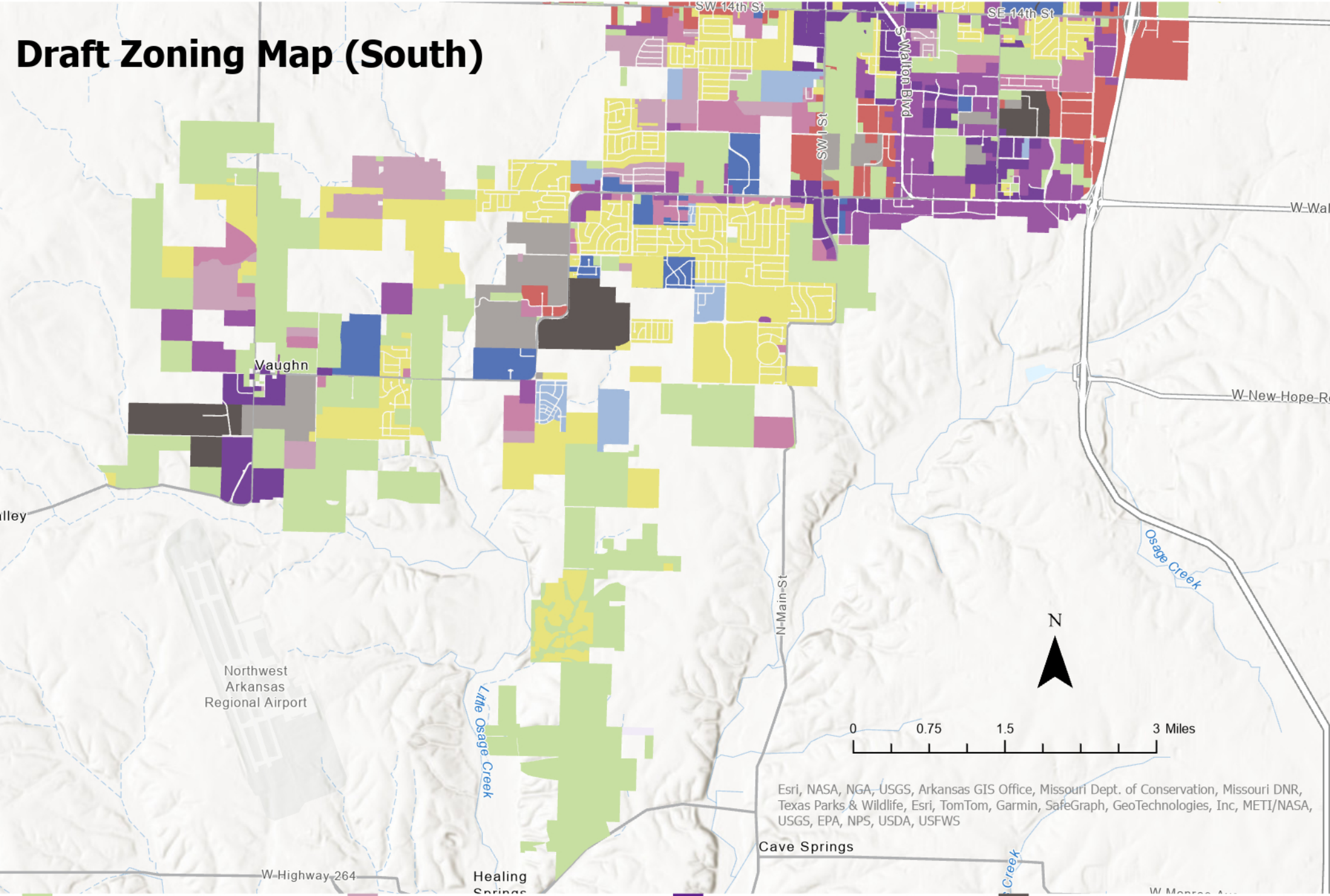
- T2.1 - Rural
- T2.2 - Rural Node
- T3.1 - Neighborhood Edge
- T3.2 - Neighborhood Transition
- T4.1 - Neighborhood General
- T4.2 - Neighborhood Node
- T5.1 - Town Center Low
- T5.2 - Town Center High
- T6.1 - Urban Center
- R1 - Suburban Single Family
- GC - General Commercial
- LI - Light Industrial
- LFI - Large Format Industrial
- PRD - Planned Residential Development
- PUD - Planned Unit Development
- MH - Manufactured Home

Draft Zoning Map (North)



T2.1 - Rural
T2.2 - Rural Node
T3.1 - Neighborhood Edge
T3.2 - Neighborhood Transition
T4.1 - Neighborhood General
T4.2 - Neighborhood Node
T5.1 - Town Center Low
T5.2 - Town Center High
T6.1 - Urban Center
R1 - Suburban Single Family
GC - General Commercial
LI - Light Industrial
LFI - Large Format Industrial
PRD - Planned Residential Development
PUD - Planned Unit Development
MH - Manufactured Home

Draft Zoning Map (South)



- T2.1 - Rural
- T2.2 - Rural Node
- T3.1 - Neighborhood Edge
- T3.2 - Neighborhood Transition
- T4.1 - Neighborhood General
- T4.2 - Neighborhood Node
- T5.1 - Town Center Low
- T5.2 - Town Center High
- T6.1 - Urban Center
- R1 - Suburban Single Family
- GC - General Commercial
- LI - Light Industrial
- LFI - Large Format Industrial
- PRD - Planned Residential Development
- PUD - Planned Unit Development
- MH - Manufactured Home

	Regional Center	City Center	Neighborhood Center	Urban Neighborhood	Walkable Neighborhood	Traditional Neighborhood	Suburban Neighborhood	Urban Corridor	Walkable Corridor	Suburban Corridor	Industrial & Technology	Rural & Estates
A1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1
RE	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1	T2.1
R1	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1	R1
R2		T4.2	T4.1		T4.1		T4.1		T4.2		T5.1	T4.1
R3	T5.1		T4.2	T4.2	T4.2	T4.2	T4.2	T5.1	T4.2	T5.1	T5.1	T4.2
R4	T5.2			T5.1	Review on map		T4.2	T5.2				
DN1				T3.2	T3.2	T3.1	T3.1					
DN2				T4.1	T4.1	T3.2						
DN3				T4.2	T4.2							
DN4	T5.1	T5.1	T5.1	T5.1	Review on map							
DE	T5.1	T5.1	T5.1	T5.1	T5.1	T5.1		T5.1	T5.1			
DC	T5.2	T5.2		T5.2	T5.2			T5.2				
C1	T5.2		T5.1	T5.1	T5.1				T5.1	Review on map	GC	
C2	T5.2		T5.1	T5.1	T5.1			T5.1	T5.1	GC	GC	GC
C3	T5.2	T5.2	T5.1	T5.1	T5.1			T5.2			GC	
I1	LI							LI	LI		LI	
I2	LFI			LFI					LFI		LFI	
RO			T4.2	T4.2	T4.2	T4.2	T4.2	T5.1	T4.2	T5.1		
RZL				T4.1	T4.1	T4.1	T4.1					
RC2				T4.1	T4.1							
RC3		T5.1										

Batch Rezone Requests

Parcel	Physical Address	Proposed Zone	Requested Zone	Staff Proposal	Status
01-00248-501	Blueberry Ln	T2.1	T6.1	T6.1	Recommended
01-00248-540	Blueberry Ln	T2.1	T6.1	T6.1	Recommended
01-00254-000	I-49	T2.1	T6.1	T6.1	Recommended
01-00256-000	Crooked Rd	T2.1	T6.1	T6.1	Recommended
01-00260-000	500 Crooked Rd	T2.1	T6.1	T6.1	Recommended
01-00262-000	Crooked Rd	T2.1	T6.1	T6.1	Recommended
01-00289-001	3401 Blueberry Ln	T2.1	T6.1	T6.1	Recommended
01-00291-000	503 Crooked Rd	R1	T6.1	T6.1	Recommended
01-00292-000	301 Crooked Rd	T2.1	T6.1	T6.1	Recommended
01-00293-000	Crooked Rd	T2.1	T6.1	T6.1	Recommended
01-00295-000	3301 Blueberry Ln	T2.1	T6.1	T6.1	Recommended
01-00296-000	Crooked Rd	T2.1	T6.1	T6.1	Recommended
01-00297-000	3203 Blueberry Ln	T2.1	T6.1	T6.1	Recommended
01-00298-000	Crooked Rd	T2.1	T6.1	T6.1	Recommended
01-00328-000	E Battlefield Blvd	T2.1	T6.1	T6.1	Recommended
01-00552-000	608 SE A St	T5.1	T5.2	T5.2	Recommended
01-00553-000	702 SE A St	T5.1	T5.2	T5.2	Recommended
01-00554-000	704 SE A St	T5.1	T5.2	T5.2	Recommended
01-00703-000	1019 SE 8th St	LFI	T5.2	T5.2	Recommended
01-00810-000	SW I St	T2.1	T5.2	T5.2	Recommended
01-00826-000	2602 SW I St	T2.1	GC	GC	Recommended
01-00826-006	SW I St	T2.1	T4.2	T4.2	Recommended
01-01076-000	207 W Central Ave	R1	T5.1	T4.2	Adjusted
01-01704-000	308 SW E St	T3.2	T4.2	T3.2	Not recommended
01-01890-000	112 SE F St	R1	T5.1	T4.1	Adjusted
01-01892-000	605 SE 3rd St	R1	T5.1	T4.1	Adjusted
01-01893-000	603 SE 3rd St	R1	T5.1	T4.1	Adjusted
01-02333-000	808 Tiger Blvd	T4.2	T5.1	T5.1	Recommended
01-02422-001	604 SW C St	T5.1	T5.2	T5.2	Recommended
01-02422-002	606 SW C St	T5.1	T5.2	T5.2	Recommended
01-02471-000	1008 SE 3rd St	R1	T5.1	T4.2	Adjusted
01-02472-000	1010 SE 3rd St	R1	T5.1	T4.2	Adjusted
01-02473-000	1012 SE 3rd St	R1	T5.1	T4.2	Adjusted
01-02475-000	1011 SE 4th St	R1	T5.1	T4.2	Adjusted
01-02476-000	1009 SE 4th St	R1	T5.1	T4.2	Adjusted
01-02485-000	902 SE 3rd St	T5.1	T5.2	T5.1	Not recommended
01-02486-000	904 SE 3rd St	R1	T5.2	R1	Not recommended
01-02487-000	906 SE 3rd St	R1	T5.2	R1	Not recommended
01-02487-001	908 SE 3rd St	T4.2	T5.2	T4.2	Not recommended
01-02488-000	1002 SE 3rd St	R1	T5.2	R1	Not recommended
01-02715-000	515 SW F St	R1	T4.2	T4.2	Recommended
01-02716-000	519 SW F St	R1	T4.2	T4.2	Recommended
01-02722-000	SW E St	R1	T5.1	T4.2	Adjusted
01-02723-000	528 SW D St	R1	T5.1	T4.2	Adjusted

01-02727-000	406 SW 6th St	T5.1	T5.2	T5.2	Recommended
01-02728-000	405 SW 6th St	T5.1	T5.2	T5.2	Recommended
01-02728-001	406 SW 6th St	T5.1	T5.2	T5.2	Recommended
01-02728-002	408 SW 7th St	T5.1	T5.2	T5.2	Recommended
01-02728-003	406 SW 7th St	T5.1	T5.2	T5.2	Recommended
01-02744-000	1010 SE 4th St	R1	T5.1	T4.2	Adjusted
01-02745-000	1008 SE 4th St	R1	T5.1	T4.2	Adjusted
01-03218-000	610 W Central Ave	R1	T3.2	R1	Not recommended
01-03324-000	1109 SW 14th St	T2.1	T5.2	T5.2	Recommended
01-03377-000	710/712 NW 7th St	T4.1	T4.2	T4.1	Not recommended
01-03378-000	804 NW 7th St	T4.1	T4.2	T4.1	Not recommended
01-03379-000	806 NW 7th St	T4.1	T4.2	T4.1	Not recommended
01-04102-000	1514 SW I St	T2.1	T5.2	T5.2	Recommended
01-04280-000	2406 SE 16th St	R1	T5.1	R1	Not recommended
01-04624-000	1202 Fillmore St	R1	T4.1	T4.1	Recommended
01-04625-000	1204 Fillmore St	R1	T4.1	T4.1	Recommended
01-04866-000	904 SE 8th St	LFI	T5.2	T5.2	Recommended
01-04867-000	902 SE 8th St	LFI	T5.2	T5.2	Recommended
01-05107-001	1004 SE 5th St	LFI	T5.2	T5.2	Recommended
01-05107-002	1000 SE 5th St	LFI	T5.2	T5.2	Recommended
01-05116-000	2806 E Central Ave	T5.1	T6.1	T6.1	Recommended
01-05118-000	2812 E Central Ave	T2.1	T6.1	T6.1	Recommended
01-08217-915	11010 Murdock Rd	T2.1	T3.1	T3.1	Recommended
01-15865-000	SW Eden Brooke St	T2.1	GC	GC	Recommended
01-15866-000	SW I St	T2.1	GC	GC	Recommended
01-16610-002	SW I St	T4.2	T5.1	T5.1	Recommended
01-18380-000	1602 NW 3rd St	R1	T3.2	T3.1	Adjusted
01-18380-001	1602 NW 3rd St	R1	T3.2	T3.1	Adjusted
01-18381-000	1602 NW 3rd St	R1	T3.2	T3.1	Adjusted
01-18382-001	1602 NW 3rd St	R1	T3.2	T3.1	Adjusted
01-20548-000	307 S Walton Blvd	T4.2	T5.2	T5.2	Recommended

	Downtown Center Overlay District Map
	PC Date: 3/3/2026

Staff Report Details

Project Number	2026-307
Applicant / Current Owner	
Site Area	+/- **[Site_Area]** Acres
Current Zoning	
Requested Zoning	
Current Future Land Use Map Designation	
Requested Future Land Use Map Designation	
Development Type / Use	
Related projects	

Property Description

The Downtown Overlay district proposes additional requirements for those properties within the downtown area (within the boundary of the map) to ensure new buildings maintain the quality of exterior materials reflected in historic downtown buildings, and to ensure ground floor commercial opportunities and design standards for shopfronts maintain compatibility with historic downtown buildings:

- **Heights** are limited in T5.2 to 80' and T5.1 to 50' (outside the overlay they are 96' and 60' respectively).
- **Chamfered corners** are allowed when less than 20' on the diagonal.
- **Forecourts** are permitted to be set back from the "build to" line.
- **Materials:** street and trail facing facades must be of brick, stone or plaster with one primary material per elevation; secondary materials are limited to architectural detail elements.
- **Ground floors** must be 12' and designed to accommodate retail or other active uses.
- **Doors, windows and shop fronts**: must be recessed 2.25 inches with 4" separations, sills projecting downwards; 60% of the width of the tenae space must be glass / shopfront.
- **Awnings (fabric) and canopies (metal):** If proposed, must project 6' and 4' from the exterior wall respectively and be 8' above the sidewalk. (Shop fronts must be of a unified design, incorporating doors, transoms, signage, awnings or canopies)

Project Details

Relationship to the Community Plan

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

Analysis / Waivers

Conclusion

Additional Details

ORDINANCE NO. _____

A ORDINANCE ADOPTING THE DOWNTOWN CENTER OVERLAY DISTRICT MAP AND REGULATIONS PURSUANT TO ARKANSAS CODE ANNOTATED §14-56-301; AND FOR OTHER PURPOSES

WHEREAS, City Council adopted the Future Land Use Map and updates of Chapter 2 and Chapter 4 of the Bentonville Community Plan with Resolution No. 02-11-25M on February 11, 2025.

WHEREAS, the city hired DPZ CoDesign to create a unified development code and zoning map to implement the adopted Future Land Use Map and Community Plan.

WHEREAS, the city has adopted the Bentonville Zoning Map and the Bentonville Community Code.

WHEREAS, the city wishes to provide additional protection for the historic downtown commercial area.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTONVILLE, ARKANSAS, THAT:

Section 1: That the Bentonville Zoning Map of the City of Bentonville, Arkansas, should be and is hereby amended by adding the Downtown Center Overlay District as shown in the attached *Exhibit A: Downtown Center Overlay District Map*, three copies of which are on file with the City Clerk and which is hereby adopted by reference as though it were copied herein fully.

Section 2: That the Bentonville Community Code should be and is hereby amended as shown in the attached *Exhibit B: Downtown Center Overlay District Regulations*, three copies of which are on file with the City Clerk and which is hereby adopted by reference as though it were copied herein fully.

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. That this Ordinance shall be in full force and effect thirty (30) days from and after the date of its passage. The provisions of this Ordinance shall apply to all development projects for which a pre-application conference has not occurred prior to the date of passage or within sixty (60) days following date of passage.

PASSED and APPROVED this _____day of _____, 2026.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Malorie Marrs, City Clerk

Exhibit A: Downtown Center Overlay District

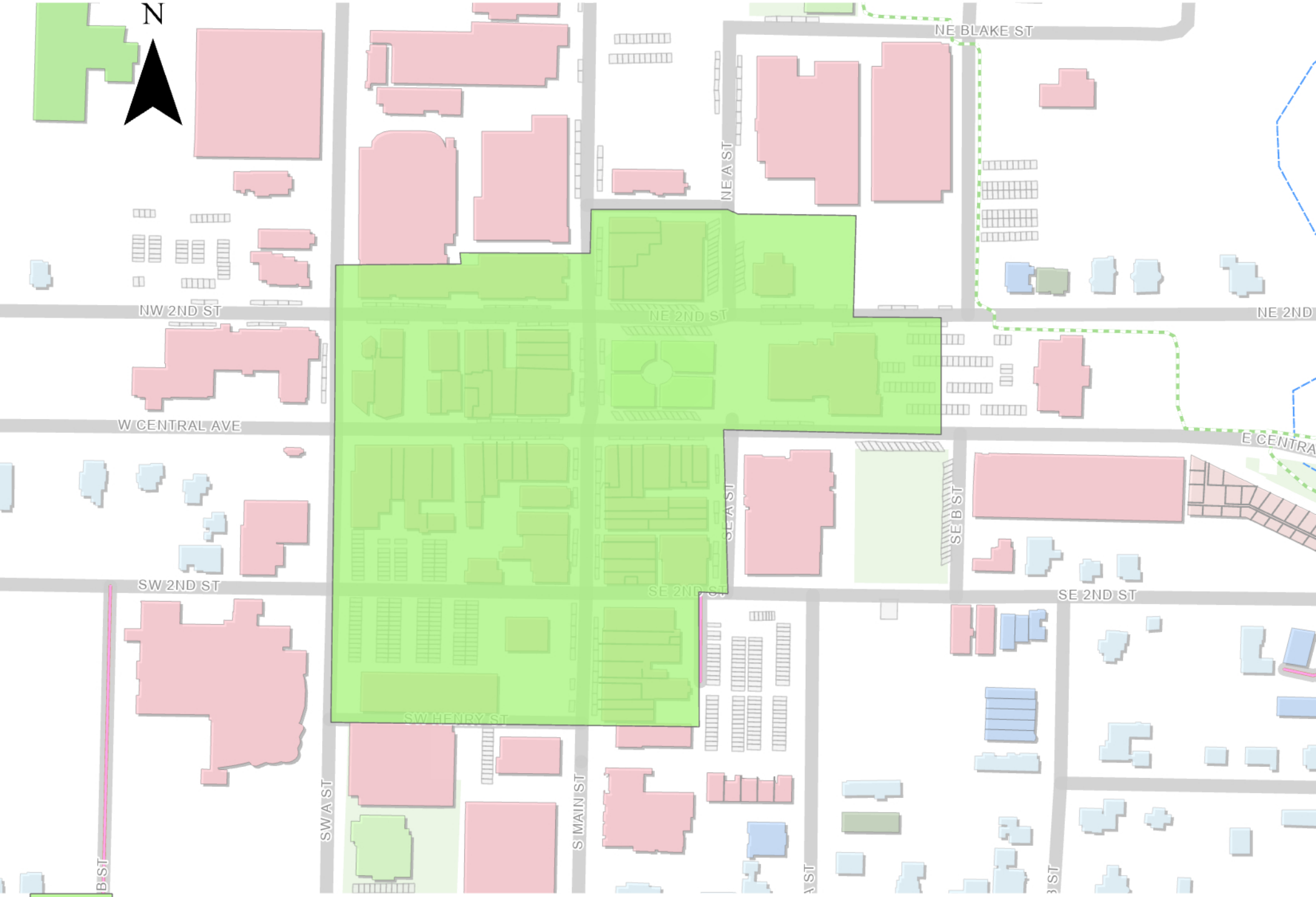


Exhibit B

Downtown Center Overlay District Regulations

To be added to Sec. 50-404 Overlay Districts (d):

(1) Downtown Center Overlay;

To be added to Sec. 50-506 Overlay Districts of the Bentonville Community Code:

(b) Downtown Center Overlay (DCO)

(1) Purpose and intent

a. To ensure new buildings maintain the quality of exterior materials reflected in historic downtown buildings.

b. To ensure that the downtown center retains ground floor commercial opportunities.

c. To establish minimum standards for windows, doors, shop fronts, and building attachments in order to maintain compatibility with historic downtown buildings.

(2) Building height

a. The maximum height of T5.2 zoned properties is eighty (80) feet.

b. The maximum height of T5.1 zoned properties is fifty (50) feet.

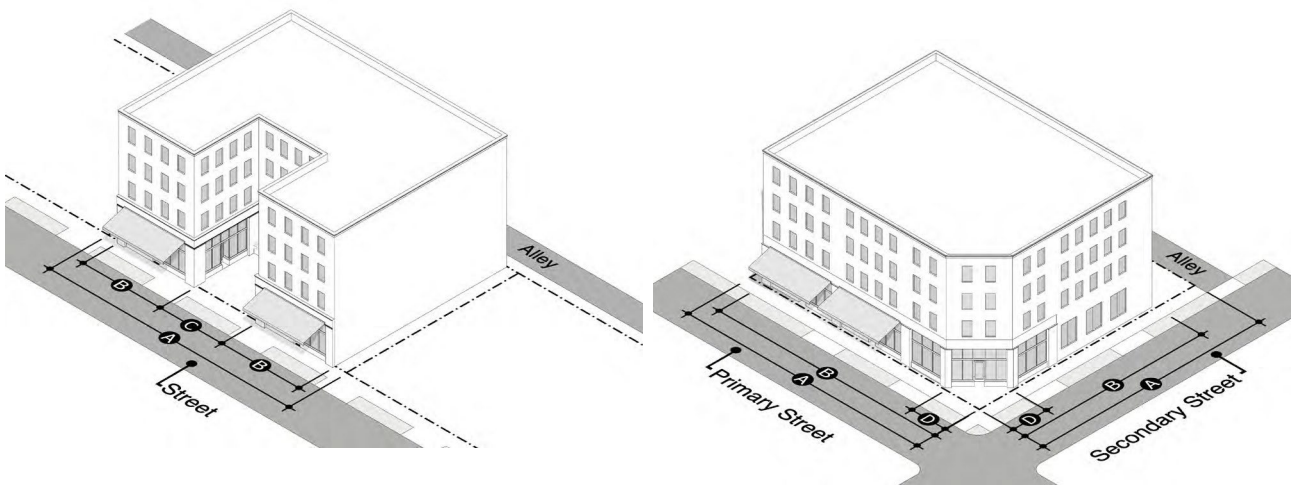
c. All other zoning districts heights shall be per Table 4.1 Zone Standards.

(3) Building placement

a. Forecourts do not contribute to build-to area requirements, see Figure 5.13 Downtown Build-to Conditions.

b. Corner entry chamfers count toward the required build-to area only if they are less than twenty (20) feet wide along both property lines.

FIGURE 5.13 DOWNTOWN BUILD-TO CONDITIONS



A Lot width	C Forecourt width does not contribute to build-out
B Facade build-out	D Corner chamfer contributes to build-out

(4) Materials

a. Exterior walls along streets and mid-block trails must be finished with brick, stone, or plaster.

b. Only one (1) primary material may be used for each elevation.

c. Additional materials are limited to:

1. Attachments such as awnings, galleries, and bay windows; and

2. Architectural details such as a water table, coining, pilasters, eaves, or as a lintel across window and door openings.

(5) Ground floors

a. All buildings must be constructed to accommodate active uses at the ground story along streets, whether such a use is established at the time of construction or not, in accordance with Sec. 50-504(c)(4) Required active uses.

b. The ground level story must be at least twelve (12) feet high.

(6) Windows and doors

a. Windows and doors must be recessed at least two and a quarter (2.25) inches from the exterior surface of the wall.

b. Windows must be separated by a minimum of four (4) inches if multiple windows are grouped.

c. Window sills must project outward from the exterior surface of the wall.

(7) Shop fronts

a. Shop fronts must be composed as a unified design, incorporating doors, transoms, signage, awnings, or canopies.

b. Shop fronts must include a continuous bulkhead between twelve (12) and thirty-six (36) inches in height.

c. Shop front glass must comprise at least sixty percent (60%) of the width of the tenant space.

d. Security devices, if installed, must be placed inside the glass.

(8) Awnings and canopies

a. Awnings and canopies must comply with the standards of Sec. 50-504 (5) Building projections and (6) Encroachment into rights-of-way.

b. Awnings are subject to these rules:

1. Must be made of fabric;

2. Must include a valence flap;

3. Must not include side panels; and

4. Must project at least of six (6) feet from the exterior wall.

c. Canopies are subject to these rules:

1. Must be made of metal;

2. Must be at least six (6) inches thick; and

3. Must project at least four (4) feet from the exterior wall.

d. Awnings and canopies must be installed between transom and display windows where transoms are present.

e. Awnings and canopies must maintain a clearance of at least eight (8) feet above the sidewalk.

f. Awnings and canopies must be set back a minimum of two (2) feet from the curb.

g. Awnings and canopies must span at least eighty (80%) of the width of the tenant space.

BENTONVILLE PLANNING DEVELOPMENT SERVICES | COMPREHENSIVE PLANNING	**Downtown Neighborhood Overlay District Map**
	PC Date: 3/3/2026

Staff Report Details

Property Description

The Downtown Neighborhood Overlay is proposed to ensure the new housing near the downtown center is compatible with the surrounding neighborhood pattern in terms of building size, orientation, and spacing.

- **Setbacks:** Front and side setbacks must match or fall between setbacks of the existing structures on the block.
- **Height:** New construction is limited to *the lower of* 1-story higher than the average height of buildings on the same block or the base zoning height limit. One story is defined not to exceed 12 feet for the purpose of this section.
- **Lot combinations** are limited to no more than 2 original platted lots (unless otherwise approved by the Commission).
- **Rezone requests** above T3.2 are not considered.

Project Details

Relationship to the Community Plan

Public Comment

Has Staff received Public Comment at the time of this report? : **Yes**

Analysis / Waivers

Conclusion

Conclusion

Additional Details

ORDINANCE NO. _____

A ORDINANCE ADOPTING THE DOWNTOWN NEIGHBORHOOD OVERLAY DISTRICT MAP AND REGULATIONS PURSUANT TO ARKANSAS CODE ANNOTATED §14-56-301; AND FOR OTHER PURPOSES

WHEREAS, City Council adopted the Future Land Use Map and updates of Chapter 2 and Chapter 4 of the Bentonville Community Plan with Resolution No. 02-11-25M on February 11, 2025.

WHEREAS, the city hired DPZ CoDesign to create a unified development code and zoning map to implement the adopted Future Land Use Map and Community Plan.

WHEREAS, the city has adopted the Bentonville Zoning Map and the Bentonville Community Code.

WHEREAS, the city wishes to provide additional protection in historic neighborhoods.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BENTONVILLE, ARKANSAS, THAT:

Section 1: That the Bentonville Zoning Map of the City of Bentonville, Arkansas, be amended by adding the Downtown Neighborhood Overlay District as shown in the attached *Exhibit A: Downtown Neighborhood Overlay District Map*, three copies of which are on file with the City Clerk and which is hereby adopted by reference as though it were copied herein fully.

Section 2: That the Bentonville Community Code be amended as shown in the attached *Exhibit B: Downtown Neighborhood Overlay District Regulations*, three copies of which are on file with the City Clerk and which is hereby adopted by reference as though it were copied herein fully.

Section 3 - Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Provisions: All ordinances, resolutions, or orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. That this Ordinance shall be in full force and effect thirty (30) days from and after the date of its passage. The provisions of this Ordinance shall apply to all development projects for which a pre-application conference has not occurred prior to the date of passage or within sixty (60) days following date of passage.

PASSED and APPROVED this _____day of _____, 2026.

APPROVED:

_____

Stephanie Orman, Mayor

ATTEST:

_____

Malorie Marrs, City Clerk

Exhibit A: Downtown Neighborhood Overlay District

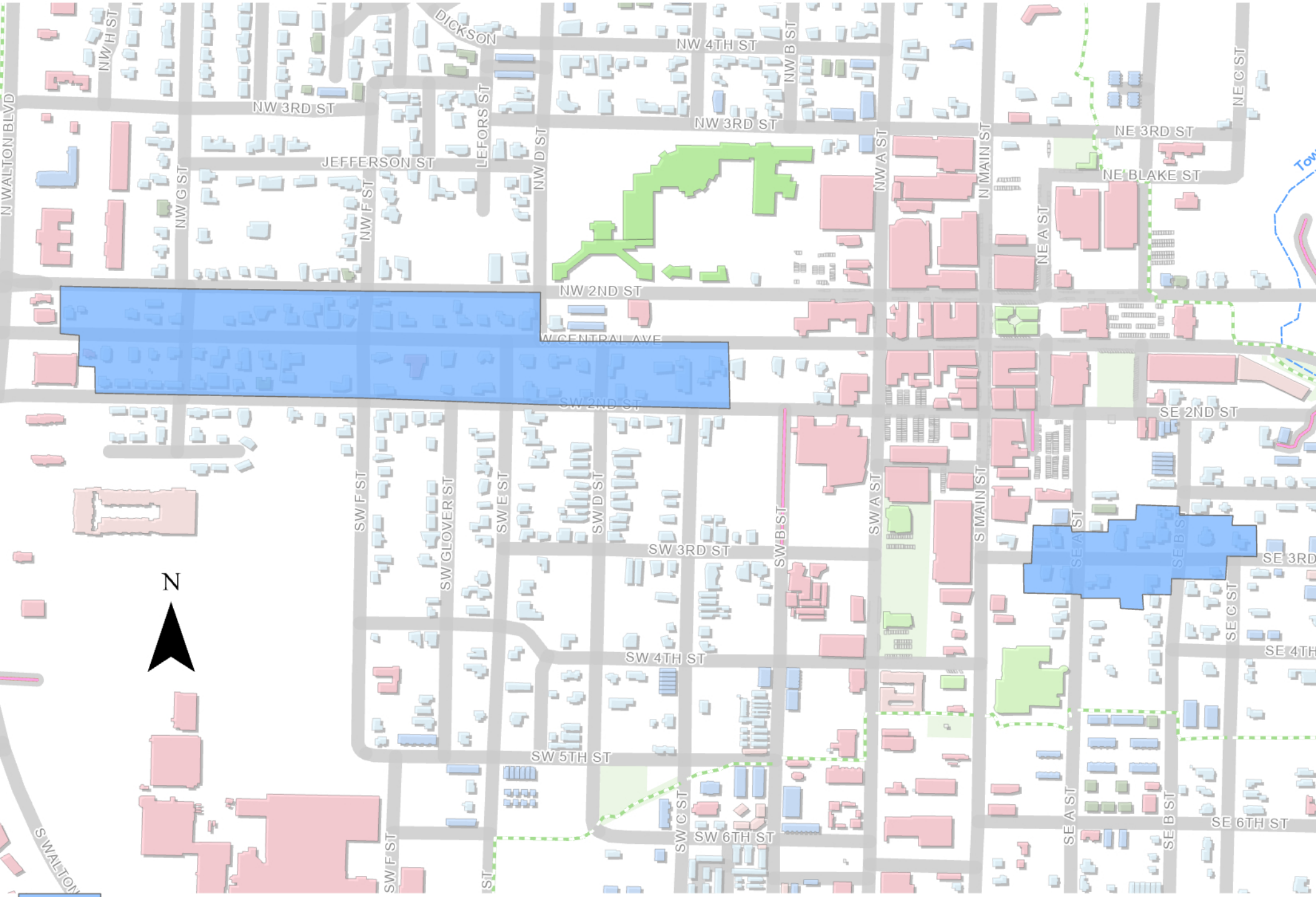


Exhibit B

Downtown Neighborhood Overlay District Regulations

To be added to Sec. 50-404 Overlay Districts (d):

(1) Downtown Neighborhood Overlay;

To be added to Sec. 50-506 Overlay Districts of the Bentonville Community Code:

(c) Downtown Neighborhood Overlay (DNO)

(1) Purpose and intent

a. To allow new development of a wide variety of housing types near the downtown center.

b. To ensure that new building size, orientation, and spacing are compatible with the surrounding neighborhood pattern.

(2) Requirements

a. Front and side street setbacks must match or fall between the setbacks of existing buildings on the same block face, as shown in Figure 5.14 Downtown Neighborhood Setbacks. The minimum setback shall not be greater than twenty (20) feet.

b. Building height is limited to the lower of:

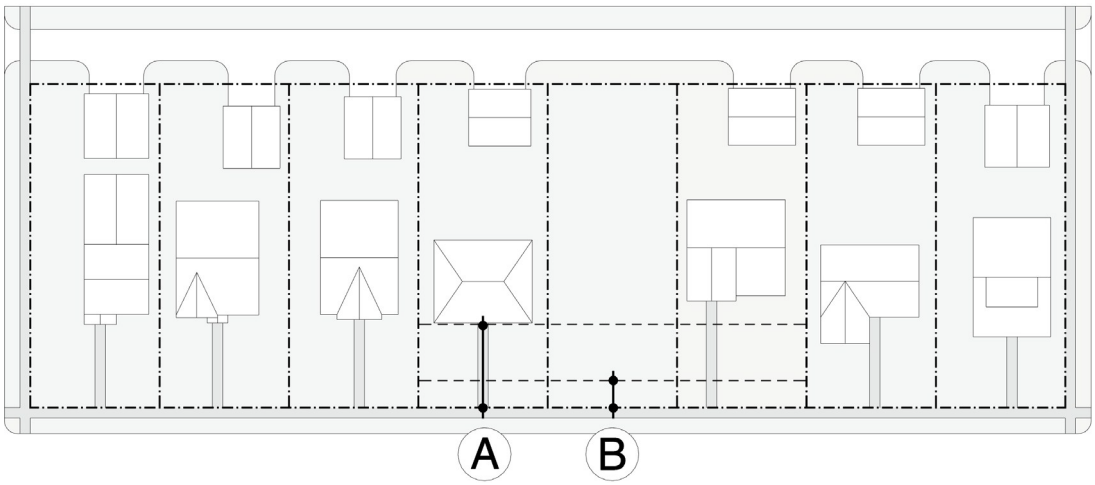
1. One story, not to exceed twelve (12) feet, higher than the average height of buildings on the same block; and

2. The base zone height limit.

c. Lot combinations are limited to no more than two (2) original platted lots, unless otherwise approved by the Planning Commission.

d. Rezonings above T3.2 will not be considered.

FIGURE 5.14 DOWNTOWN NEIGHBORHOOD SETBACKS



A Adjusted setback, to match existing buildings

B Minimum setback for the base zoning district

	Bentonville B3 Land Development, LLC (The Thickets)
	Between Mill Dam Rd and Nomad Rd, south of Regional Airport Blvd
	PC Date: 3/3/2026

Staff Report Details

Project Number	(PRD25-0004)
Applicant / Current Owner	Bentonville B3 Land Development, LLC / Schuber Mitchell Homes, LLC
Site Area	+/- 54.52 Acres
Current Zoning	R-2, Medium Density Two Family and Townhome Residential and R-3, Medium-High Density Multifamily Residential
Requested Zoning	PRD, Planned Residential Development
Current Future Land Use Map Designation	Walkable Neighborhood
Requested Future Land Use Map Designation	N/A
Development Type / Use	Residential
Related projects	

Property Description

The proposed project is currently undeveloped farmland and sits on two contiguous lots, parcel numbers 01-20436-000, and 01-20437-000. The properties have direct access to both Mill Dam Rd, and Nomad Rd.

The property is presently zoned R-2, Medium Density Two Family and Townhome Residential (01-20437-000) and R-3, Medium-High Density Multifamily Residential (01-20436-000). Surrounding districts include PRD, Planned Residential Development and R-1, Low Density Single Family Residential to the East and South, C-1, Neighborhood Commercial, PUD, Planned Unit Development, and Unincorporated Land to the North and West. The Future Land Use Map shows Suburban Neighborhood to the East and South, Rural and Estates to the West, and Walkable Corridor to the North.

Project Details

This PRD proposal was originally reviewed at the 11/18/2025 Planning Commission and was tabled based on direction from the Planning Commission discussion. Commissioners requested that the applicant provide better renderings to assess the character of the proposed development (including rooflines), recommended

Project Details

including brick on the single family homes and providing warranty information for proposed materials, and to make sure that utilities had had a proper review of proposed lot lines for the townhomes. Along with Planning Commission input, several members of the public had voiced concern over the placement of the townhomes and how it would affect the views from their property, and concern over a proposed dog park adjacent to a field that actively manages livestock and bulls.

The applicant has addressed these requests and concerns through this resubmission. They have revised architectural elevations with pitched roofs and a brick wainscot, included warranty information for the engineered siding products, relocated the dog run, and included additional renderings for review.

The applicant is proposing a PRD on the subject property with the marketing name ***The Thickets*** consisting of **281 single family houses**, and **140 townhome units.** The townhome structures will be located in the north-west section of the property at the Mill Dam entrance to the neighborhood, and along the Nomad Rd street frontage. The single family units are located throughout the remaining area.

The proposed single family units are proposed as engineered lap siding, engineered vertical siding, engineered lap wood stained siding, hardie board siding, brick, asphalt shingles, and aluminum flashing and fascia. In contrast to the SFH units, the proposed townhome exterior elevations will vary but will consist of brick, engineered lap siding, engineered vertical siding, and asphalt shingles.

The site plan incorporates a minimum of 15% greenspace requirement throughout the site. A series of pocket parks and common greens are used to provide walking paths, a dog park, and a pickleball court, along with a trail system around the stormwater ponds and habitable areas. A total of 9.17 acres of open space is shown within the PRD site plan.

The Applicant is proposing alleys with off-street parking for the single family units and the townhomes, along with on-street parking. 283 parking stalls are provided for the townhomes. 2 off-street parking spaces are provided for each single family residence by means of the driveway off of the alleys (there are no garages proposed), and approximately (198) on-street parking spaces will also be provided. Half-street improvements along Mill Dam Rd will be required at the time of Large Scale Development/Preliminary Plat, and 12-foot side paths along Mill Dam Rd and Nomad Rd are proposed.

Relationship to the Community Plan

The proposed development incorporates alleys, on-street parking, sidewalk connectivity throughout the site, a mixture of housing types, parks, stormwater management, and community spaces which align with the Community Plan's stated position to encourage walkable, diverse, and connected growth across the city and is consistent with the Future Land Use Map place type of "Walkable Neighborhood".

Public Comment

Has Staff received Public Comment at the time of this report? : **No**

Analysis / Waivers

The proposed PRD generally aligns with the intent of the PRD district and the Future Land Use Map designation of Walkable Neighborhood. The development provides a mixture of housing types and densities and incorporates a system of open spaces and trails. The site plan includes pocket parks, walking

Analysis / Waivers

paths, a dog park, and a pickleball court, contributing to neighborhood amenities and promoting pedestrian activity. The use of alleys for single-family lots and the provision of side paths along both Mill Dam Road and Nomad Road further support the City's goals for connectivity and thoughtful growth.

The proposed architectural design may not fully meet the intent or requirements of Section 401.11 (g) of the PRD regulations related to design standards. The submitted elevations and renderings for the single-family homes rely primarily on engineered siding materials, however the applicant has included a brick wainscot and revised the roof elevations to align better with the townhome structures. The townhomes feature parking placed directly in front of the units, diminishing the pedestrian orientation and visual quality of the streetscape. **Garages are not provided for any of the product types in this development proposal.** In summary, these design elements may not demonstrate the high-quality architectural character or pedestrian-focused orientation envisioned for PRD developments.

Along with the meeting the PRD criteria, all rezone requests must address the following criteria.

Consistency
The proposed PRD, Planned Residential Development, zoning district is consistent with the adopted Future Land Use Map designation of Walkable Neighborhood and is consistent with the Community Plan's guiding principle of thoughtful growth.

Impact
The impact of this rezone on the community, if developed under the proposed PRD zone, is an increase in housing density while providing sidewalks and street widening requirements of the Master Street Plan. The neighborhood is isolated from job centers and essential services, so there will be an impact to the traffic on the City's roadway infrastructure. A traffic and impact analysis will be required as part of the Preliminary Plat/Large Scale Development process.

Compatibility
This development proposes a mixture of single family residences along with townhouse structures.The surrounding area is composed of mostly single family residences to the East and South, and a multi-family residential development to the North. Much of the area in this part of Bentonville is still undeveloped, and the proposed development contrasts with the surrounding undeveloped farmland, but is in line with the City's adopted Future Land Use Map and the adjacent residential developments.

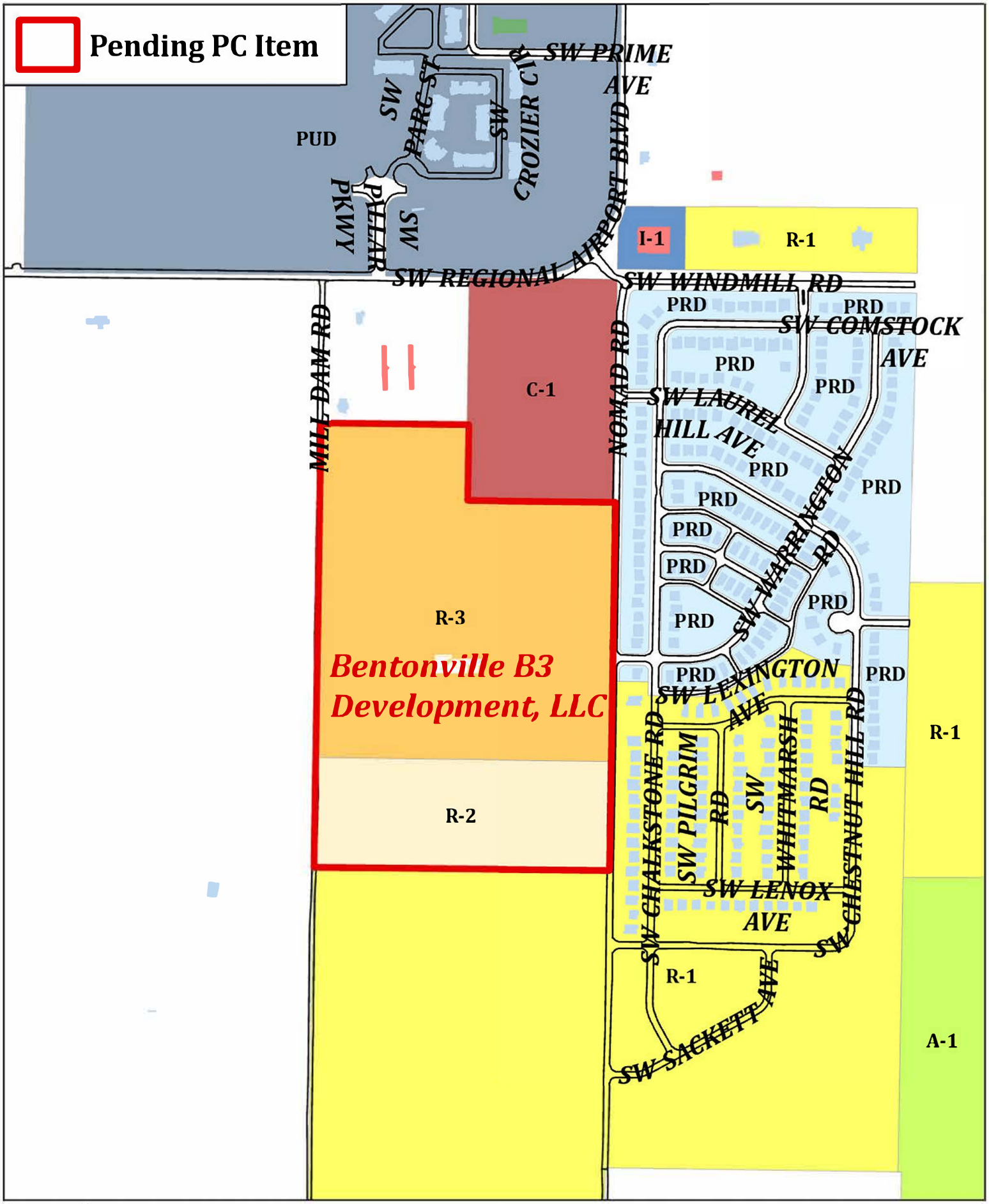
Intensity
The parcel is located within the Walkable Neighborhood place type which includes moderate intensity neighborhoods. The PRD zoning district would allow for both low density single family residential development, and moderately dense townhome development.

Orderly Transition
This rezone request would be in line with the development pattern in the area, one of undeveloped farmland transitioning to low-density residential development.

Conclusion

If the Planning Commission finds that the proposed material specifications and parking configuration meet the intent of the PRD design standards, staff recommends approval, as the application is consistent with the goals of the Community Plan, the Alignment Policy and the surrounding built environment.

Additional Details



PRD25-0004
6103 NOMAD RD

The Thickets

Planned Residential Development - Phases 1 - 3
PRD25-0004

Submitted to:
City of Bentonville
Planning Department
305 SW A Street
Bentonville, AR 72712

Job No. 25104600

Prepared by:

PRISM DESIGN STUDIO

Crafton Tull

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Site and Project Information

Owner Information:

Name:	Schuber Mitchell Homes, LLC
Address:	2304 S. Range Line, Joplin, MO 64804

Project Information:

Parcels:	01-20436-000, 01-20437-000
Address:	Nomad Road, Bentonville, AR
Acreage:	±54.52 acres
Existing Zoning:	R-2, R-3
Existing Use:	Vacant
Proposed Zoning:	PRD
Proposed Use:	Single-Family Residential, Townhomes, Multi-Family, Home Occupation, Type B Home Occupation, Food Truck Court, Bakery, Neighborhood Retail, Restaurant, Bar
Units:	281 single-family homes | 140 townhomes
Density:	**421 total units** 7.61 DUA

Scope & Concept

The Thickets Project will be a residential project with single family residential, townhomes, multifamily, home occupation, and food truck court uses located between Mill Dam Road and Nomad Road south of the intersections with SW Regional Airport Blvd. The project is directly west of Providence Village Subdivision. The project will consist of 281 residential lots, 26 townhome buildings totaling 140 units, with associated right-of-way dedication, site amenities, parking spaces, private drives, multi-purpose community areas, and 2 retention ponds. The project is currently zoned R-2 and R-3, and we are proposing to rezone to PRD.

The northern PRD boundary will border C-1 zoned property on SW Regional Airport Blvd. The eastern PRD boundary borders Nomad Road & Providence Village Subdivision (zoned PRD and R-1). The western PRD boundary borders undeveloped land within Benton County (within the Bentonville Planning Boundary, shown as A-1 on the Future Land Use Plan). The southern PRD boundary borders undeveloped land zoned R-1.

Crafton Tull will work with Bentonville Water Utilities to determine the best route for sanitary sewer. Water utilities will be connected to the existing waterline across Nomad Road. These utilities will be designed per Bentonville Water Utilities Standard Specifications and will be reviewed by BWU and the Arkansas Department of Health. Stormwater will be designed in accordance with the City of Bentonville Stormwater Management and Drainage Manual.

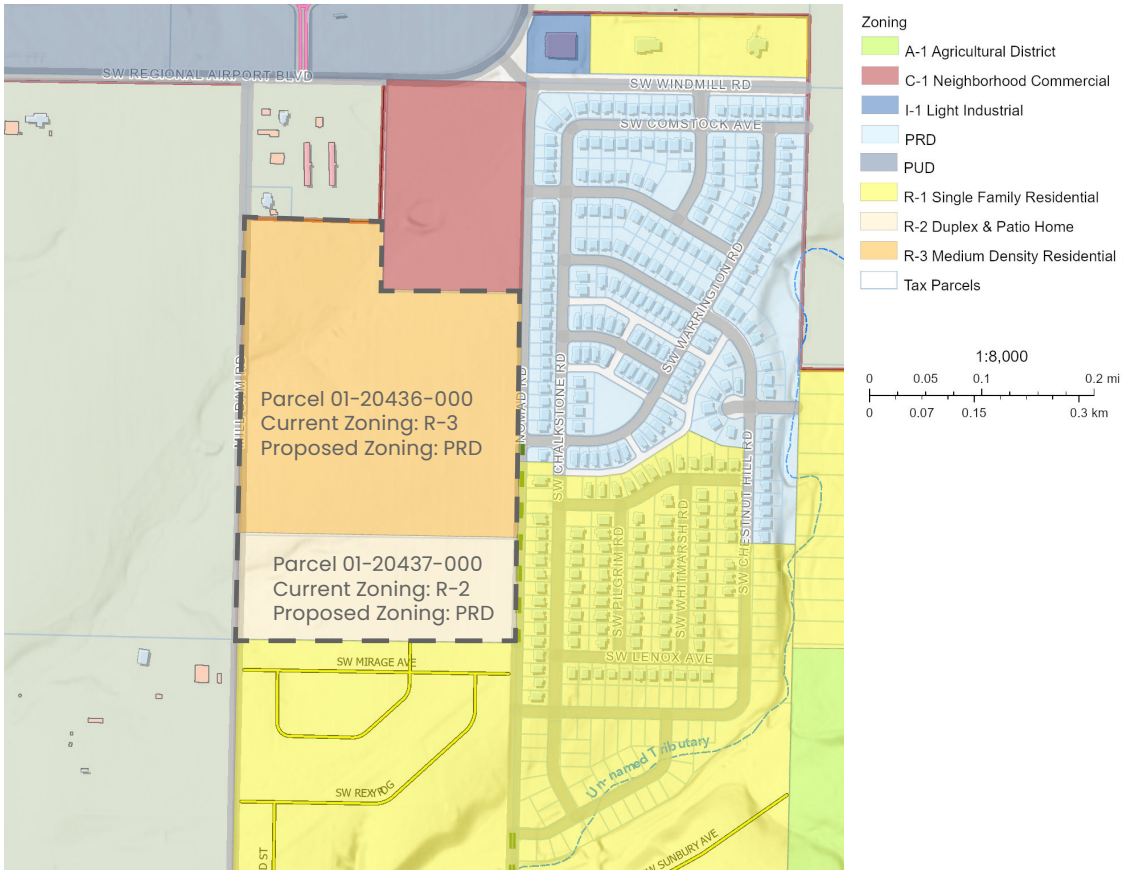


Figure 1: The Thickets Zoning Map per Bentonville GIS

Rezone Description

LOTS 2 AND 3 OF NOMAD MEADOWS, AS PER PLAT RECORD L202243443 IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3;
THENCE ALONG THE SOUTH LINE THEREOF N87°49'02"W 1245.03 FEET TO THE EAST RIGHT-OF-WAY OF MILL DAM ROAD;
THENCE ALONG SAID RIGHT-OF-WAY N02°30'40"E 1975.27 FEET TO THE NORTH LINE OF SAID LOT 2:
THENCE ALONG SAID NORTH LINE THE FOLLOWING THREE COURSES:
THENCE S87°45'09"E 622.59 FEET;
THENCE S02°30'56"W 337.03 FEET;
THENCE S87°45'52"E 622.56 FEET TO THE WEST RIGHT-OF-WAY OF NOMAD ROAD;
THENCE ALONG SAID RIGHT-OF-WAY S02°31'03"W 1155.78 FEET;
THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S02°30'27"W 481.18 FEET TO THE POINT OF BEGINNING, CONTAINING 51.62 ACRES, MORE OR LESS AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD OR FACT.

Master Site Plan

There are a total of 421 units on 54.52 acres. 281 will be single family detached lots and 140 will be townhome units. There are a mix of 4 unit and 6 unit townhomes. Each townhome unit will be its own lot with the lot line on the demising wall. All products within the development will be for sale.



Figure 2: PRD Master Plan

Architectural Elevations

The single-family homes will consist of engineered lap siding, engineered vertical siding, engineered lap wood stained siding, hardie board siding, brick, asphalt shingles, aluminum flashing and fascia. The townhomes' exterior elevations will vary but will consist of brick, engineered lap siding, engineered vertical siding, and asphalt shingles.

One foot of overhang will be allowed in the building setback for the eaves of single-family and townhome buildings.



Figure 3: Single-Family Elevation 1

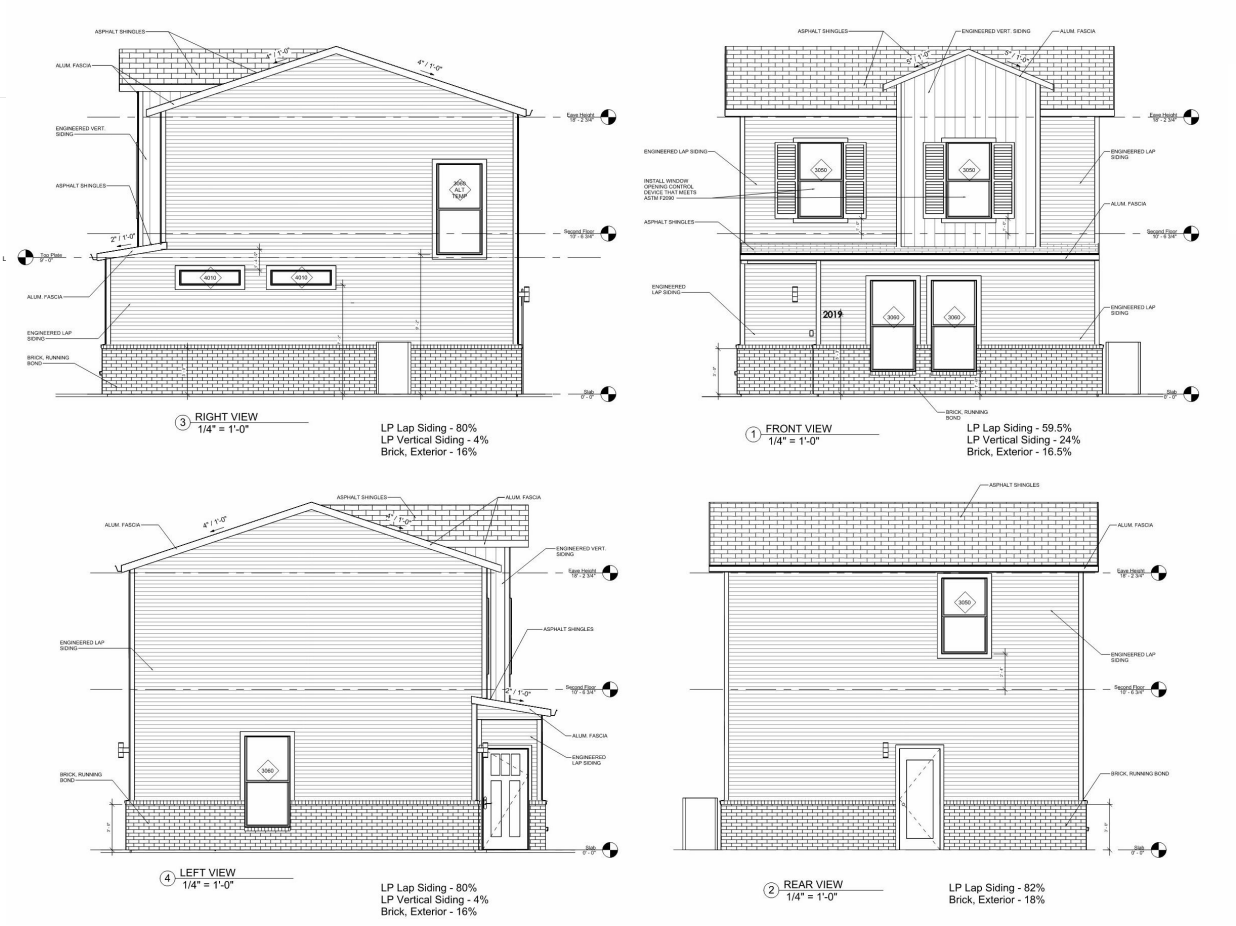


Figure 4: Single-Family Elevation 2

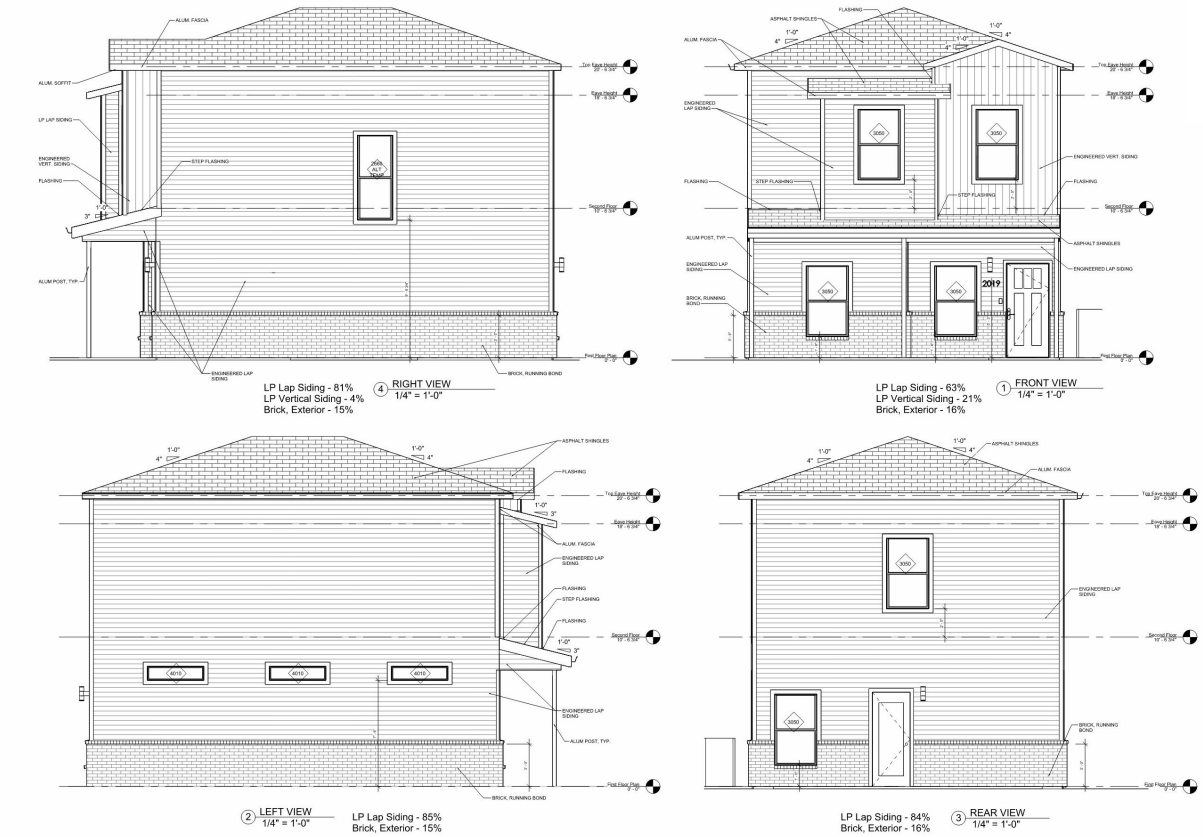


Figure 5: Single-Family Elevation 3



Figure 6: Single-Family Elevation 4



Figure 7: Townhome Elevations 1

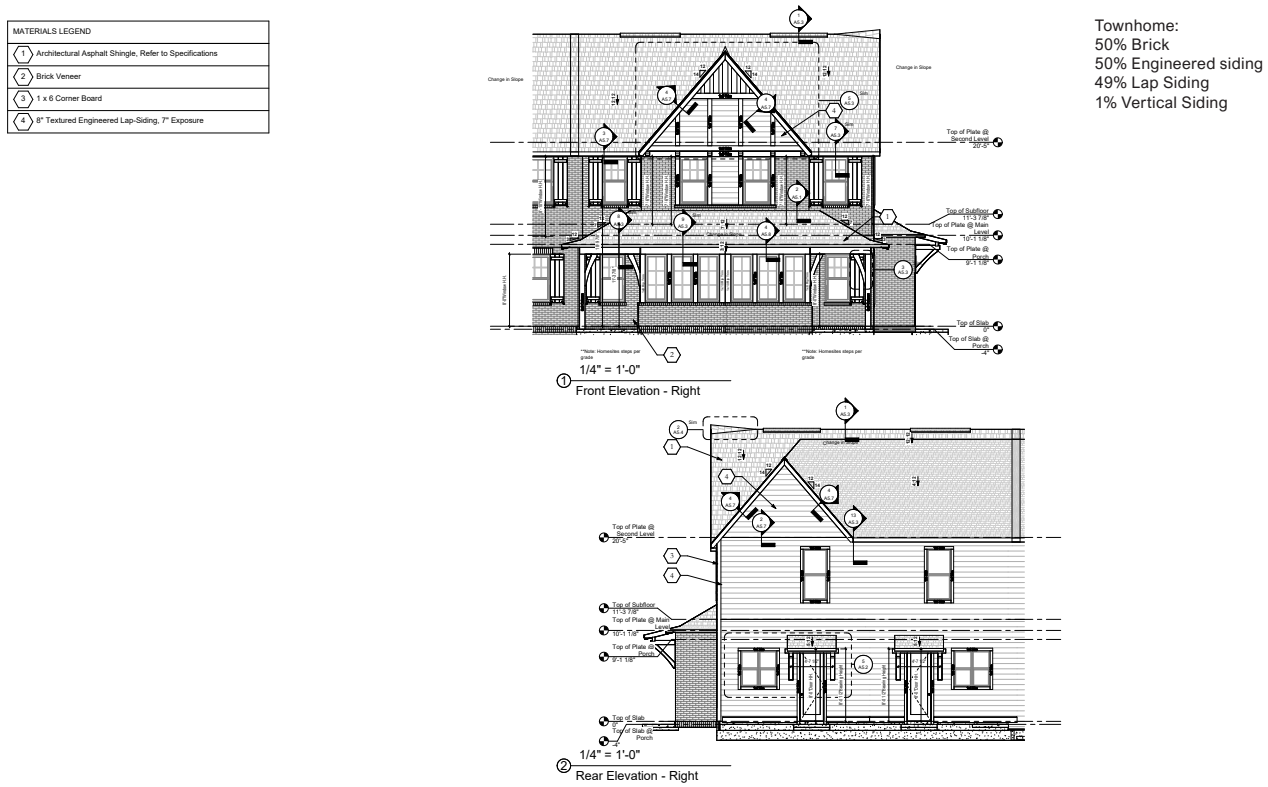


Figure 8: Townhome Elevations 2

Townhome:
50% Brick
50% Engineered siding
49% Lap Siding
1% Vertical Siding

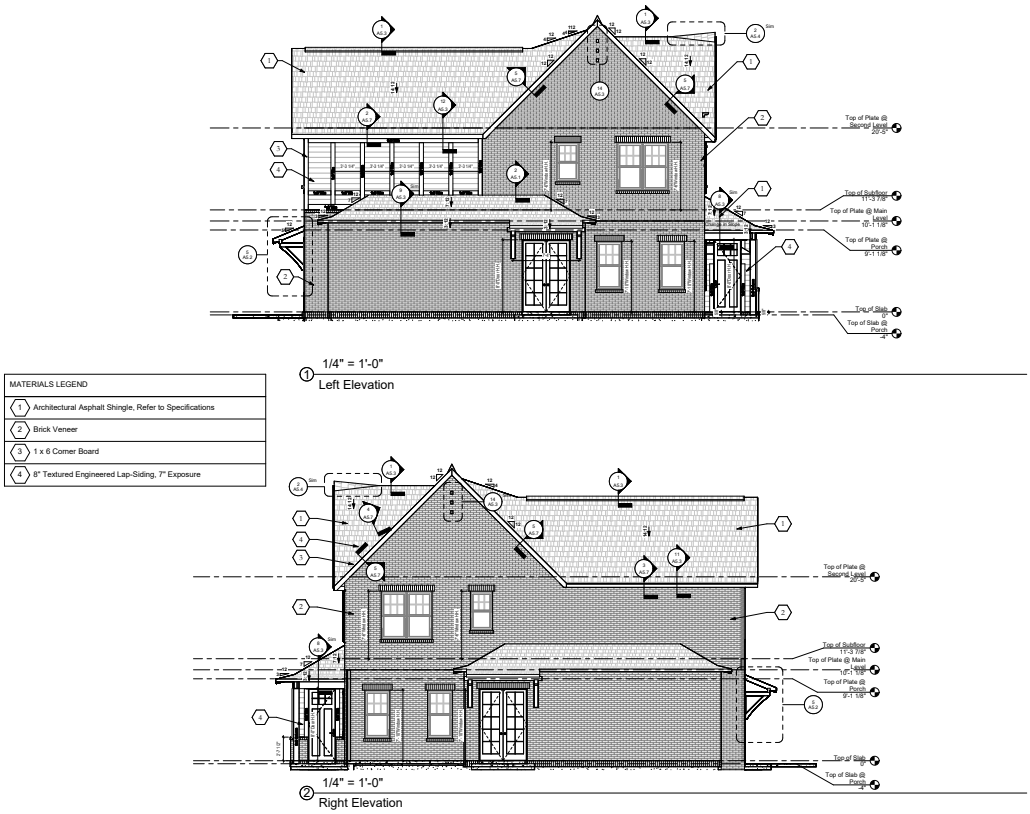


Figure 9: Townhome Elevations 3

Streets and Parking

The project proposes two new access points to Mill Dam Road and two new access points to Nomad Road. Mill Dam Road and Nomad Road are listed as Collector streets in the Bentonville Master Street Plan. Both streets will be improved as part of the development of this project. Mill Dam will be improved with 20 ft of asphalt, concrete sidewalk, and curb & gutter. Nomad Road will be improved with curb & gutter and concrete sidewalks. The southern access on Mill Dam Road creates the main road through the development and exits at the northern access on Nomad Road. Other streets and alleys are connected to the main road and create a network of streets with minimal dead-ends and cul-de-sacs.

All of the single-family homes are alley loaded with driveways. Each driveway can fit 2 off-street parking spaces per lot. 283 parking stalls are provided for the townhomes. Guest parking will be provided on-street since the design for Local Street with Shared Use allows for on-street parking. Approximately 198 on-street parking spaces will be provided. We are not requesting to group any parking spaces, garages, or carports with this PRD.

The proposed streets are safe, tight, walkable, minimize dead-ends, and uses through alleys. The proposed street sections align with the City of Bentonville standards.



Figure 10: Street Layout

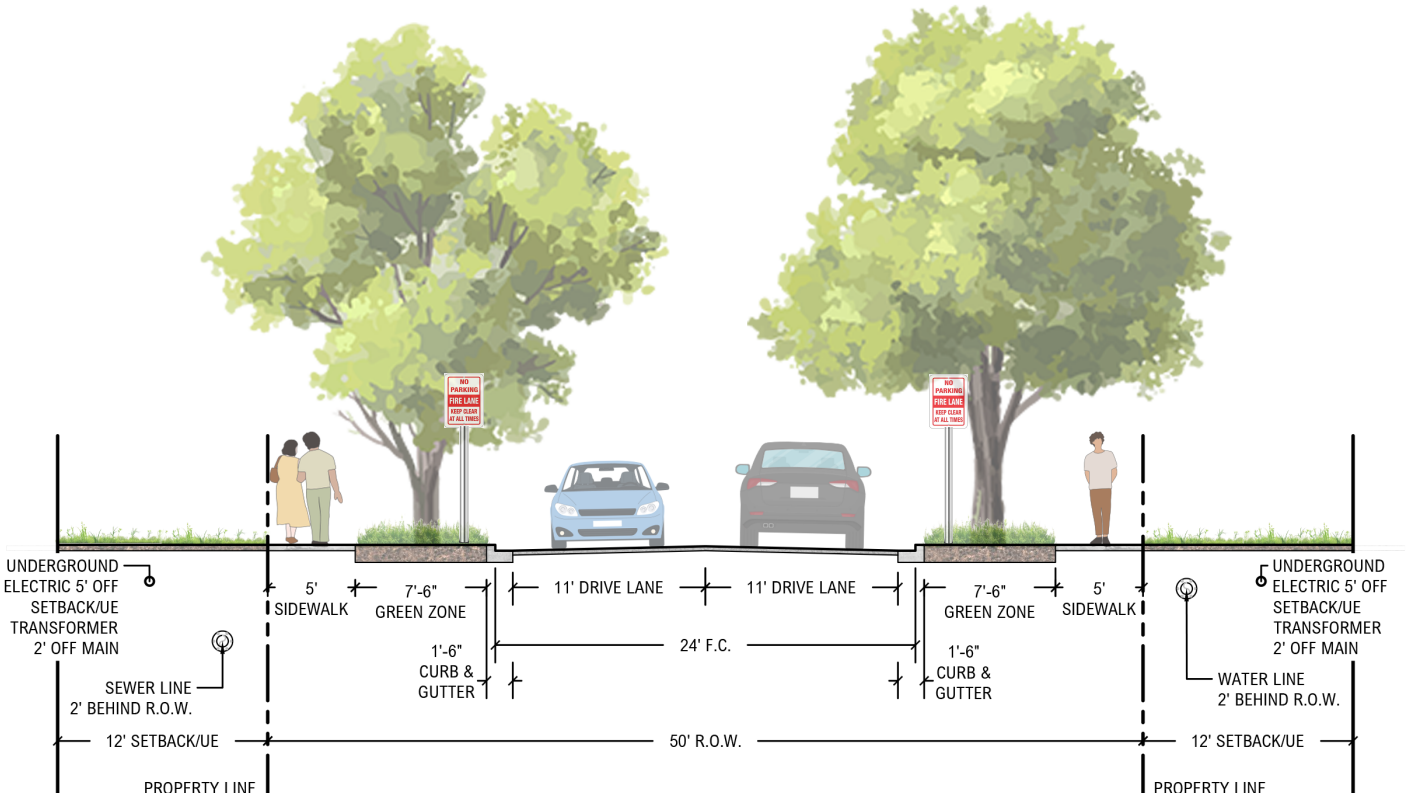


Figure 11: Typical Neighborhood Street without On-Street Parking

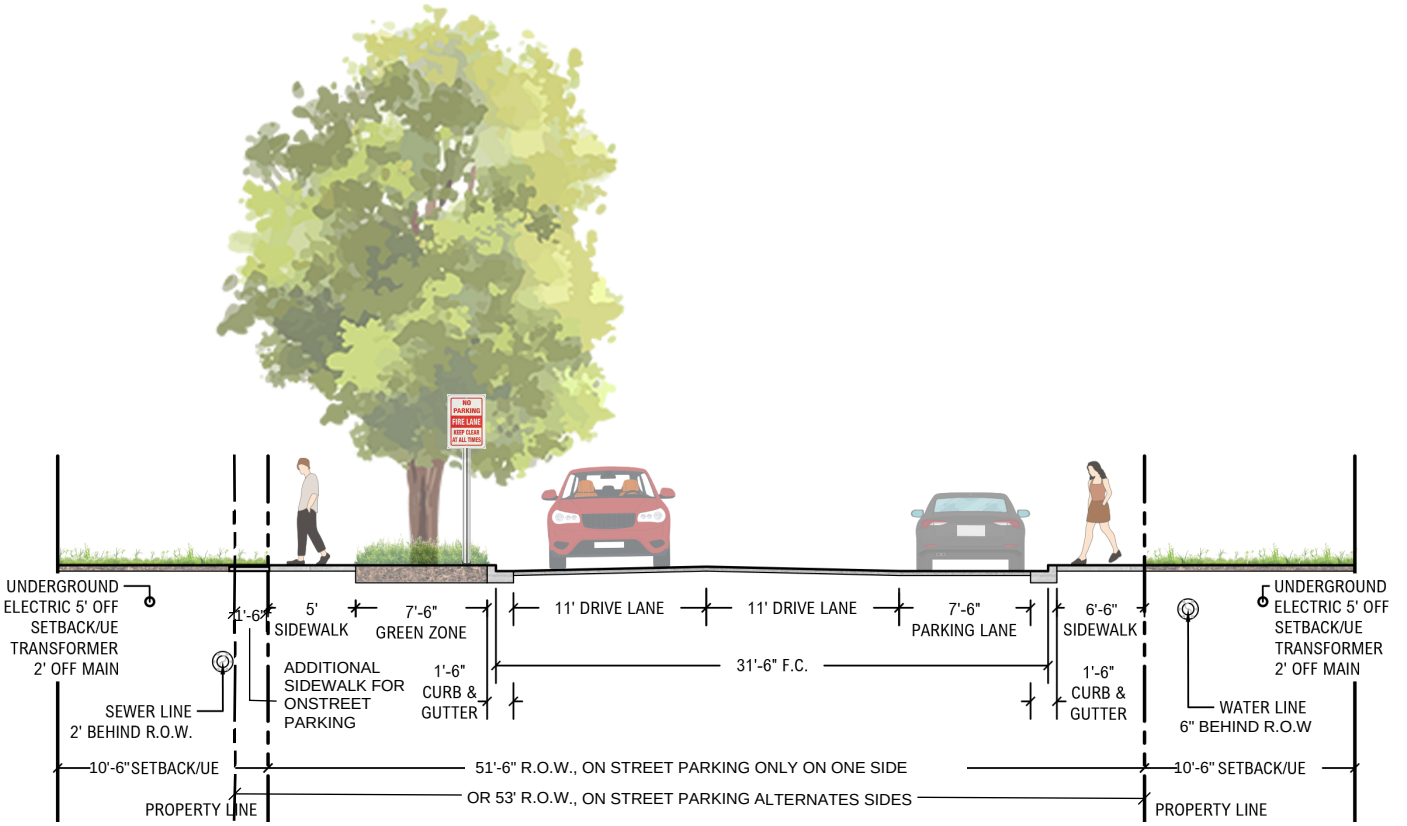


Figure 12: Typical Neighborhood Street with On-Street Parking

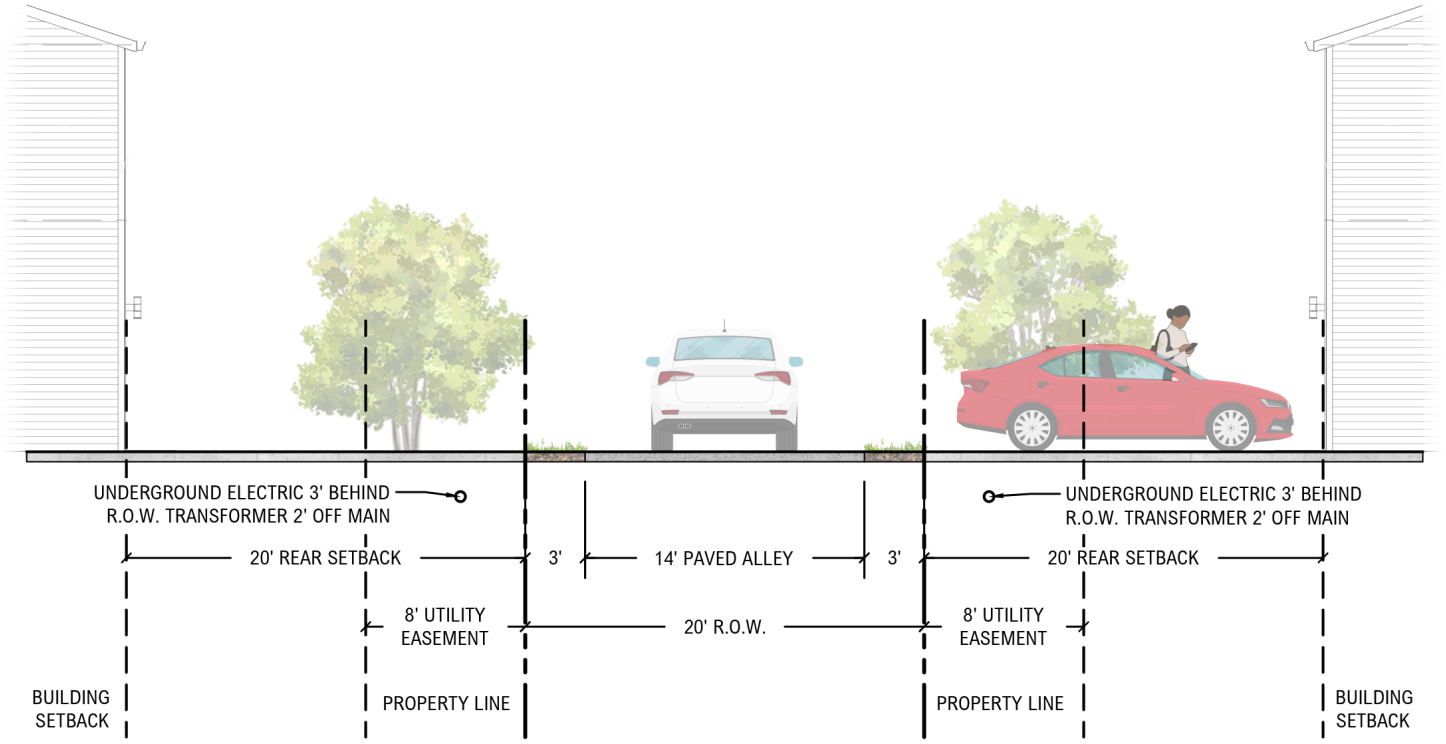


Figure 13: Typical Alley Section

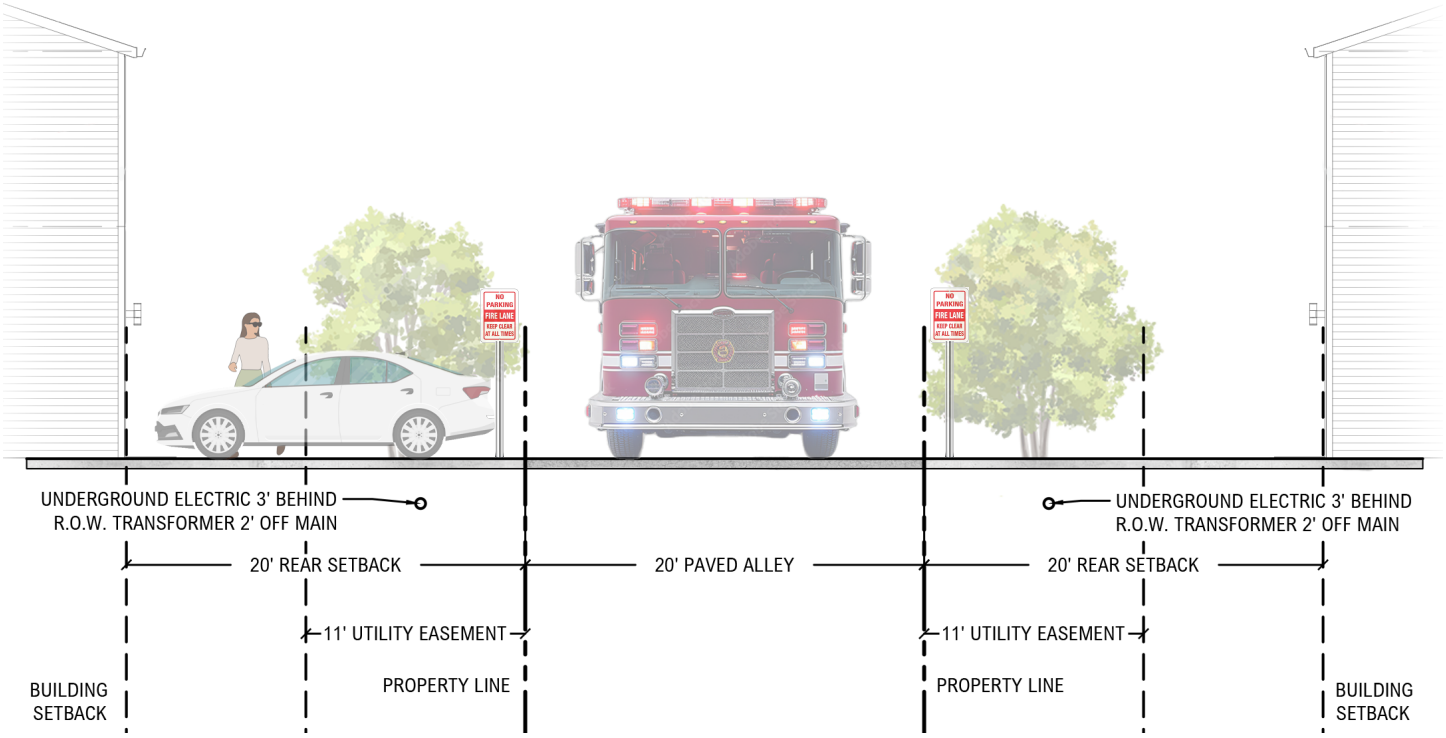


Figure 14: Typical Fire Accessible Alley Section

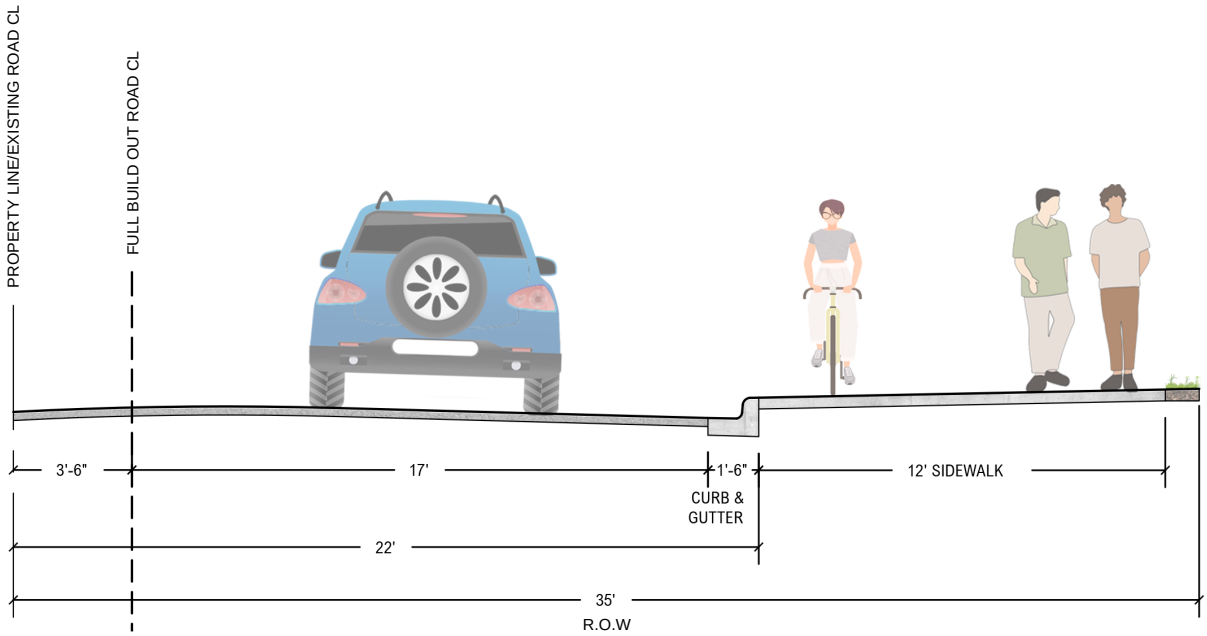


Figure 15: Mill Dam Road Section

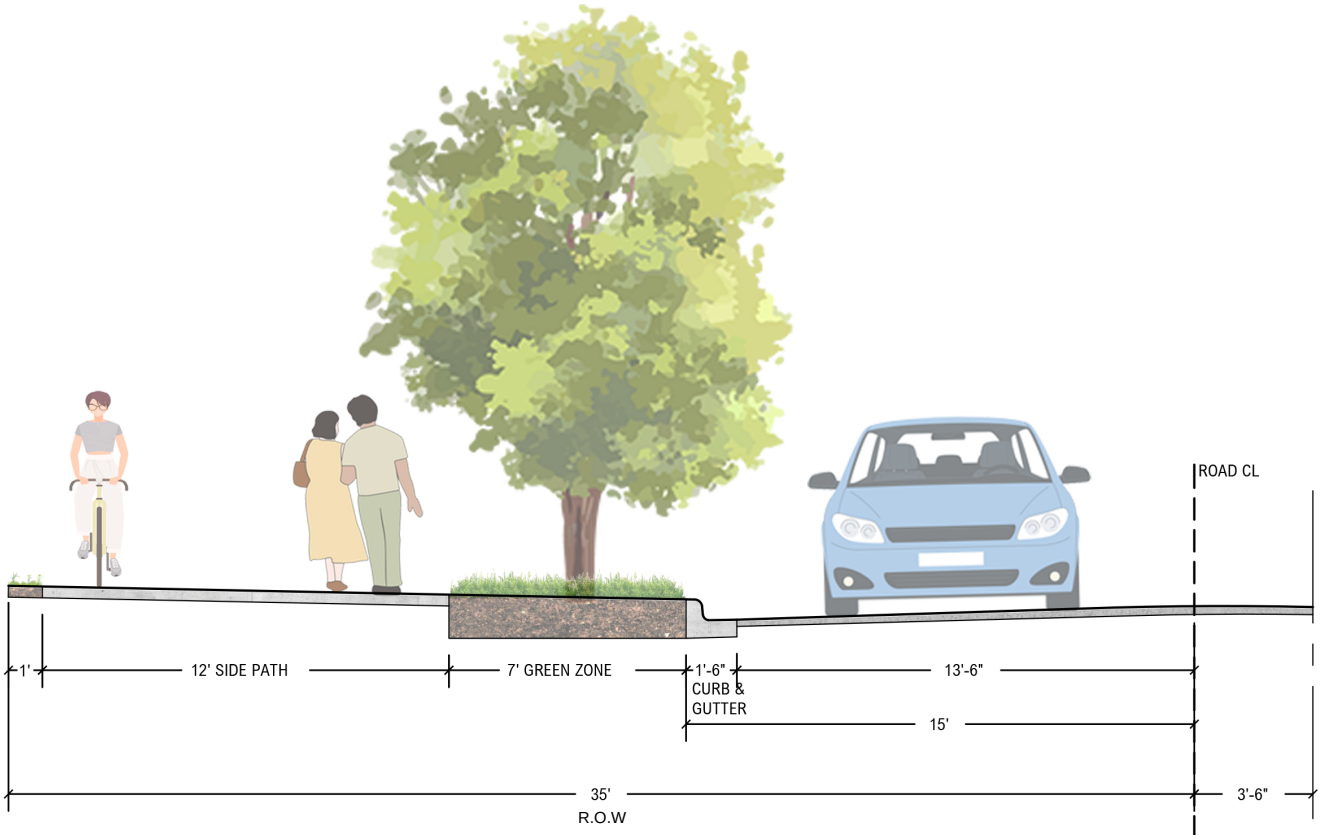


Figure 16: Nomad Road Section

Proposed Zoning Modifications

This PRD shall be governed by the use and development regulations of the City of Bentonville Municipal Code except as follows:

1. Density: R-2 zoning does not have base density regulations. The modified density request of 12.1 units/acre in the PRD is due to other allowable modifications.
2. Building setbacks:

Setbacks per PRD:
Front setback = 10.5'
Interior side setback = 6’
Exterior side setback = 15’
Rear setback = 20’

Setbacks per R-2 Zoning Code:
Front setback = 20’
Interior side setback = 7’
Exterior side setback = 20’
Rear setback = 25’

3. Height of buildings or structures: R-2 zoning has a maximum allowable height of 36’. This PRD will not modify this zoning standard.
4. Lot size, depth, and width:

Lot & Area Standards per PRD:
Minimum Lot Area = 2,275 sq. ft.
Minimum Lot Width = 37’
Minimum Lot Depth = 65’

Lot & Area Standards per R-2 Zoning Code:
Minimum Lot Area = 5,000 sq. ft.
Minimum Lot Width = 50’

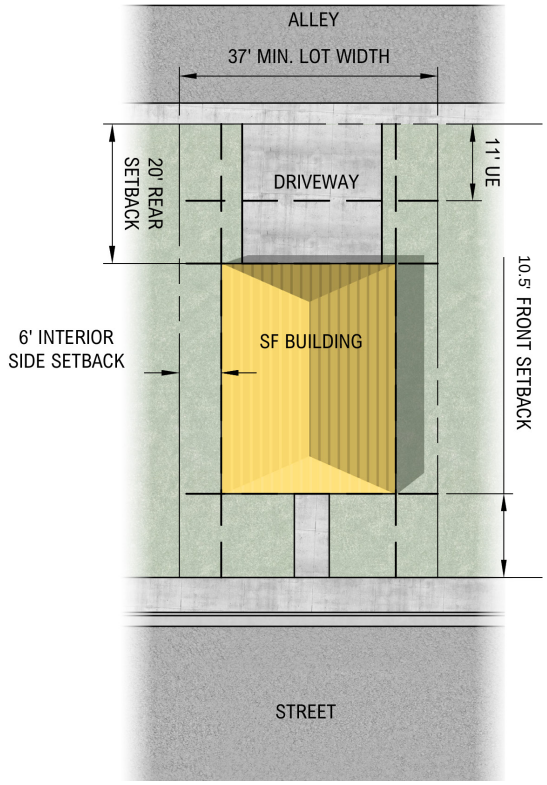


Figure 17: Typical Interior Lot Layout

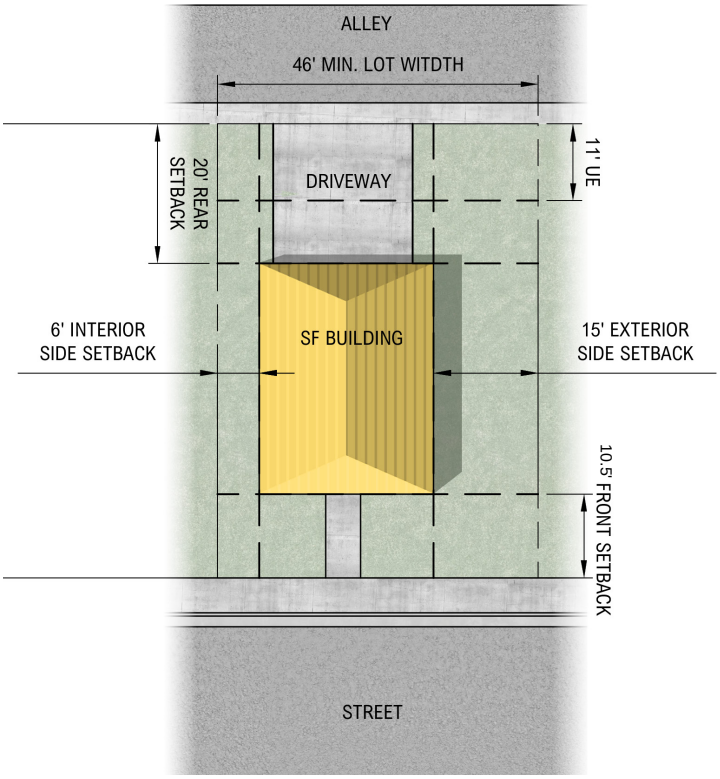


Figure 18: Typical Corner Lot Layout

5. Required off-street parking spaces: Sec. 501.06(f) requires 2 off-street parking spaces per dwelling unit. These will be provided via driveways on each lot. This development standard will not be modified with this PRD.
6. Street widths: Local Streets with Shared Use (per City of Bentonville's TSS) are proposed throughout and will not be modified with this PRD.
7. Each townhome unit will be on its own lot with the lot line on the demising wall. There will be 0' setback on the front, rear and side. All adjacent property will be commonly owned and maintained with access and utility easements to service each unit.

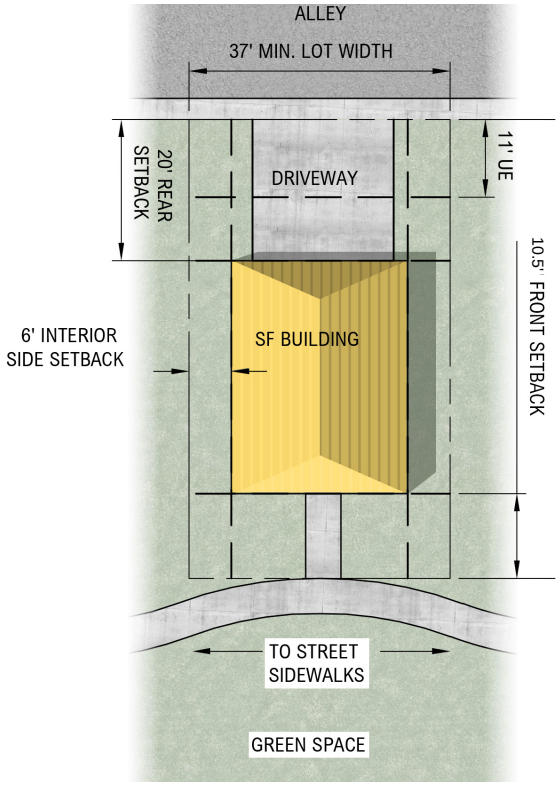


Figure 19: Typical Lot Layout Fronting Green Space

Perimeter Requirements

Screening and landscaping will be provided as required by the City Municipal Code. Most uses surrounding the property, and including the property are low density residential, no screening is planned. Where the project abuts C-1 Commercial Zoning a type A screen will be required. Street trees will be planned in accordance with the typical city street sections. Landscape enhancements will be provided in the common areas and in the stormwater open space. Perimeter landscape strips will be provided along the rear and side lot lines. This will include landscaping and screening if required. The planting palette will be strictly from the City of Bentonville approved tree/plans list.

Information regarding setbacks, building height, lot coverage, and other elements necessary for all perimeter lots that are adjacent to the boundary of the PRD district or adjacent to any boundary or perimeter street right-of-way has been provided with this PRD.

Fencing will be limited to the property perimeter and installed during initial construction. Standard shadow box wood privacy fencing will be provided.

Open Space and Landscaping

As stated above, street trees and all landscaping will be designed in accordance with the City of Bentonville's Municipal Codes and Ordinances. Street trees will be provided along the proposed local streets per the Typical Street Section.

The neighborhood includes open green spaces interspersed throughout, providing access to quality outdoor space in multiple forms. A series of pocket parks and common greens are used to provide walking paths, a dog park, and a pickleball court to residents. These spaces also act as natural systems enhanced with native plantings, allowing for wildlife migration by being connected, rather than isolated habitats. A trail system around the stormwater ponds and habitat area will provide opportunities for walking, running, and wildlife viewing.

Per PRD requirements, 15% common, usable, open space is required. For this site (~45.96 ac. excluding ROW), 8.18 acres of open space is required. This requirement is being met with this PRD by providing the following open spaces:

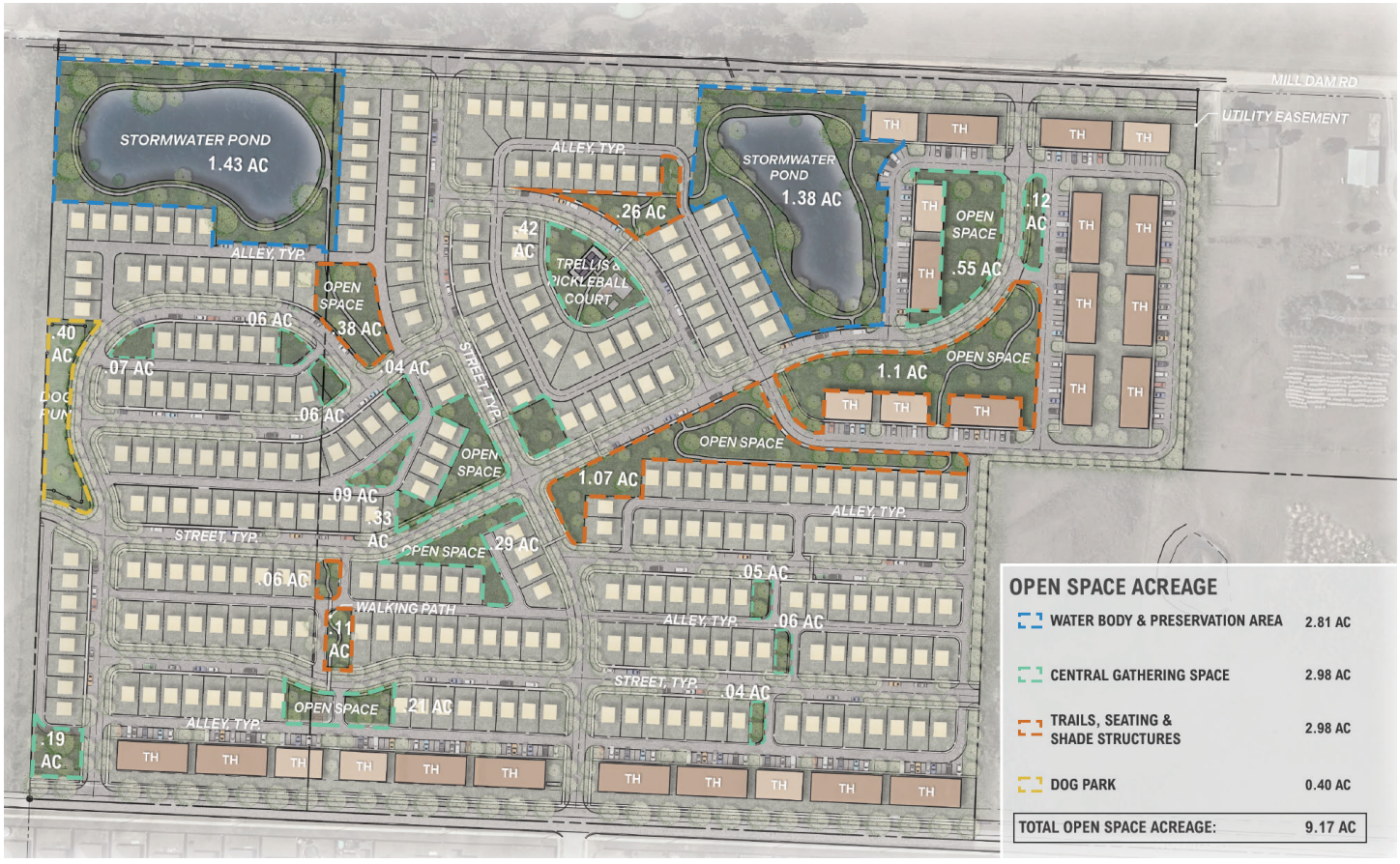


Figure 20: Open Space Plan

Phasing

This project will be constructed in three phases. A phase lines and color is shown on the site plan that has been provided. Each phase of this project will likely begin construction within 12 months of previous phase.

The phase indicated with light green will include improvements to Mill Dam Rd., Nomad Rd., and both stormwater ponds. The main entry roads from Mill Dam Rd. will also be built in this phase. The dog park and pickleball area will be constructed in this phase also.

The phase indicated with medium green will include townhomes and connect to Nomad Rd. Various walking paths and pocket parks will also be constructed in this phase. The phase indicated with dark green will consist of single-family homes and community open spaces.

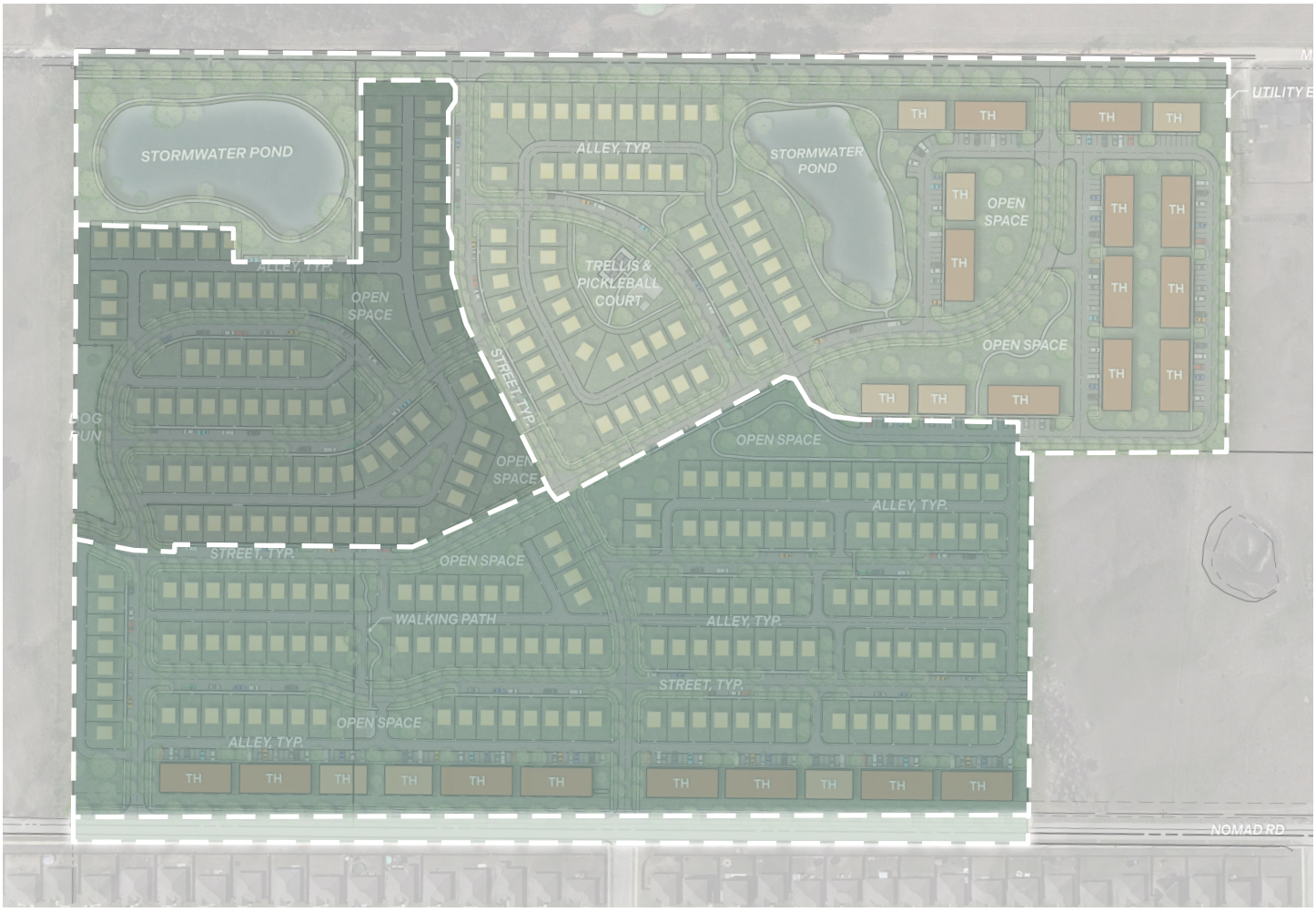


Figure 21: Phasing Diagram

Structural Design Standards

All structural design standards in the City of Bentonville Municipal Code will be met with this PRD.

Prohibited Modifications

This project will abide by and meet all City of Bentonville's zoning and development standards for sign requirements, grading and drainage, access management, outdoor lighting, landscaping and screening, residential light standards, and flood damage protection.

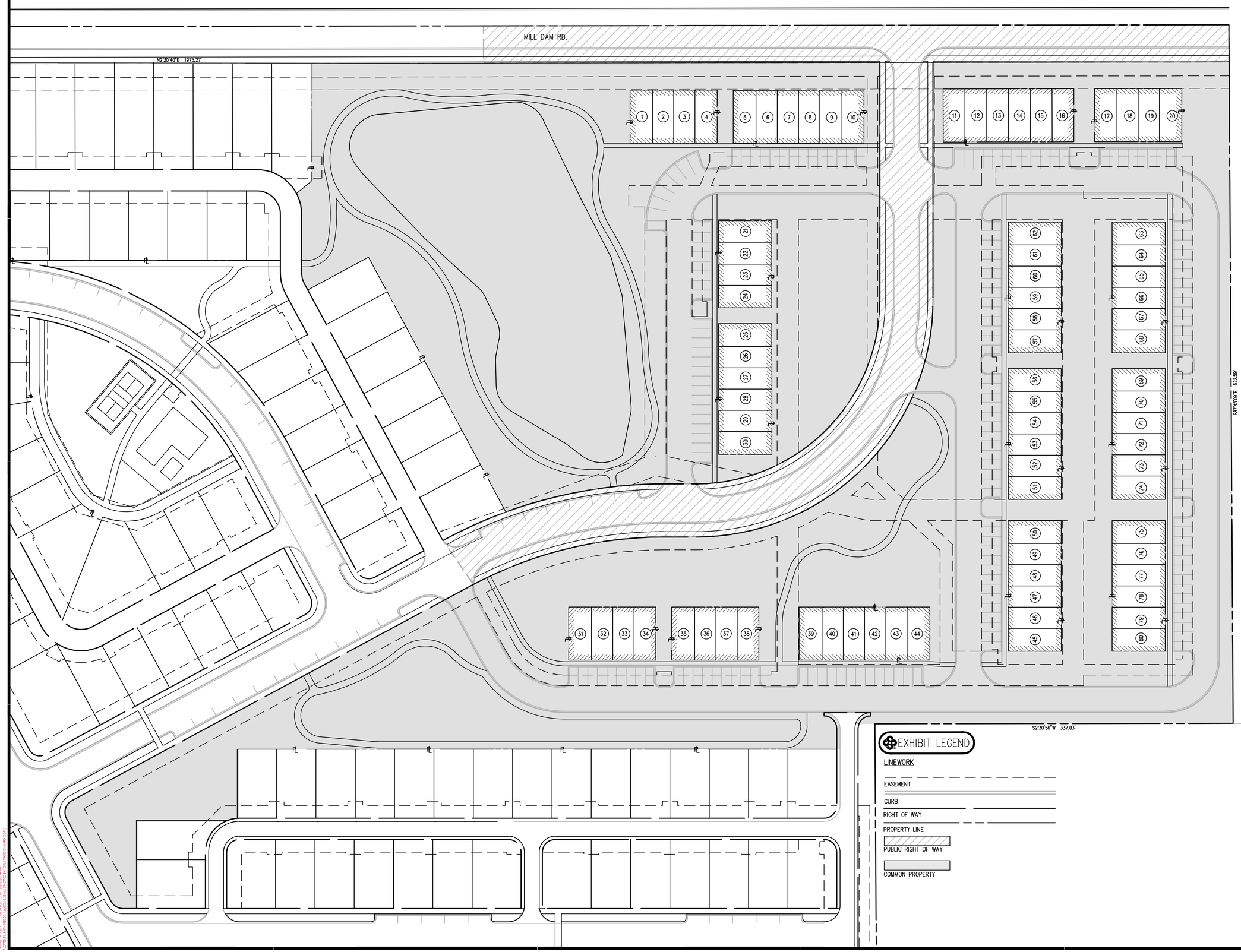


EXHIBIT LEGEND

LINEWORK

EASEMENT

CURB

RIGHT OF WAY

PROPERTY LINE

PUBLIC RIGHT OF WAY

COMMON PROPERTY

901 N. 47th St., Suite 400
Rogers, Arkansas 72756

Crafton Tull
architecture | engineering | surveying

479.636.4838 t 479.631.6224 f
www.craftontull.com

CERTIFICATE OF AUTHORIZATION:

CERTIFICATE OF AUTHORIZATION
CRAFTON, TULL & ASSOCIATES, INC.
No. 109
ARKANSAS ENGINEER

GRAPHIC SCALE IN FEET
40' 0 40'

B3 PRD

BENTONVILLE, AR

Key Plan

No.	Description	Date

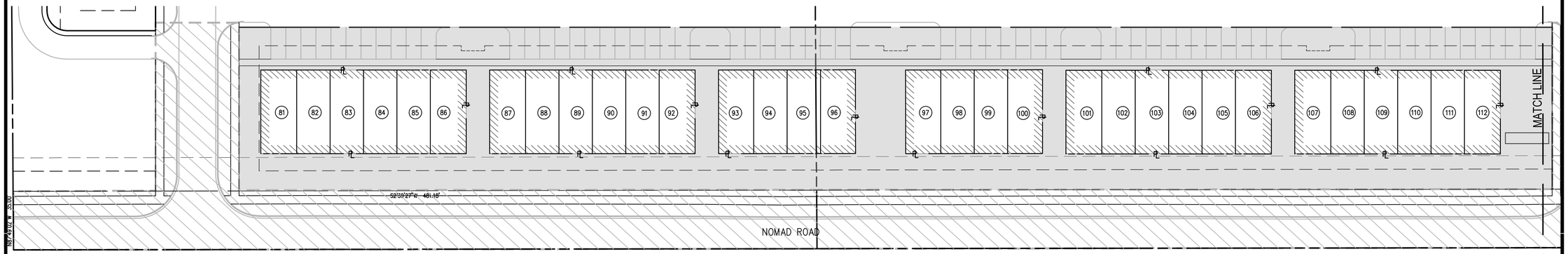
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PROJECT NO: 25104600
ISSUE DATE: 10/14/25
CONTACT: A. KARR
QC by:
QC Date:

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LOT EXHIBIT

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PLOTTED BY: KIRT KNEUPER - 10/20/2025 8:05 AM (PLOTTED BY TOM'S FAVORITE HARD COPY)



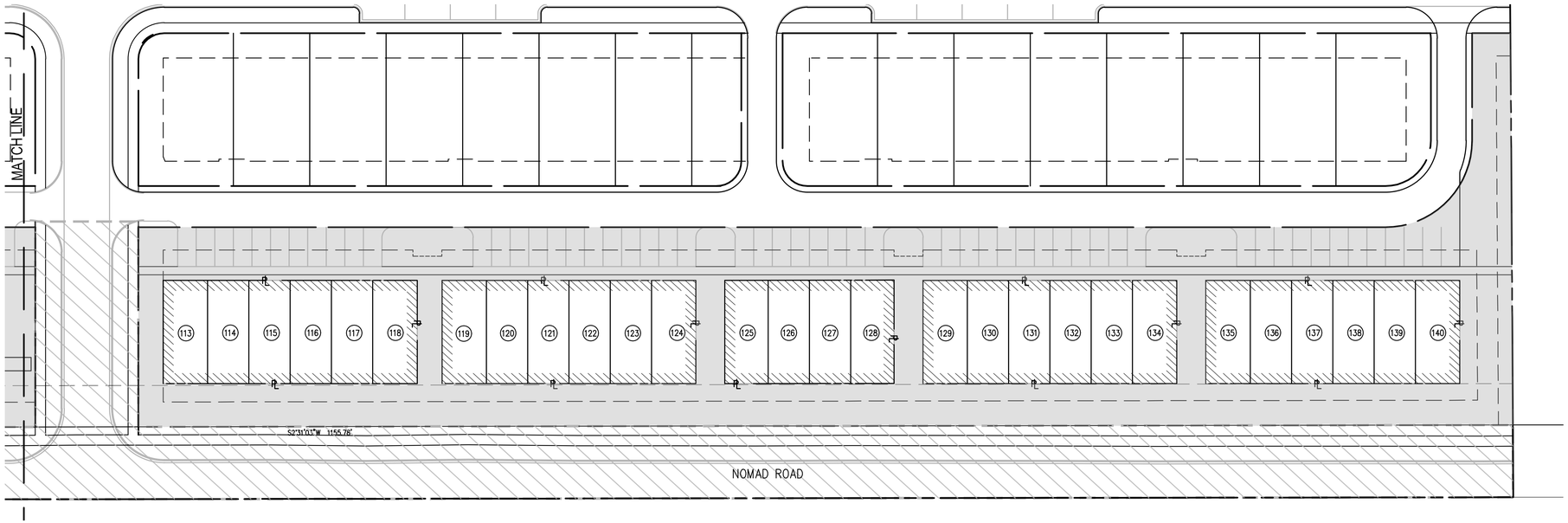


EXHIBIT LEGEND

LINEWORK

EASEMENT

CURB

RIGHT OF WAY

PROPERTY LINE

PUBLIC RIGHT OF WAY

COMMON PROPERTY

901 N. 47th St., Suite 400
Rogers, Arkansas 72756

Crafton Tull
architecture | engineering | surveying

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No. 109
ARKANSAS ENGINEER

GRAPHIC SCALE IN FEET
30' 0 30'

B3 PRD
BENTONVILLE, AR

Key Plan

No.	Description	Date

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QC by:
QC Date:

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LOT EXHIBIT

DRAWING ID:G:\SHARED\PROJECTS\25104600 B3 PRD\CIVIL\DWG\LOT EXHIBIT 11.7.25.DWG
LAYOUT: LOT EXHIBIT PLOTTED: 10/27/25 8:29 AM PLOTTED BY: CHRISTIAN ROBINSON (CARD COPY)



UNIT COUNT

PROPOSED ZONIING: PLANNED RESIDENTIAL DEVELOPMENT

TOWNHOMES (TH):
- 8 TOWNHOMES @ 4 UNITS EACH = 32 TOWNHOME UNITS
- 18 TOWNHOMES @ 6 UNITS EACH = 108 TOWNHOME UNITS

TOTAL TOWNHOME UNITS = 140 TOWNHOME UNITS

SINGLE FAMILY:
- ≈ 35' W X 65' D = 281 LOTS

TOTAL SITE LOTS: 306 LOTS
TOTAL SITE UNITS: 421 UNITS

PARKING:
TOTAL PARKING PROVIDED = 492 PARKING STALLS

PRISM DESIGN STUDIO

Crafton Tull

THE THICKETS

NOMAD RD
BENTONVILLE, AR 72712

08.11.2025

0 100' 200'

N

VIEW 1



PRISM DESIGN STUDIO

Crafton Tull

THE THICKETS

NOMAD RD
BENTONVILLE, AR 72712

VIEW 2



PRISM DESIGN STUDIO

Crafton Tull

THE THICKETS

NOMAD RD
BENTONVILLE, AR 72712

VIEW 3



PRISM DESIGN STUDIO

Crafton Tull

THE THICKETS

NOMAD RD
BENTONVILLE, AR 72712

VIEW 4



PRISM DESIGN STUDIO

Crafton Tull

THE THICKETS

NOMAD RD
BENTONVILLE, AR 72712

VIEW 5





PRISM DESIGN STUDIO

Crafton Tull

THE THICKETS

NOMAD RD
BENTONVILLE, AR 72712

VIEW 6



PRISM DESIGN STUDIO

Crafton Tull

THE THICKETS

NOMAD RD
BENTONVILLE, AR 72712

VIEW 7



PRISM DESIGN STUDIO

Crafton Tull

THE THICKETS

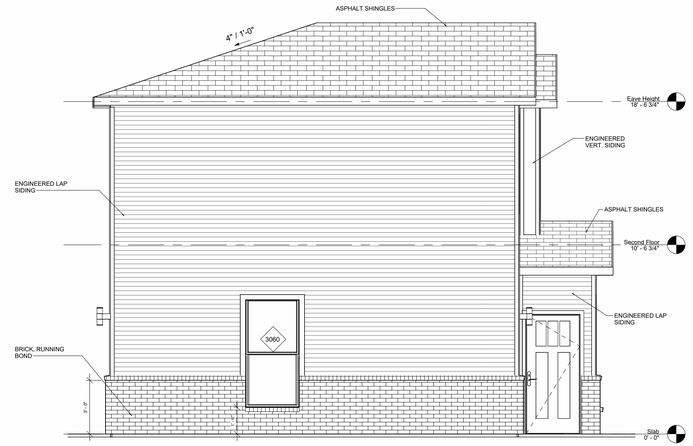
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BENTONVILLE, AR 72712



5 3D View 1

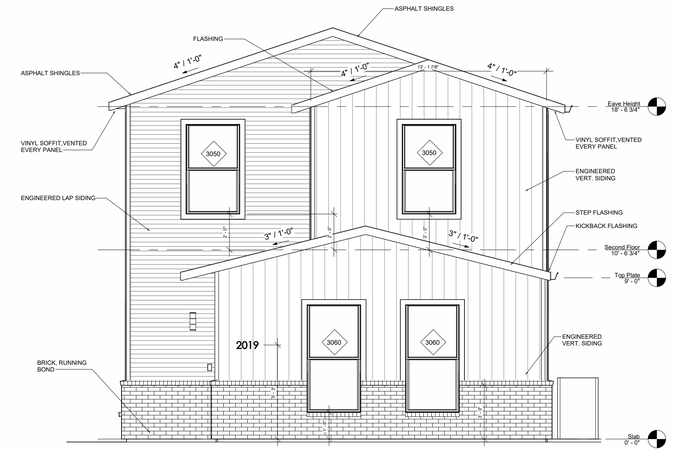


6 3D View 2



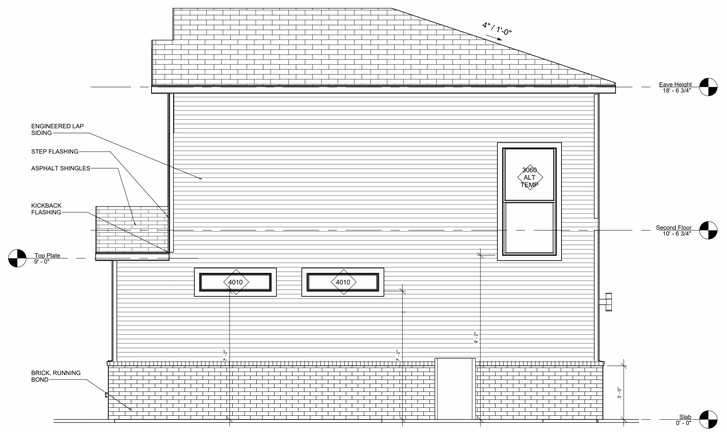
4 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 80%
Brick, Exterior - 20%



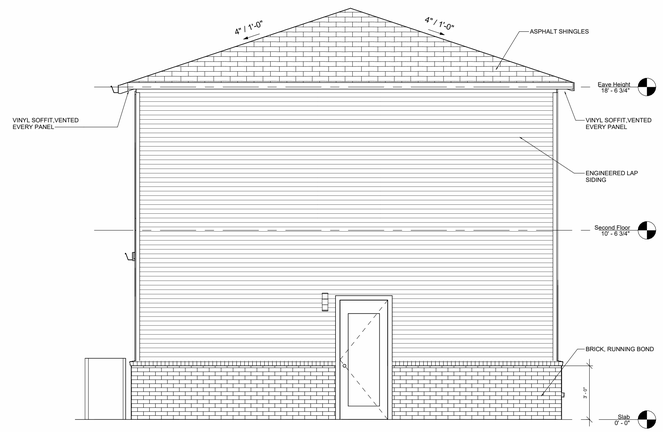
1 FRONT VIEW
1/4" = 1'-0"

LP Lap Siding - 32%
LP Vertical Siding - 52%
Brick, Exterior - 16%



LP Lap Siding - 80%
Brick, Exterior - 20%

3 RIGHT VIEW
1/4" = 1'-0"



2 REAR VIEW
1/4" = 1'-0"

LP Lap Siding - 82%
Brick, Exterior - 18%

Whole Home:
LP Lap Siding - 68.5%
LP Vertical Siding - 13%
Brick, Exterior - 18.5%

THE IMAGES MAY NOT ACCURATELY REFLECT THE APPLIANCES, ELECTRICAL OUTLET, PLUMBING FIXTURES, LIGHTING FIXTURES, OR MATERIALS OF THE HOMES THAT WILL BE USED. PLEASE BRING UP ANY AND ALL ITEMS THAT MAY BE CONFUSING TO YOUR EXPERIENCE SPECIALIST BEFORE SIGNING BELOW. NO CHANGES WILL BE MADE FOLLOWING THIS MEETING.

I, _____ HOMEBUYER SIGNATURE

_____ DATE

A-1.1

ELEVATIONS

DATE: Issue Date

PLAN: 11002B-BG NL1

ADDRESS: Enter address here

CUSTOMER: AVAILABLE

This is representative of and will be similar to elevation shown in Dwelling Specification Packages (Elevations) for options and features applicable to this plan.

OPTIONS:

VERSION: Project Status

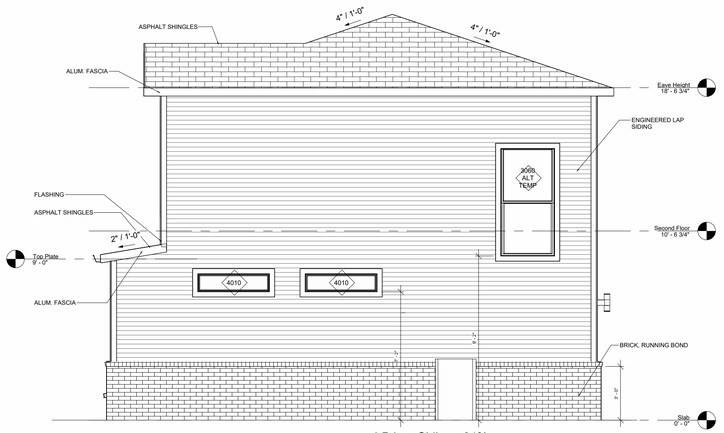
SCHUBER MITCHELL HOMES



5 3D View 1

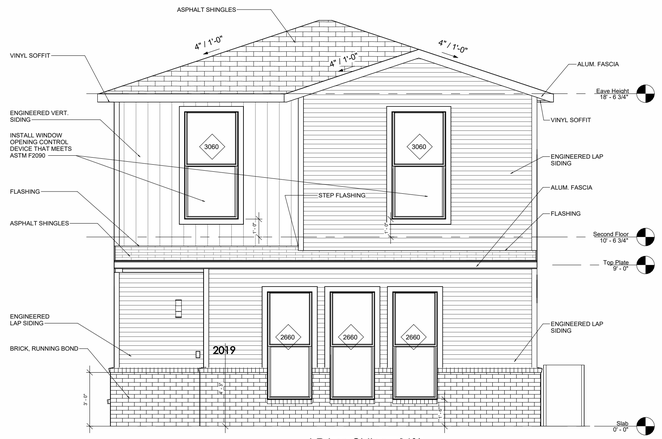


6 3D View 2



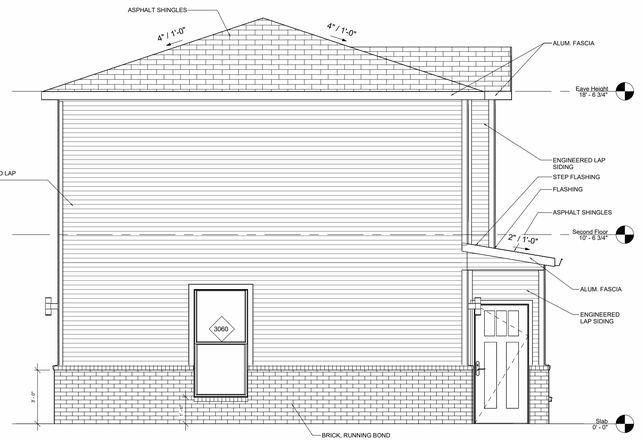
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1/4" = 1'-0"

LP Lap Siding - 81%
Brick, Exterior - 19%



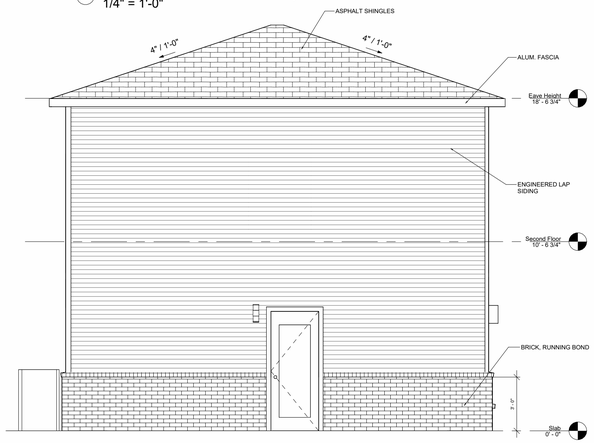
1 FRONT VIEW
1/4" = 1'-0"

LP Lap Siding - 64%
LP Vertical Siding - 19%
Brick, Exterior - 17%



4 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 81%
Brick, Exterior - 19%



2 REAR VIEW
1/4" = 1'-0"

LP Lap Siding - 82%
Brick, Exterior - 18%

Whole Home:
LP Lap Siding - 77%
LP Vertical Siding - 5%
Brick, Exterior - 18%

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1. _____ HOMEBUYER SIGNATURE

_____ DATE

A-1.1

ELEVATIONS

DATE: Issue Date

PLAN: 1100 2-Bedroom NL3

ADDRESS: Enter address here

CUSTOMER: AVAILABLE

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OPTIONS:

VERSION Project Status

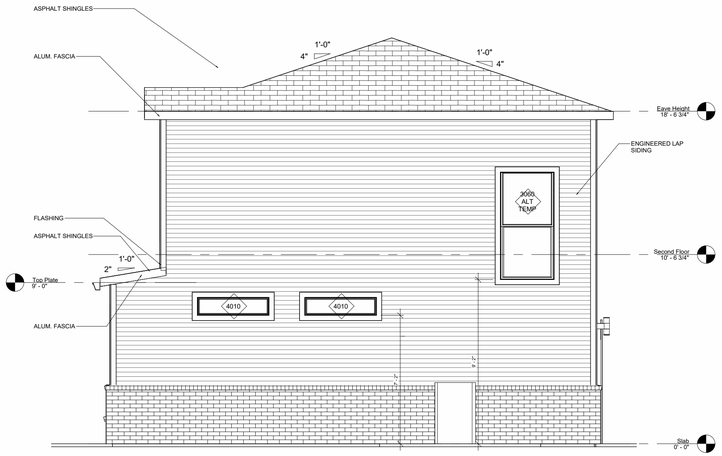
SCHUBER MITCHELL HOMES



5 3D View 1

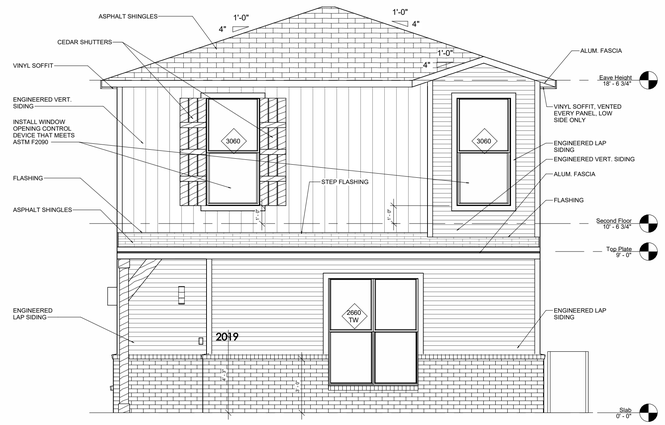


6 3D View 2



3 RIGHT VIEW
1/4" = 1'-0"

LP Lap Siding - 81%
Brick, Exterior - 19%



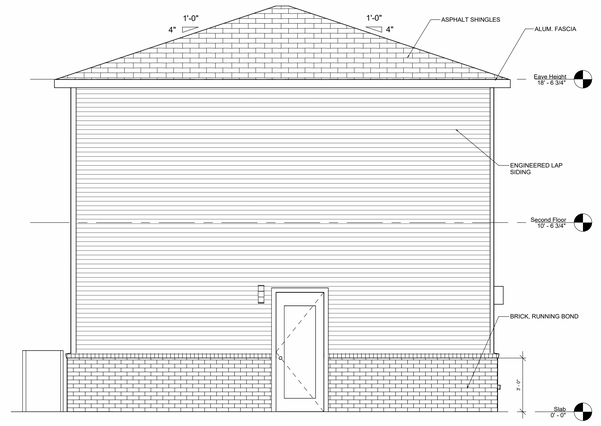
1 FRONT VIEW
1/4" = 1'-0"

LP Lap Siding - 50%
LP Vertical Siding - 32%
Brick, Exterior - 18%



4 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 81%
Brick, Exterior - 19%



2 REAR VIEW
1/4" = 1'-0"

LP Lap Siding - 82%
Brick, Exterior - 18%

Whole Home:
LP Lap Siding - 73.5%
LP Vertical Siding - 8%
Brick, Exterior - 18.5%

A-1.1

ELEVATIONS

DATE: Issue Date

PLAN: 1100 2-Bedroom NL3

ADDRESS: Enter address here

CUSTOMER: AVAILABLE

This perspective is provided with a variance in general detail to match Sales Feature Options pages (Exterior) for review and approval by Schuber-Mitchell Homes.

OPTIONS:

VERSION: Project Status

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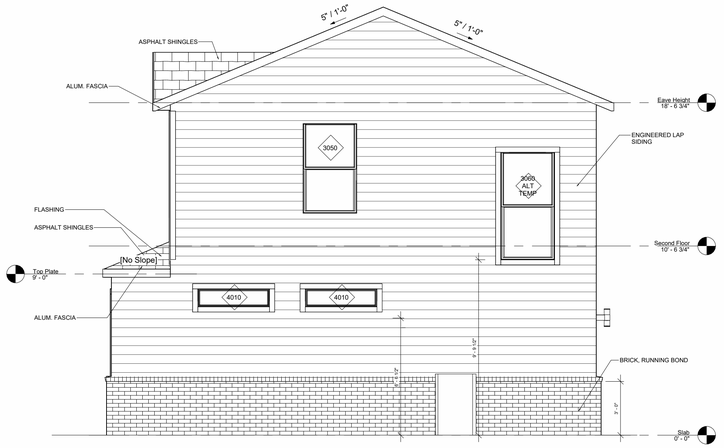
_____ DATE



5 3D View 1



6 3D View 2



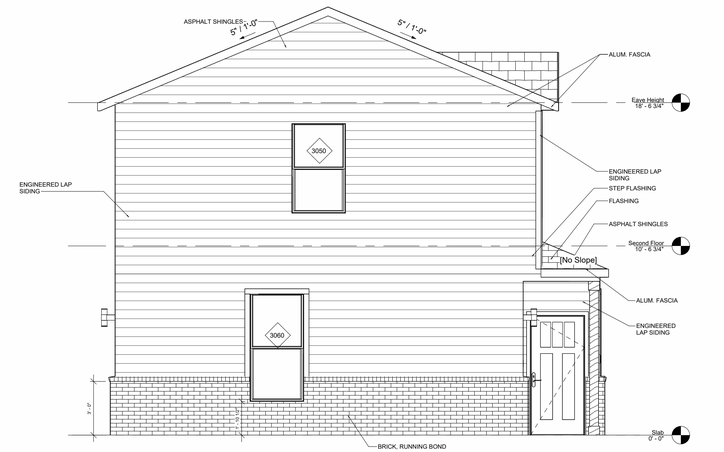
3 RIGHT VIEW
1/4" = 1'-0"

LP Lap Siding - 83%
Brick, Exterior - 17%



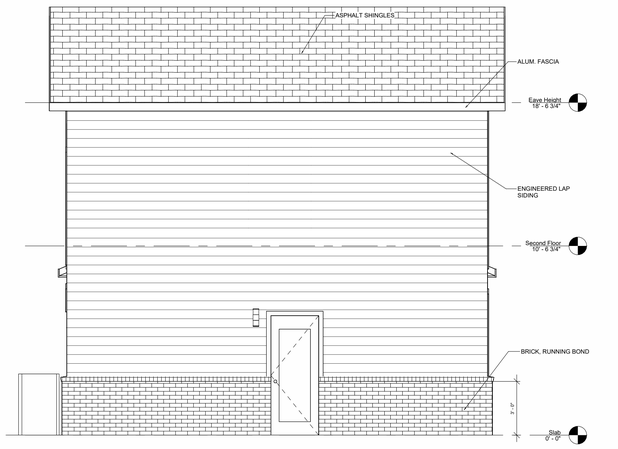
1 FRONT VIEW
1/4" = 1'-0"

LP Lap Siding - 83%
Brick, Exterior - 17%



4 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 83%
Brick, Exterior - 17%



2 REAR VIEW
1/4" = 1'-0"

LP Lap Siding - 82%
Brick, Exterior - 18%

Whole Home:
LP Lap Siding - 83%
Brick, Exterior - 17%

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ELEVATIONS

DATE: Issue Date

PLAN: 1100 2-Bedroom NL3

ADDRESS: Enter address here

CUSTOMER: AVAILABLE

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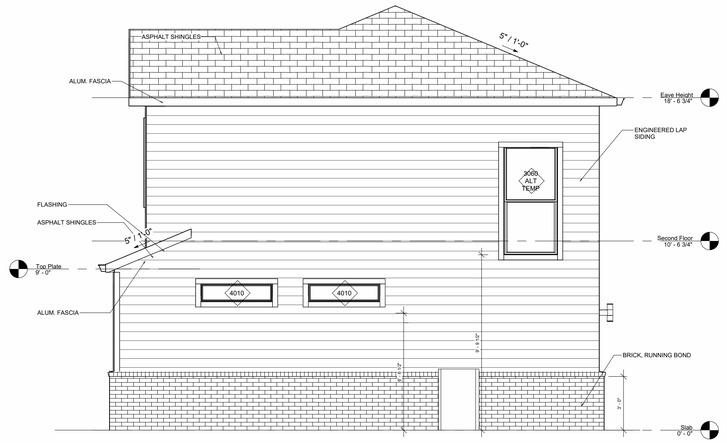
SCHUBER MITCHELL HOMES



5 3D View 1

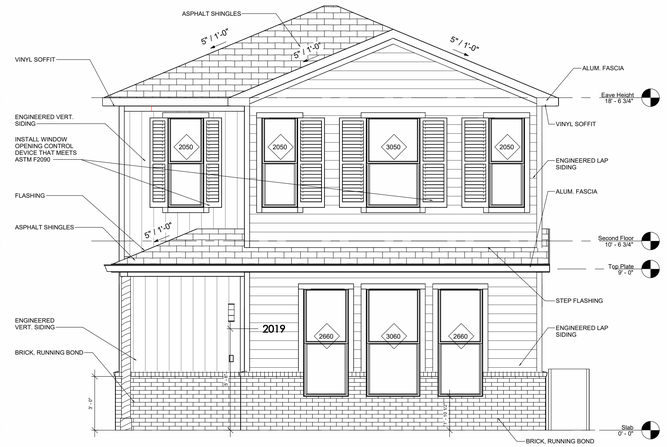


6 3D View 2



3 RIGHT VIEW
1/4" = 1'-0"

LP Lap Siding - 82%
Brick, Exterior - 18%



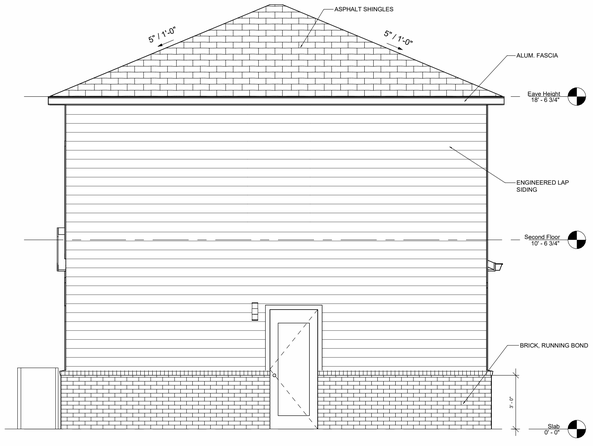
1 FRONT VIEW
1/4" = 1'-0"

LP Lap Siding - 61%
LP Vertical Siding - 22.5%
Brick, Exterior - 16.5%



4 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 82%
Brick, Exterior - 18%



2 REAR VIEW
1/4" = 1'-0"

LP Lap Siding - 82%
Brick, Exterior - 18%

Whole Home:
LP Lap Siding - 76%
LP Vertical Siding - 6%
Brick, Exterior - 18%

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ELEVATIONS

DATE: Issue Date

PLAN: 1100 2-Bedroom NL3

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This perspective is used as a general guide to address an overall design concept. Some features may not be shown or vary slightly (if shown) for models and/or regional areas.

OPTIONS:

VERSION Project Status

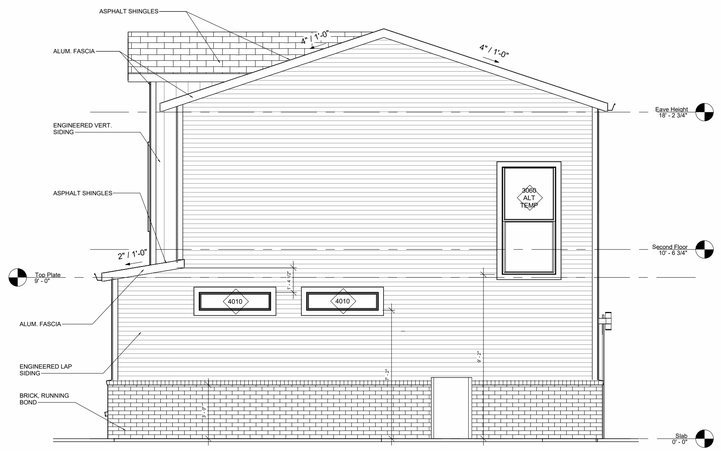
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5 3D View 1

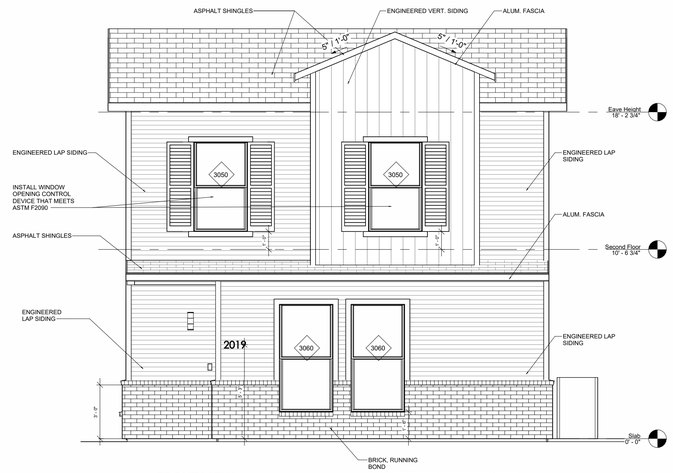


6 3D View 2



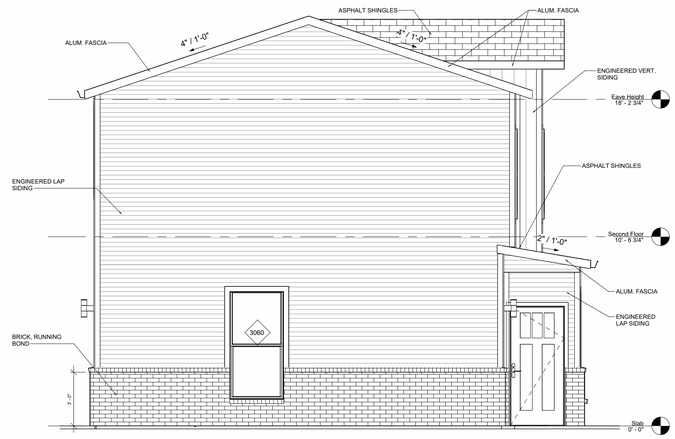
3 RIGHT VIEW
1/4" = 1'-0"

LP Lap Siding - 80%
LP Vertical Siding - 4%
Brick, Exterior - 16%



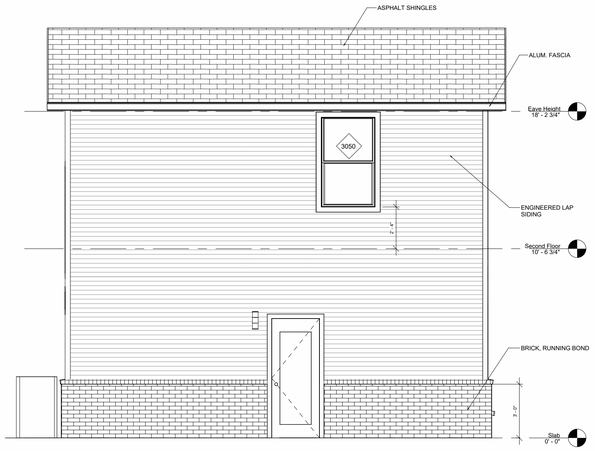
1 FRONT VIEW
1/4" = 1'-0"

LP Lap Siding - 59.5%
LP Vertical Siding - 24%
Brick, Exterior - 16.5%



4 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 80%
LP Vertical Siding - 4%
Brick, Exterior - 16%



2 REAR VIEW
1/4" = 1'-0"

LP Lap Siding - 82%
Brick, Exterior - 18%

Whole Home:
LP Lap Siding - 75%
LP Vertical Siding - 8%
Brick, Exterior - 17%

A-1.1

ELEVATIONS

DATE: Issue Date

PLAN: 1100 3-Bedroom NL2

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CUSTOMER: AVAILABLE

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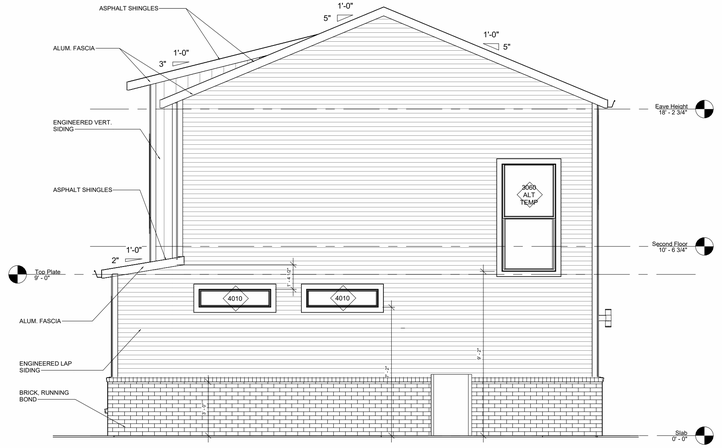
_____ DATE



5 3D View 1



6 3D View 2



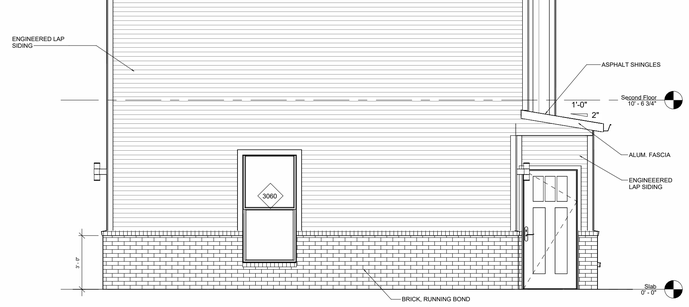
3 RIGHT VIEW
1/4" = 1'-0"

LP Lap Siding - 80%
LP Vertical Siding - 4%
Brick, Exterior - 16%



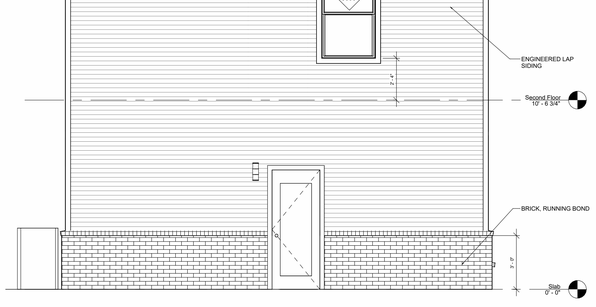
1 FRONT VIEW
1/4" = 1'-0"

LP Lap Siding - 56%
LP Vertical Siding - 27%
Brick, Exterior - 17%



4 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 80%
LP Vertical Siding - 4%
Brick, Exterior - 16%



2 REAR VIEW
1/4" = 1'-0"

LP Lap Siding - 82%
Brick, Exterior - 18%

Whole Home:
LP Lap Siding - 75%
LP Vertical Siding - 8%
Brick, Exterior - 17%

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ELEVATIONS

DATE: Issue Date

PLAN: 1100 3-Bedroom NL2

ADDRESS: Enter address here

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VERSION Project Status

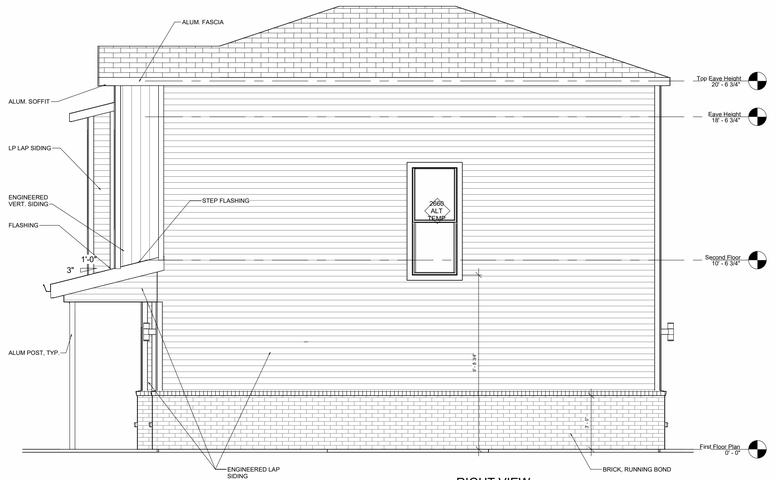
SCHUBER MITCHELL HOMES



5 3D View 1

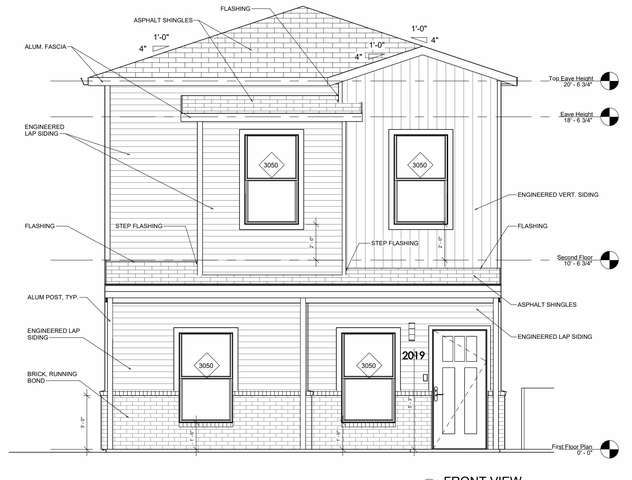


6 3D View 2



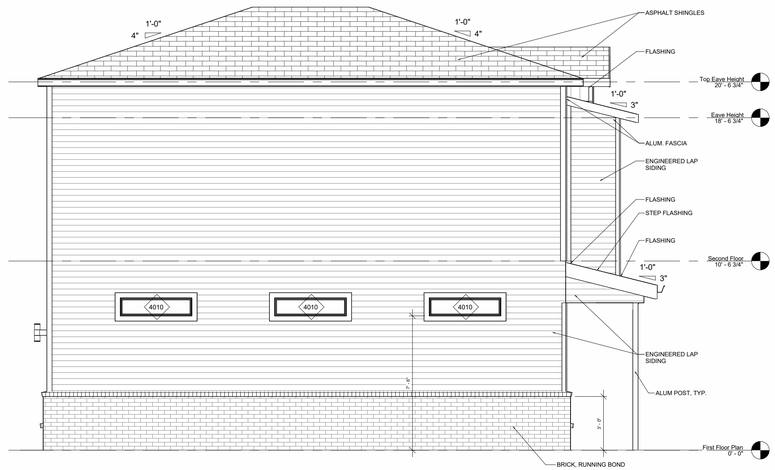
LP Lap Siding - 81%
LP Vertical Siding - 4%
Brick, Exterior - 15%

4 RIGHT VIEW
1/4" = 1'-0"



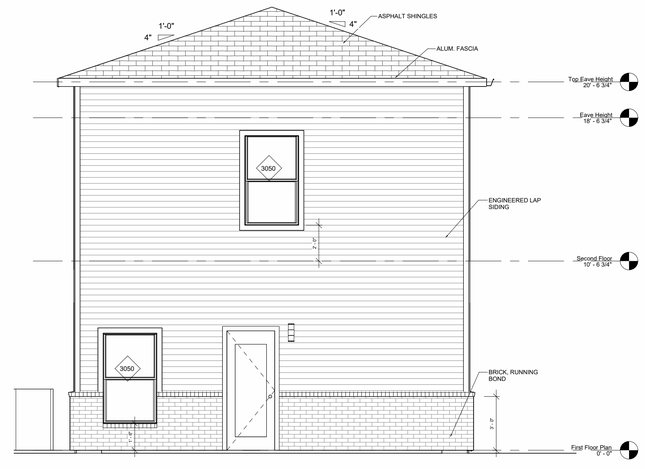
LP Lap Siding - 63%
LP Vertical Siding - 21%
Brick, Exterior - 16%

1 FRONT VIEW
1/4" = 1'-0"



2 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 85%
Brick, Exterior - 15%



LP Lap Siding - 84%
Brick, Exterior - 16%

3 REAR VIEW
1/4" = 1'-0"

Whole Home:
LP Lap Siding - 78%
LP Vertical Siding - 6%
Brick, Exterior - 16%

A-1.1

ELEVATIONS

DATE: Issue Date

PLAN: 1250 2-Bedroom NL1

ADDRESS: Enter address here

CUSTOMER: AVAILABLE

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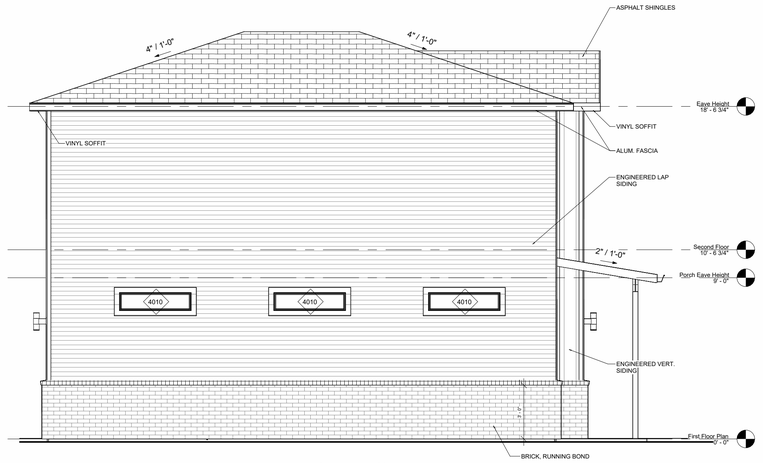
_____ DATE



5 3D View 1

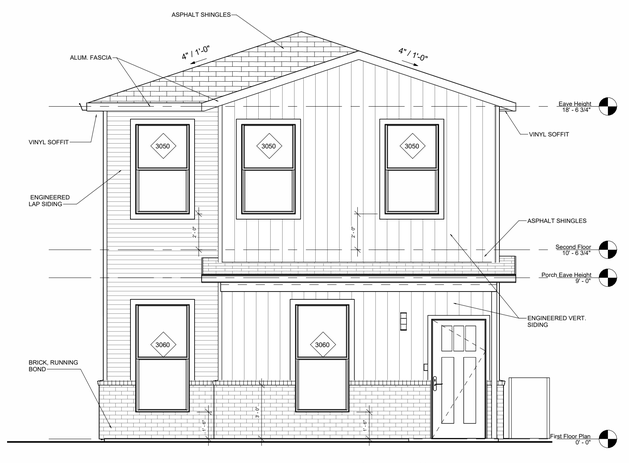


6 3D View 2



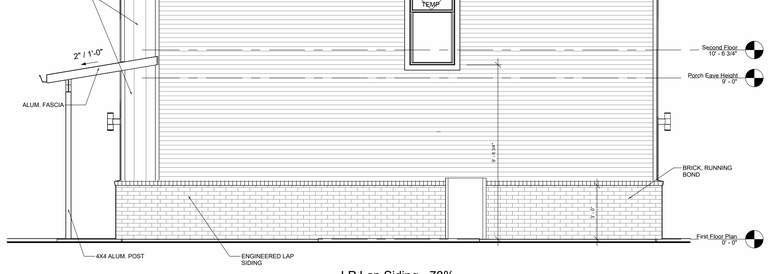
2 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 78%
LP Vertical Siding - 4%
Brick, Exterior - 18%



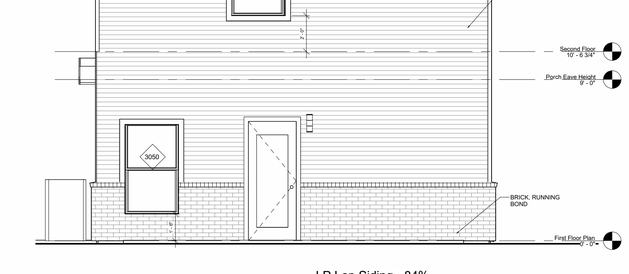
1 FRONT VIEW
1/4" = 1'-0"

LP Lap Siding - 23%
LP Vertical Siding - 60%
Brick, Exterior - 17%



4 RIGHT VIEW
1/4" = 1'-0"

LP Lap Siding - 78%
LP Vertical Siding - 4%
Brick, Exterior - 18%



3 REAR VIEW
1/4" = 1'-0"

LP Lap Siding - 84%
Brick, Exterior - 16%

Whole Home:
LP Lap Siding - 66%
LP Vertical Siding - 17%
Brick, Exterior - 17%

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I, _____ HOMEBUYER SIGNATURE

_____ DATE

A-1.1

ELEVATIONS

DATE: Issue Date

PLAN: 1250 3-Bedroom NL2

ADDRESS: Enter address here

CUSTOMER: AVAILABLE

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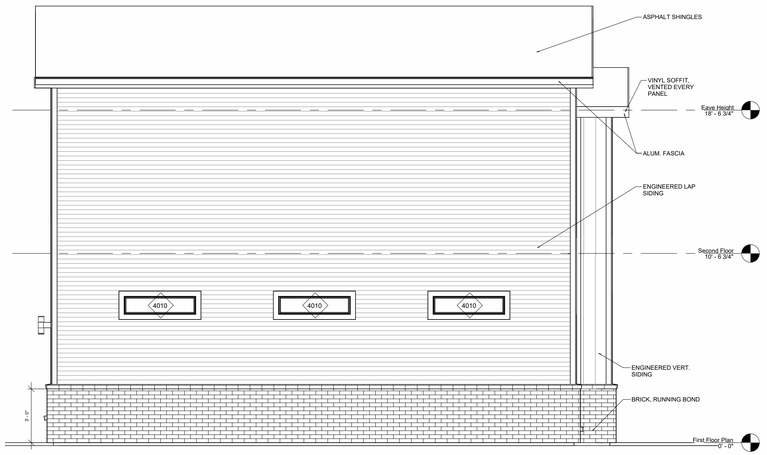
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5 3D View 2

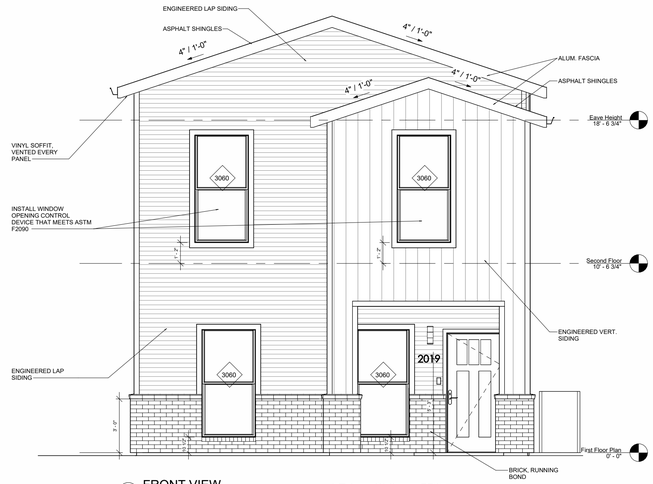


6 3D View 14



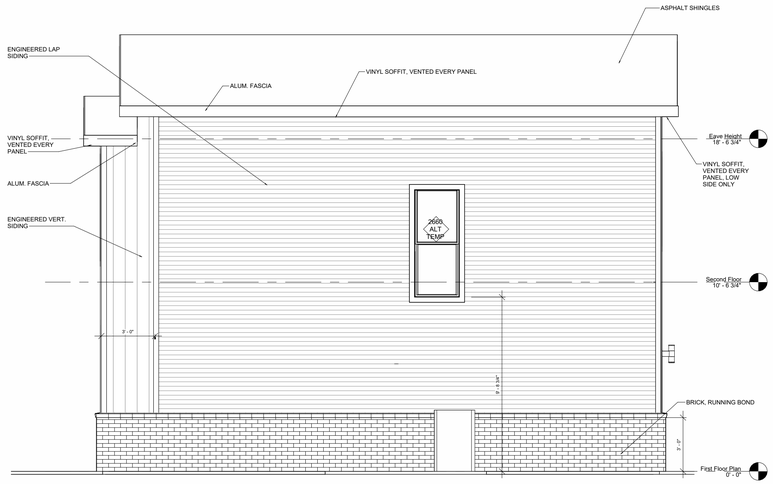
2 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 79%
LP Vertical Siding - 5%
Brick, Exterior - 16%



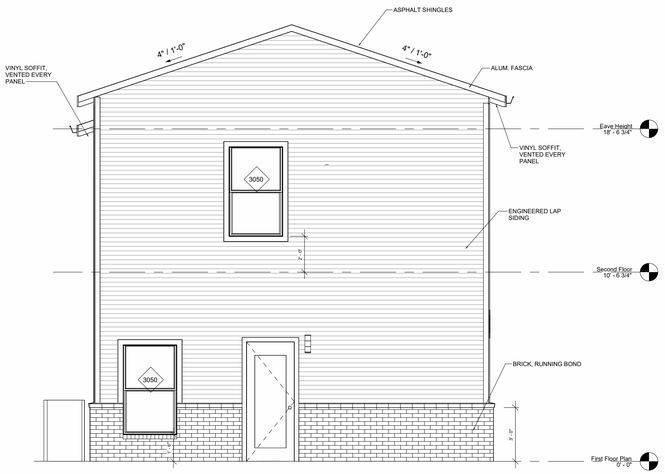
1 FRONT VIEW
1/4" = 1'-0"

LP Lap Siding - 55%
LP Vertical Siding - 30%
Brick, Exterior - 15%



4 RIGHT VIEW
1/4" = 1'-0"

LP Lap Siding - 77%
LP Vertical Siding - 7%
Brick, Exterior - 16%



3 REAR VIEW
1/4" = 1'-0"

LP Lap Siding - 84%
Brick, Exterior - 16%

Whole Home:
LP Lap Siding - 75%
LP Vertical Siding - 8%
Brick, Exterior - 17%

A-1.1

ELEVATIONS

DATE: Issue Date

PLAN: 1250 3-Bedroom NL3

ADDRESS: Enter address here

CUSTOMER: AVAILABLE

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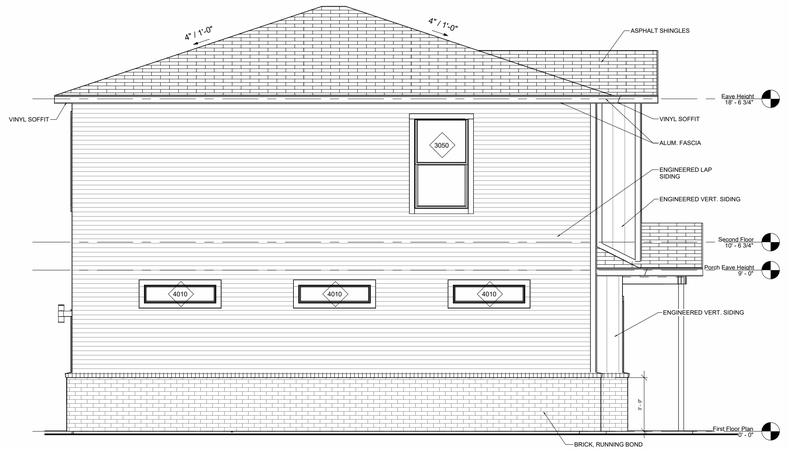
DATE



5 3D View 1

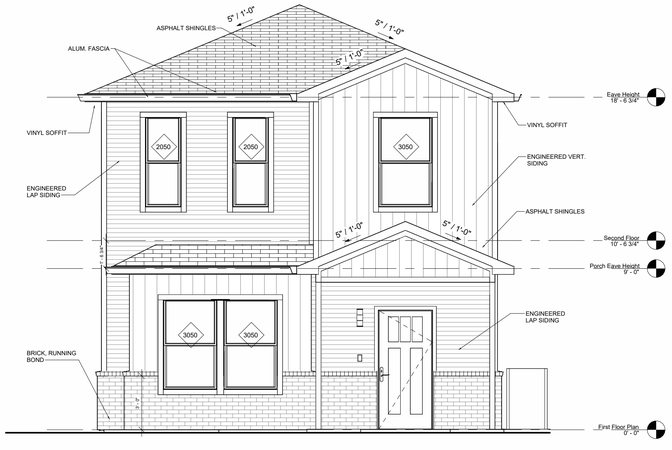


6 3D View 2



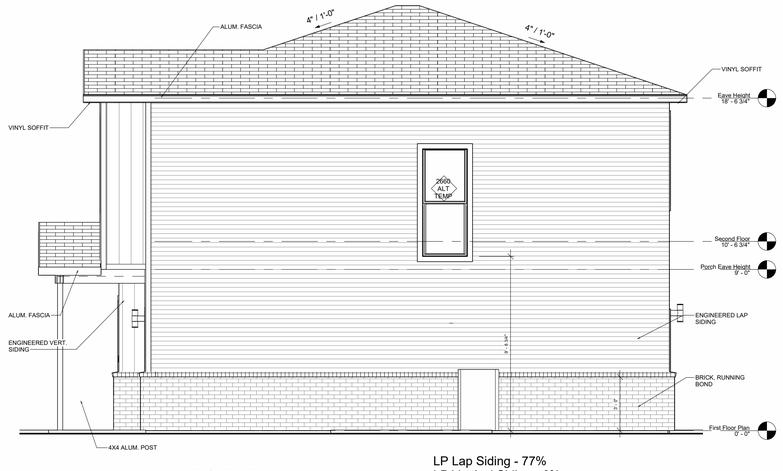
2 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 77%
LP Vertical Siding - 6%
Brick, Exterior - 17%



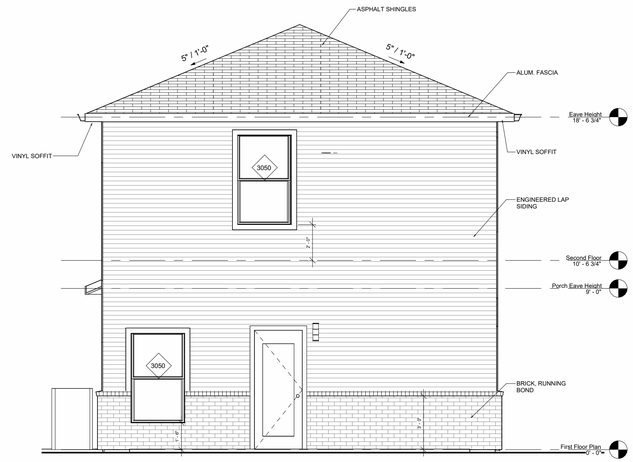
1 FRONT VIEW
1/4" = 1'-0"

LP Lap Siding - 43%
LP Vertical Siding - 40%
Brick, Exterior - 17%



4 RIGHT VIEW
1/4" = 1'-0"

LP Lap Siding - 77%
LP Vertical Siding - 6%
Brick, Exterior - 17%



3 REAR VIEW
1/4" = 1'-0"

LP Lap Siding - 84%
Brick, Exterior - 16%

Whole Home:
LP Lap Siding - 70%
LP Vertical Siding - 13%
Brick, Exterior - 17%

THE IMAGES MAY NOT ACCURATELY REFLECT THE APPLIANCES, ELECTRICAL OUTLET, PLUMBING FIXTURES, LIGHTING FIXTURES, CABINETRY OR FINISH MATERIALS SELECTED FOR YOUR HOME. PLEASE BRING UP ANY AND ALL ITEMS THAT MAY BE CONFUSING TO YOUR EXPERIENCE SPECIALIST BEFORE SIGNING BELOW. NO CHANGES WILL BE MADE FOLLOWING THIS MEETING.

I, _____ HOMEBUYER SIGNATURE

_____ DATE

A-1.1

ELEVATIONS

DATE: Issue Date

PLAN: 1250 3-Bedroom NL2

ADDRESS: Enter address here

CUSTOMER: AVAILABLE

This perspective is provided with no options or upgrades shown. Actual floor plans may vary. Options and upgrades are available at additional cost.

OPTIONS:

VERSION Project Status

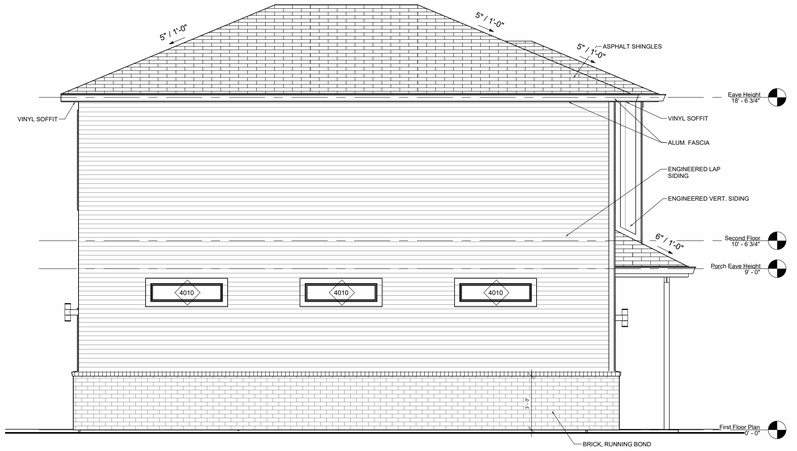
SCHUBER MITCHELL HOMES



5 3D View 1



6 3D View 2



2 LEFT VIEW
1/4" = 1'-0"

LP Lap Siding - 81%
LP Vertical Siding - 2%
Brick, Exterior - 17%



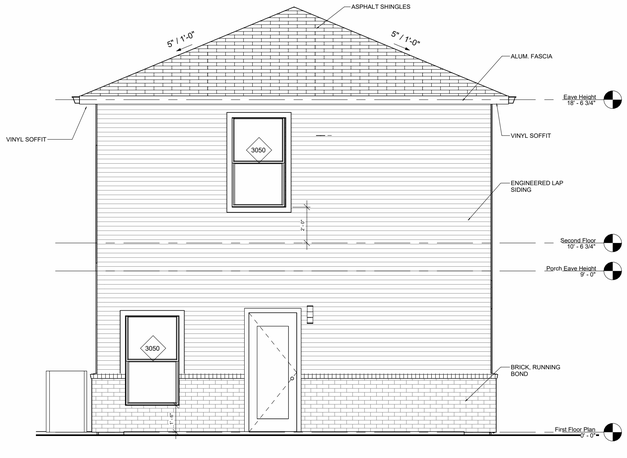
1 FRONT VIEW
1/4" = 1'-0"

LP Lap Siding - 57%
LP Vertical Siding - 25%
Brick, Exterior - 18%



4 RIGHT VIEW
1/4" = 1'-0"

LP Lap Siding - 81%
LP Vertical Siding - 2%
Brick, Exterior - 17%



3 REAR VIEW
1/4" = 1'-0"

LP Lap Siding - 84%
Brick, Exterior - 16%

Whole Home:
LP Lap Siding - 76%
LP Vertical Siding - 7%
Brick, Exterior - 17%

THE IMAGES MAY NOT ACCURATELY REFLECT THE APPLIANCES, ELECTRICAL OUTLET, PLUMBING FIXTURES, LIGHTING FIXTURES, OR MATERIALS OF THE HOUSE THAT WILL BE USED. PLEASE BRING UP ANY AND ALL ITEMS THAT MAY BE CONFUSING TO YOUR EXPERIENCE SPECIALIST BEFORE SIGNING BELOW. NO CHANGES WILL BE MADE FOLLOWING THIS MEETING.

I, _____ HOMEBUYER SIGNATURE

_____ DATE

A-1.1

ELEVATIONS

DATE: Issue Date

PLAN: 1250 3-Bedroom NL2

ADDRESS: Enter address here

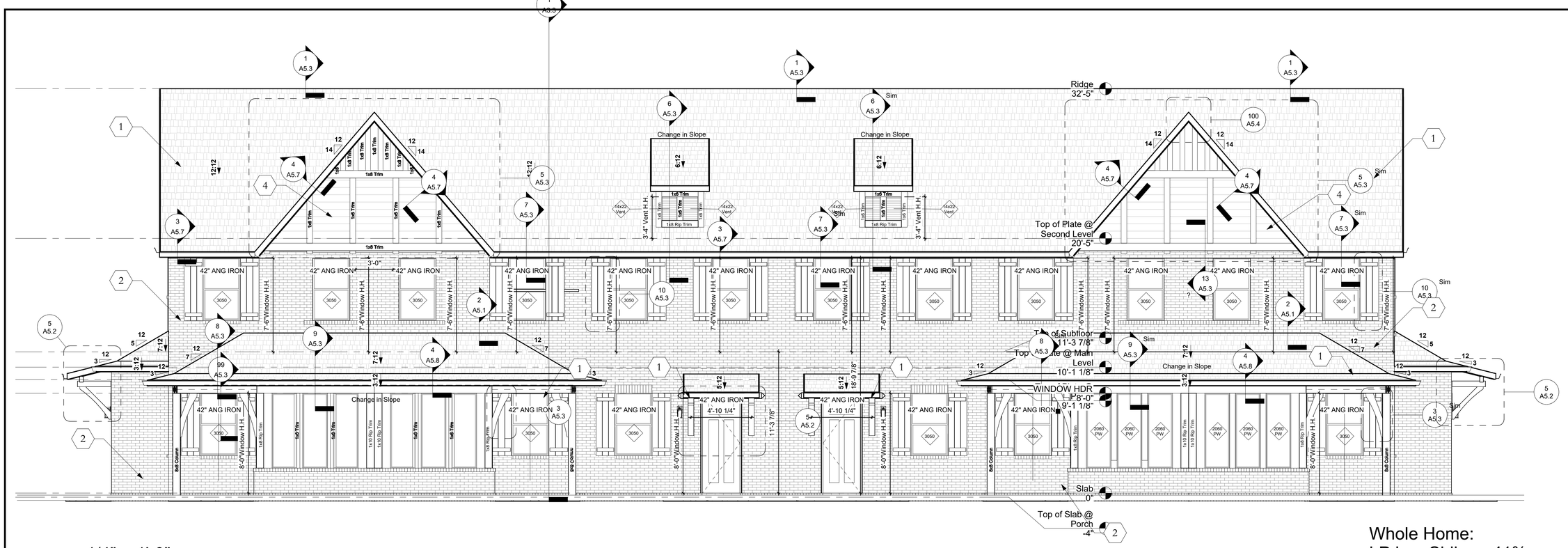
CUSTOMER: AVAILABLE

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OPTIONS:

VERSION Project Status

SCHUBER MITCHELL HOMES



1/4" = 1'-0"

1 Front Elevation - Left

LP Lap Siding - 9%
Brick, Exterior - 91%

Whole Home:
LP Lap Siding - 41%
Brick, Exterior - 59%



1/4" = 1'-0"

2 Rear Elevation - Left

LP Lap Siding - 96%
Brick, Exterior - 4%

A3.1-B

Exterior Elevations

DATE:

PLAN: Everlee

ADDRESS: Hoover, AL

CUSTOMER: NAME?

This conceptual rendering is provided as a reference for general design intent. Actual materials, finishes, and colors may differ. Please refer to construction documents for specific details.

OPTIONS:

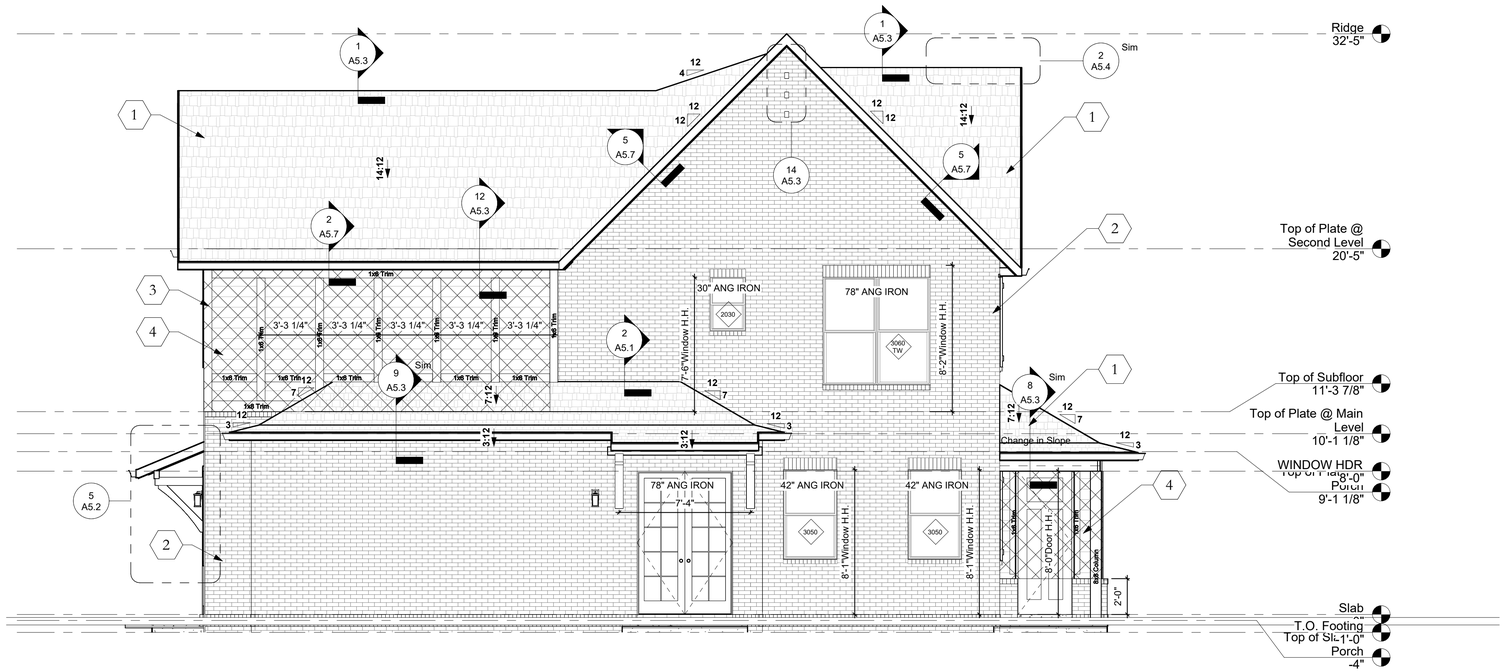
VERSION LOT #

SCHUBER MITCHELL HOMES

THE IMAGES MAY NOT ACCURATELY REFLECT THE APPLIANCES, ELECTRICAL OUTLET, PLUMBING FIXTURES, LIGHTING FIXTURES, CABINETRY OR THE FINISHES THAT WILL BE USED. PLEASE BRING UP ANY AND ALL ITEMS THAT MAY BE CONFUSING TO YOUR EXPERIENCE SPECIALIST BEFORE SIGNING BELOW. NO CHANGES WILL BE MADE FOLLOWING THIS MEETING.

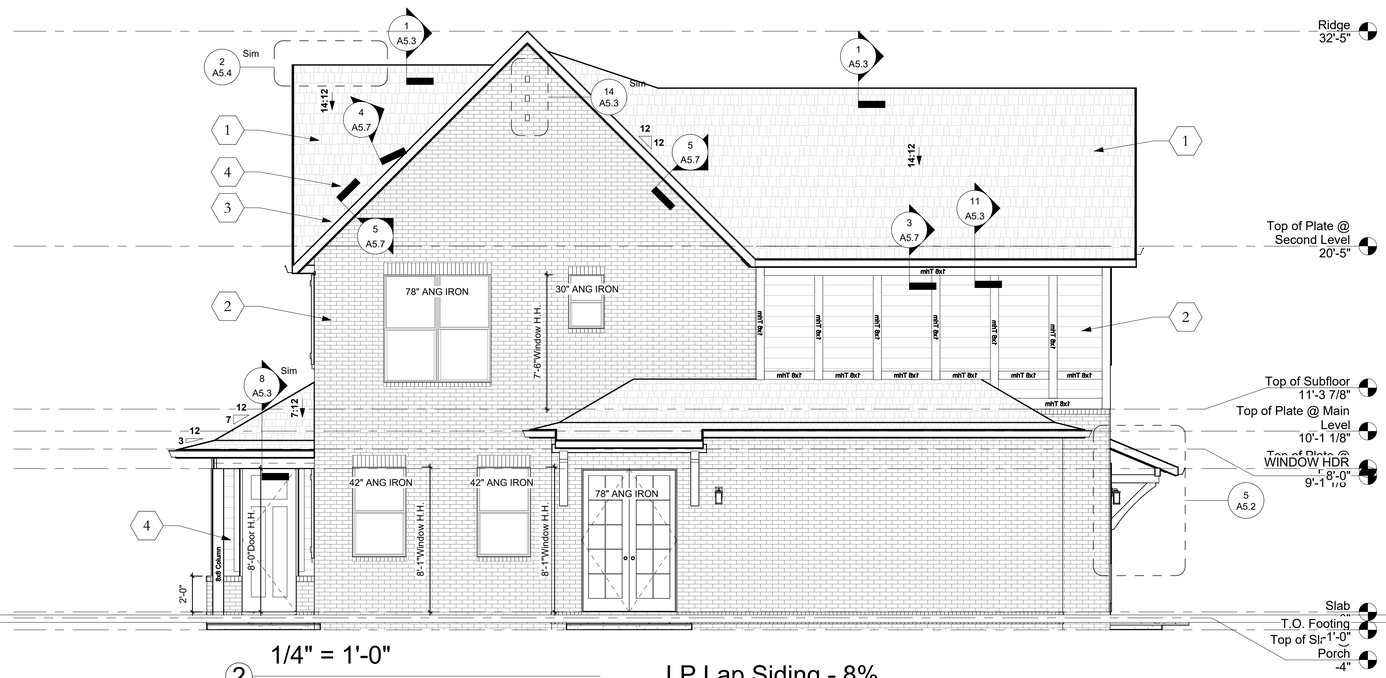
HOMEBUYER SIGNATURE

DATE



1 1/4" = 1'-0"
Left Elevation

LP Lap Siding - 8%
Brick, Exterior - 82%



2 1/4" = 1'-0"
Right Elevation

LP Lap Siding - 8%
Brick, Exterior - 82%

A3.2

Exterior Elevations

DATE: x

PLAN: Everlee

ADDRESS: Hoover, AL

CUSTOMER: NAME?

This set represents a set of plans with no options or upgrades shown. Client Selections & Options pages (if present) for details, please refer to signed contract.

OPTIONS:

VERSION LOT #

SCHUBER MITCHELL HOMES

THE IMAGES MAY NOT ACCURATELY REFLECT THE APPLIANCES, ELECTRICAL OUTLET, PLUMBING FIXTURES, LIGHTING FIXTURES, OR MATERIALS OF THE PRODUCTS THAT WILL BE USED. PLEASE BRING UP ANY AND ALL ITEMS THAT MAY BE CONFUSING TO YOUR EXPERIENCE SPECIALIST BEFORE SIGNING BELOW. NO CHANGES WILL BE MADE FOLLOWING THIS MEETING.

HOMEBUYER SIGNATURE

DATE



1 Front Left



2 Front Right



3 Back Left



4 Back Right

THE IMAGES MAY NOT ACCURATELY REFLECT THE APPLIANCES, ELECTRICAL, OUTLET, PLUMBING FIXTURES, LIGHTING FIXTURES, OR MATERIALS OF THE PRODUCTS THAT WILL BE USED. PLEASE BRING UP ANY AND ALL ITEMS THAT MAY BE CONFUSING TO YOUR EXPERIENCE SPECIALIST BEFORE SIGNING BELOW. NO CHANGES WILL BE MADE FOLLOWING THIS MEETING.

HOMEBUYER SIGNATURE

DATE

Mark-4

PERSPECTIVE

DATE:

X

PLAN: Everlee

ADDRESS: Hoover, AL

CUSTOMER: NAME?

This rendering is an artist's rendition and is subject to change. Actual colors, materials, and options may vary. Please refer to your sales contract for specifications.

OPTIONS:

VERSION LOT #

SCHUBER MITCHELL HOMES

LP® SmartSide® Lap Siding
LP® SmartSide® Panel Siding
LP® SmartSide® Panel Siding with SmartFinish®
LP® SmartSide® Panel Siding with SilverTech®
LP® SmartSide® Vertical Siding
LP® SmartSide® NickelGap Siding
LP® SmartSide® Cedar Shakes
LP® SmartSide® Trim & Fascia
LP® SmartSide® Soffit

LP® SmartSide® Prorated 50-Year Limited Warranty and Arbitration Agreement – Exterior Use

The provisions and terms of this Prorated 50-Year Limited Warranty and Arbitration Agreement – Exterior Use (the "Limited Warranty") apply exclusively to LP® SmartSide® Lap Siding, Panel Siding, Panel Siding with SmartFinish®, Panel Siding with SilverTech®, Vertical Siding, NickelGap Siding, Cedar Shakes, Trim & Fascia, and Soffit (each, the "Product") sold by Louisiana-Pacific Corporation ("LP") when installed on the exterior of a Structure permanently located in the United States, its territories, or Canada (except Quebec, which has its own version). **Different limited warranty terms and exclusions apply under the (i) LP® SmartSide® 10-Year Limited Warranty and Arbitration Agreement for Accessories and Non-Standard Applications, and (ii) LP® SmartSide® and BuilderSeries® 90-Day Limited Warranty for Interior Use.**

Who Is Covered: This Limited Warranty is made to the original retail purchaser of the Product, the original owner of the Structure, and the next owner of the Structure (collectively referred to as "Owner"). This Limited Warranty cannot be assigned, sold, or transferred to any other person, including any later owners of the Product or the Structure.

BY INSTALLING AND/OR RETAINING THE PRODUCT, OWNER AGREES TO THE FOLLOWING TERMS AND CONDITIONS OF THIS LIMITED WARRANTY WHICH REQUIRE BINDING ARBITRATION AND WAIVING CLASS ACTION CLAIMS.

1. Definitions That Apply

For purposes of this Limited Warranty, the following definitions are used:

"Structure" is defined as the building on which the Product is originally installed.

"Project" is defined as one or more Structures built as part of a single construction project, subdivision, or development by a builder or general contractor.

"Buckling" is defined as Product that is 3/8 inch (10 mm) or more out of plane within a length no greater than 24 inches (610 mm) when installed directly to framing or to wood structural panels on framing spaced up to 24 inches (610 mm) o.c. (this definition does not apply to trim products).

NOTE: However, notwithstanding the foregoing, waviness caused by any of the following is not considered Buckling: misaligned framing, crooked or bowed studs and/or sheathing, foundation or wall settling, improper nailing, attachment over foam sheathing, or any other cause unrelated to the Product. Warranty coverage for Buckling requires installation at the stud spacing specified in this definition and in strict accordance with the Instructions.

"Overlay Issues" is defined as cracking, peeling, separating, chipping, flaking or rupturing of the surface overlay.

"ZB Resistance Issue" is defined as damage to the Product (i) caused by a failure of the borate-based SmartGuard® process to resist termites or fungal decay (ii) that results in structural damage to the Product to an extent that the Product is no longer able to perform its intended function as siding, soffit, or trim. NOTE: Some amount of termite activity on the Product may occur as the borate works to resist termites, which activity is not covered by this Limited Warranty unless it constitutes a ZB Resistance Issue, and other specific exclusions regarding the SmartGuard® process are set forth below in Section 3(b).

"Substrate Damage" is defined as Buckling, Overlay Issues or a ZB Resistance Issue (i) caused by a manufacturing defect in the Product and (ii) resulting in a reduction of the Product's structural strength that prevents the Product from performing its intended function as siding, soffit, or trim.

"Hail Damage" is defined as a crack or chip in the surface overlay or dent in the substrate of the Product that exceeds 3/8 inch (10 mm) in length or diameter, and is caused by hail.

"Instructions" is defined as (i) LP's instructions and other recommendations applicable to the Product in effect on the date of installation as found at

www.lpcorp.com/literature, including technical notes/bulletins and instructions for transporting, storing, handling, application, installation, finishing, care, and maintenance of the Product, and (ii) any applicable requirements of an AHJ (governmental or non-governmental authority having jurisdiction) or design professional of record for the Project or Structure.

2. Length of Coverage and What LP Will Do

Building materials like the Product must be properly handled and installed and carefully integrated with other building materials that make up the Structure, and are subjected to wear and tear over time. The way such building materials perform is dependent on various factors. It is imperative that installers follow all manufacturers' instructions, that the Product be used as intended, and that homeowners maintain the Structure and all building materials as required.

(i) Substrate Limited Warranty

a) Limited Warranty - In the event of Substrate Damage or any failure to conform to any implied warranty not effectively disclaimed herein, for a period of fifty (50) years from the date of installation, provided that the Product is transported, stored, handled, installed, finished, and maintained in strict accordance with the Instructions and the claim is not otherwise excluded, LP will provide the remedy set forth in paragraph (b) below. **Notwithstanding the foregoing, the above warranty as to Buckling is further limited to where the Product is installed at the stud spacing specified in the Buckling Definition.**

b) Limited Warranty Remedy – If the Product has not been installed, LP will, at its option, refund the original purchase price of the affected Product or replace the affected Product; or, if after installation, LP will: (i) during the first 5 years from the date of installation, compensate the Owner for the cost of labor and material to, at its option, repair or replace the affected Product, including the reasonable cost of labor and material, as established by independent construction cost estimator RSMeans; or (ii) during the 6th through 50th years from the date of installation, compensate the Owner for the material cost of the affected Product or a similar wood-based siding or trim product (no labor or other charges shall be paid) less an annual pro-rata reduction of 2.22% per year (for example, 6th year - 2.22%, 7th year - 4.44%, etc.) (the "Proration Schedule"), but with total costs to be paid by LP under this section 2(b)(ii) not to exceed two (2) times the original purchase price of the affected Product. **Notwithstanding the foregoing, in no event will LP be liable for any amount, damages, or claims of any kind exceeding $500,000 per Project.**

(ii) Hail Damage Limited Warranty

a) Limited Warranty - In the event of Hail Damage, for a period of fifty (50) years from the date of installation, provided that the Product is, where applicable, transported, stored, handled, installed, finished, and maintained in strict accordance with the Instructions and the claim is not otherwise excluded, LP will provide the remedy as set forth in paragraphs (b) and (c) below, subject to the following exclusions: (i) any damage caused by a storm in which hail was larger than 1.75 inches (45 mm) in diameter; (ii) any damage to the surface or primer that does not qualify as Hail Damage; or (iii) any injury to persons or property caused by hail-damaged Product.

b) Owner must meet all the following requirements in order to be eligible for payment under this Hail Damage Limited Warranty: (i) LP must be able to inspect the Product in place to determine whether any pieces have Hail Damage; (ii) Owner must provide reliable evidence that the hailstorm causing the Hail Damage had no hailstones larger than 1.75 inches (45 mm) in diameter (such evidence may include a report from a reliable third party such as the National Oceanic and Atmospheric Administration Storm Prediction Center); and (iii) Owner must first file a claim with his or her property owner's insurance carrier, or any other applicable policy, and pursue the cost of repair or replacement through insurance. Owner must provide proof of the claim and the carrier's response and must affirm that no other claims were paid or are pending.

c) Limited Warranty Remedy - If the insurance claim proceeds are insufficient to repair or replace the Product with Hail Damage, LP will pay Owner the cost of material (no labor) necessary to replace the square footage of Product with Hail Damage (determined using the current retail price per square foot for the same or similar Product in the same geographic region as the property), less the insurance proceeds received by Owner for the same product and less the deductible amount associated with those proceeds. The payment amount shall then be reduced according to the applicable Proration Schedule. If the above calculation yields a negative number, LP shall owe no payment to Owner.

These are the Owner's sole and exclusive remedies for any non-conformance of or alleged defect in the Product or any damage caused by the Product. Except as expressly provided in this Limited Warranty, no other costs incurred by Owner relating to damaged Product will be reimbursed, including but not limited to costs of removal, disposal, or labor, or any other consequential damages.

EFFECTIVE DATE: This Limited Warranty applies where the date of retail purchase of the Product is on or after 08/01/2025.

3. What Is Not Covered: Exclusions

This Limited Warranty does not cover or provide a remedy for:

a) Substrate Damage, Hail Damage, or any other damage to the Product caused by:

(i) failure to strictly follow the Instructions or failure to care for or maintain the exterior cladding or building envelope to prevent water infiltration;

(ii) the construction process, or failure to properly cut, prime, or paint the Product;

(iii) misuse or abuse of the Product;

(iv) impact or accidental damage to the substrate or surface of the Product;

(v) alteration of the Product other than as allowed in the Instructions;

(vi) any lack of compatibility between the Product and any other product not manufactured by LP, including, without limitation, the corrosion of fasteners, hardware, or any other materials, metal or otherwise, used to fasten the Product or to fasten anything to the Product;

(vii) sawing or ripping the Product lengthwise or removing the surface of the Product or the factory edge (except as expressly authorized in the Instructions, if applicable);

(viii) improper transport, storage, handling, or exposure of the Product, including exposure to moisture during any part of the construction process that is abnormal or in violation of the Instructions or industry standards for protecting siding materials prior to finishing;

(ix) improper or inadequate design, detailing, or construction of the framing or Structure, including the walls, cladding, windows, doors, roofing materials, openings, or other penetrations on or around which the Product is installed;

(x) failure of or improper installation of third-party flashings or water management details or systems;

(xi) the process of moving or transporting a moveable Structure (e.g., modular, mobile, or tiny homes, sheds, and other utility structures) after installation of the Product, but only where damage is directly related to such moving or transport;

(xii) alterations to the Structure or installation of equipment after installation of the Product;

(xiii) animals, termites or other insects (except where a ZB Resistance Issue exists);

(xiv) minor surface grazing by termites which does not interfere with the Product's ability to perform as siding, soffit or trim (except where a ZB Resistance Issue exists);

(xv) wood fungal decay, mold or mildew (except where a ZB Resistance Issue exists);

(xvi) spills, harmful chemicals (including harmful cleaning compounds), salt water, fertilizer, gasoline, oil, pollution, scratching, abrading, or surfactant leaching;

(xvii) installation or exposure that allows for the accumulation of frost, condensation, moisture (including water vapor), standing water, repetitive wetting conditions, or submersion;

(xviii) inadequate ventilation or the lack of a vapor retarder under the Structure; or

(xix) hurricane, tornado, windstorm, lightning, fire, earthquake, flood, hail (except as covered under the Hail Damage Limited Warranty), acts of God, or other similar causes beyond the control of LP.

b) Damage caused by termites, termite activity or fungal decay (i) that is not or does not result in a ZB Resistance Issue; (ii) that results from termite activity existing prior to installation of the Product; (iii) that results from areas of the Structure which have moisture problems, rot, fungi, or mold due to faulty plumbing, leaks, dampness due to drains, condensation or leaks from roofs, eaves, windows or doors, flooding or other sources of water or moisture in the Structure; (iv) that results from failure to maintain the Structure free from foam insulation at foundation, grade-wood contact, faulty grade, firewood against Structure, insufficient ventilation, wood debris in crawl space, wood mulch, tree branches touching Structure, landscape timbers, or wood rot; or (v) to any component of the Structure other than the Product, under any circumstances.

c) Product applied to Structures located outside the United States, its territories, or Canada (Product sold outside these locations is "as-is", with no express or implied warranties provided by LP).

d) Surface or edge swelling or edge checking (minor swelling and checking occur normally in all wood and wood-based products as they expand and contract in response to changes in climatic conditions), except where Substrate Damage exists.

e) Non-structural surface cracks or imperfections (except where Substrate Damage or Hail Damages exists).

f) Product not installed by a licensed contractor and/or in strict compliance with all applicable building codes and Instructions.

g) Any interior installation or Non-Standard Application.

h) Costs associated with damage to the Product or caused by the Product (other than the remedies set forth in Section 2 above), including but not limited to Product removal, disposal, or replacement, or damage to any other property.

i) Poor workmanship, including but not limited to nailing or fastening not compliant with Instructions.

j) Damage resulting from Owner's failure to comply with the requirements set out under Section 4 of this Limited Warranty.

k) Use or installation of the Product in contact with the ground or in any application which allows for the accumulation of condensation or other free water or which subjects the Product to a repetitive wetting condition at any time other than normal exposure to weather during ordinary construction periods.

l) Damage resulting from re-manufacture, modification, alteration or processing of the Product by anyone other than LP.

m) Any aesthetic issue caused by face-nailing the Product.

n) Damage to any other component of the Structure, for any reason.

4. How to Make a Claim

Compliance with each of the requirements set out below in sections (a) and (b) is a condition of LP's obligations under this Limited Warranty. The failure to comply with any one or more of the items shall void any rights Owner may have against LP.

a) Any Owner seeking remedies under this Limited Warranty must notify LP Siding Warranty Services at 888-468-1417 within 30 days after discovering a condition upon which they intend to make a claim under this Limited Warranty, and before beginning any repair. This notice must include the production date and mill identity number noted on the Product and the date on which installation of the Product was completed (where applicable). It is the Owner's responsibility to establish - through invoices, receipts, contractor's billings or any other form of reliable documentation - the date of installation of the Product, ownership of the Product by Owner, and, where necessary, the purchase price of the affected Product.

b) LP must be given an opportunity to inspect the Product upon reasonable notice to the Owner and must be allowed to enter the property or Structure to inspect the Product, including removal of components as necessary to access the Product.

5. Other Limitations

a) Exclusion of Other Remedies

IN NO EVENT WILL LP BE LIABLE FOR ANY INCIDENTAL, SPECIAL, MULTIPLE, PUNITIVE, INDIRECT, CONSEQUENTIAL, OR RESULTING DAMAGES, INCLUDING BUT NOT LIMITED TO, PROPERTY DAMAGE (INCLUDING DAMAGE TO OTHER BUILDING COMPONENTS), LOST PROFITS, OR LOSS OF USE.

Some states and provinces do not allow the exclusion or limitation of incidental or consequential damages, so the above limitation or exclusion may not apply to you.

b) Disclaimer of All Other Warranties, Express or Implied

THIS LIMITED WARRANTY IS THE ONLY WARRANTY APPLICABLE TO THE PRODUCT. LP DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, OR ANY WARRANTIES OTHERWISE ARISING FROM THE COURSE OF DEALING OR USAGE OF TRADE OR ADVERTISING, EXCEPT WHERE SUCH WARRANTIES ARISE UNDER APPLICABLE CONSUMER PRODUCT WARRANTY LAWS AND CANNOT BE LAWFULLY DISCLAIMED, IN WHICH EVENT SUCH WARRANTIES ARE LIMITED TO THE SHORTEST PERIOD AS PERMITTED OR REQUIRED UNDER APPLICABLE LAW. NO OTHER WARRANTY, EXPRESS OR OTHERWISE, HAS BEEN MADE OR WILL BE MADE BY OR ON BEHALF OF LP WITH RESPECT TO THE PRODUCT, INCLUDING ANY ADVERTISING WARRANTIES.

Some states and provinces do not allow such limitations of implied warranties in all circumstances, so the above limitations may not apply to you.

c) No Waiver

LP may choose to extend benefits in certain circumstances beyond what is provided in this Limited Warranty. In that event, LP does not and has not waived its right to strictly enforce the warranty terms, including all disclaimers, limitations, and exclusions, in any and all other circumstances.

d) Enforceability

This Limited Warranty gives you specific legal rights, and you may also have other rights which vary from state to state, or province to province. The provisions of this Limited Warranty do not preclude the operation of any applicable state law or provincial statute which in certain circumstances may not allow some of the limitations and exclusions described in this Limited Warranty. If any provision of this Limited Warranty is determined to be invalid, illegal, or unenforceable, it shall not affect the enforceability of any other provision of this Limited Warranty.

6. Agreement to Mandatory Binding Arbitration and Class Action Waiver

a) By (i) installing the Product, or (ii) retaining the Product for 30 days after installation, or (iii) purchasing or taking ownership of a structure on which the Product is already installed, Owner and LP agree and Owner accepts that:

EVERY CLAIM OR CONTROVERSY BETWEEN OWNER AND LP ARISING FROM OR RELATING TO THE PRODUCT AND/OR THIS LIMITED

WARRANTY SHALL BE RESOLVED BY FINAL AND BINDING ARBITRATION.

b) THE ARBITRATION SHALL BE INITIATED AND ADMINISTERED IN ACCORDANCE WITH THE FEDERAL ARBITRATION ACT (9 U.S.C. § 1 et seq.) AND THE APPLICABLE RULES OF THE AMERICAN ARBITRATION ASSOCIATION (AAA) (www.adr.org), UNLESS ANOTHER ARBITRATION SERVICE IS AGREED TO IN WRITING BY BOTH PARTIES. EACH PARTY WILL BE RESPONSIBLE FOR ITS OWN COSTS AND FEES INCURRED IN ARBITRATION, INCLUDING ATTORNEY FEES AND EXPERT WITNESS FEES; PROVIDED, HOWEVER, THAT LP WILL PAY ANY FEES AND COSTS THAT ARE REQUIRED BY LAW OR THE AAA, UNDER THE CONSUMER ARBITRATION RULES OR OTHERWISE. BOTH SIDES ARE ENTITLED TO REASONABLE DISCOVERY. IF ANY PARTY INTENDS TO HAVE AN EXPERT TESTIFY, THE OTHER PARTY SHALL BE ENTITLED TO AN EXPERT REPORT AND TO TAKE THE EXPERT'S DEPOSITION DURING DISCOVERY.

THE ARBITRATOR SHALL HAVE THE AUTHORITY TO RENDER THE SAME INDIVIDUALIZED RELIEF AS WOULD A COURT OF COMPETENT JURISDICTION AND SHALL HAVE EXCLUSIVE AUTHORITY TO RESOLVE ANY DISPUTE RELATING TO THE INTERPRETATION, APPLICABILITY, ENFORCEABILITY, OR FORMATION OF THIS AGREEMENT; PROVIDED, HOWEVER, IN NO CASE SHALL THE ARBITRATOR BE AUTHORIZED TO ADJUDICATE CLASS ACTION CLAIMS AGAINST LP OR TO OTHERWISE ORDER A SIMILAR CONSOLIDATION OF INDIVIDUAL CLAIMS AGAINST LP.

NOTWITHSTANDING THE FOREGOING, A CLAIM BY AN INDIVIDUAL OWNER SEEKING RELIEF OF $10,000 OR LESS MAY BE PURSUED INDIVIDUALLY IN SMALL CLAIMS COURT SO LONG AS THE CLAIM IS MADE INDIVIDUALLY AND NOT AS PART OF A CLASS OR A CONSOLIDATED ACTION.

c) **CLASS ACTION WAIVER:** OWNER WAIVES THE RIGHT TO BRING OR PARTICIPATE IN A CLASS, COLLECTIVE, REPRESENTATIVE, OR MASS ACTION IN ANY FORUM. ANY ARBITRATION (OR SMALL CLAIMS COURT ACTION, IF AUTHORIZED ABOVE) WILL BE ON AN INDIVIDUAL BASIS ONLY AND CONSOLIDATED ACTIONS ARE NOT PERMITTED. OWNER AND LP AGREE THAT: (i) ALL CLAIMS, DISPUTES, OR ACTIONS BETWEEN OWNER AND LP ARISING FROM OR RELATING TO THE PRODUCT AND/OR THIS LIMITED WARRANTY WILL BE BROUGHT AND CONDUCTED AND DETERMINED INDIVIDUALLY, NOT AS A CLASS, AND (ii) THAT NEITHER PARTY WILL SEEK TO CONSOLIDATE OR SEEK CLASS TREATMENT. IF FOR ANY REASON THE FOREGOING CLASS ACTION WAIVER IS FOUND TO BE INVALID OR UNENFORCEABLE, THIS ARBITRATION AGREEMENT SHALL BE NULL AND VOID.

For further information, contact:
Siding Warranty Services: 888-468-1417
Email: sidingwarrantyservices@lpcorp.com
Write: Louisiana-Pacific Corporation
1610 West End Ave., Suite 200
Nashville, TN 37203
Website: www.lpcorp.com

⚠ **WARNING: Drilling, sawing, sanding or machining wood products can expose you to wood dust, a substance known to the State of California to cause cancer. Avoid inhaling wood dust or use a dust mask or other safeguards for personal protection. For more information go to www.P65Warnings.ca.gov/wood.**

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LPZB0523 08/01/2025

Thomas Adler

From: Adams, Erica R. <Erica.Adams@ardot.gov>
Sent: Friday, February 20, 2026 4:09 PM
To: Thomas Adler
Cc: Rogers, Gill A.
Subject: ARDOT Western North-South Connector Project
Attachments: Western North-South Connector Study Executive Summary.pdf; Planned Developments - Information Request.pdf

You don't often get email from erica.adams@ardot.gov. Learn why this is important

Good afternoon, Mr. Adler,

During the January 6, 2026 Bentonville Planning Commission meeting, inaccurate information was shared concerning the Arkansas Department of Transportation's Western North-South Connector project in Benton and Washington Counties. Narrow corridors were shown that originated from public meetings held in 2021 for the planning study. Based on concerns expressed about the impacts of those early corridors, ultimately the planning study identified a broad area where a continuous north-south corridor could be developed, which is reflected in the attached planning study.

The on-going environmental study of the western north-south corridor project began in December 2025. Many agencies have received the attached letter requesting information and constraints. The Department is currently in the data collection, scoping and alternatives development phase. Through this process, staff will be working to identify the natural, cultural, social, and economic resources of importance. This information will be used to refine the proposed alternatives for the detailed environmental studies prior to selecting a preferred alternative.

Public meetings are scheduled in Highfill and Hiwassee for April 7 and 9 to inform the public of the environmental process. The goal of the meetings is to seek input on potential alternatives, to gather information on those resources of importance, and to determine the appropriate class of action under the National Environmental Policy Act (NEPA). Information obtained from those meetings will be used to inform the alternative refinements and to gauge any preferences of the alternatives presented. If significant changes occur, additional public meetings will be held to ensure the public is informed of the changes and has additional opportunity to weigh in. Once NEPA is nearing completion, a public hearing will be conducted to present the findings of the environmental study and the preferred alternative. With a preferred alternative identified, it can then be shared with stakeholders as the region continues to grow. This should enhance planning and zoning in the region by providing more certainty to municipalities, county administration, and developers.

Erica Adams
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December 10, 2025

Bentonville Planning Commission
305 SW A Street
Bentonville, AR 72712
planning@bentonvillear.com

Re: ARDOT Job 012560, Western North-South Connector (Benton & Washington Cos.) P.E.
Benton and Washington Counties, Arkansas
Planned Developments - Information Request

To Whom It May Concern:

The Arkansas Department of Transportation (ARDOT) is proposing to construct a north-south route between Highway 412 and Interstate 49 (Bella Vista Bypass), west of Highway 112. The purpose of this undertaking is to improve north-south travel between Bentonville, Gravette, Centerton, Highfill, Tontitown and the Northwest Arkansas National Airport.

We are currently in the planning phase of the project and seek to identify planned developments or other potential constraints. We request that you review the Project Location Map and notify us of any approved subdivision plats or residential or commercial developments planned within the project vicinity. This can include developments that have not yet commenced construction or received final building permits. A shapefile or KMZ can be provided upon request. Replies should be emailed to KMKalaja@GarverUSA.com or mailed to the address provided in the letterhead.

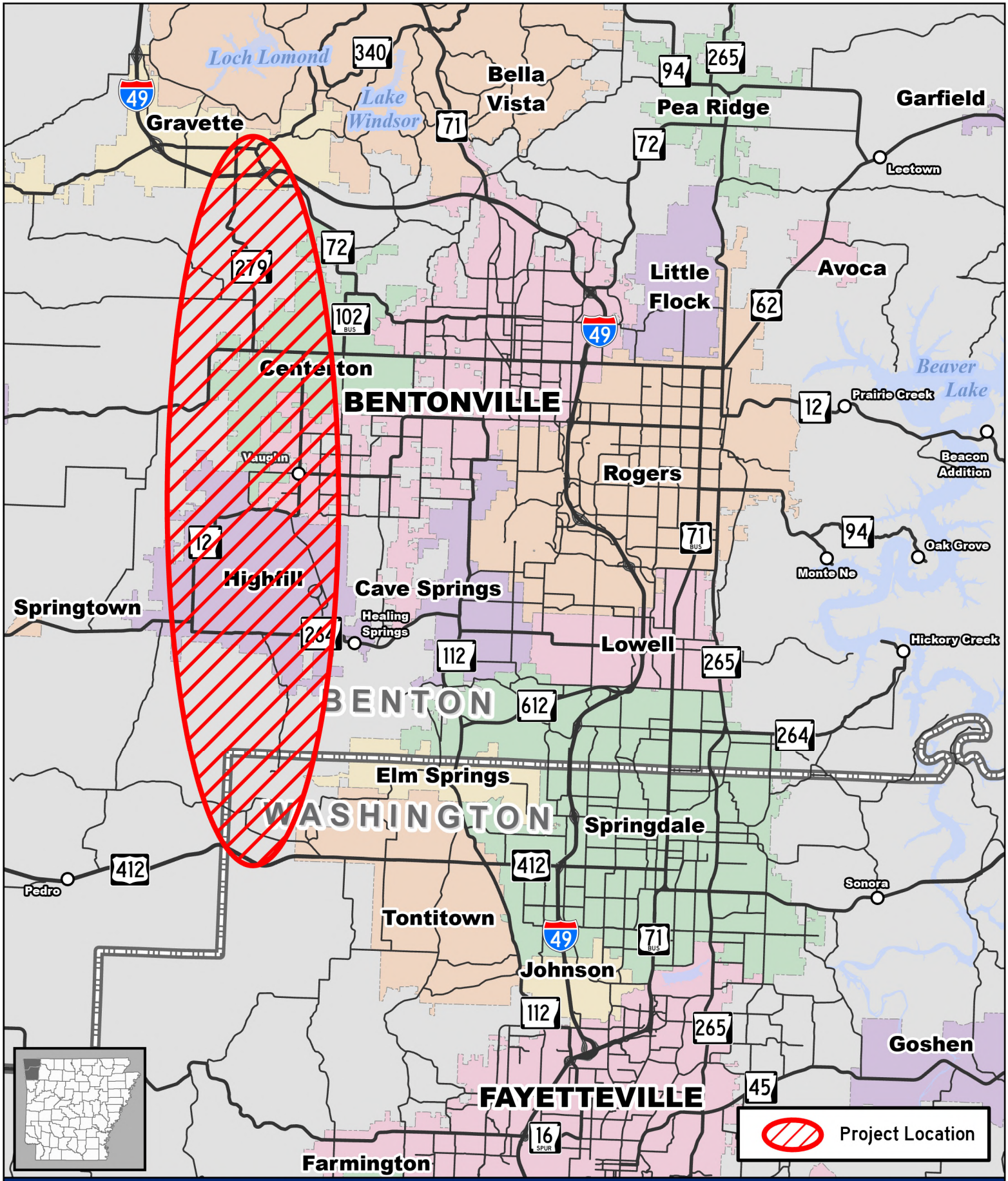
If possible, we would appreciate your response within 30 days to help us maintain our project schedule. Please feel free to contact me at #479-439-1248 if you have any questions regarding this request.

Sincerely,

Kristen Kalaja
Environmental Planner II

cc: Cassie Schmidt - Garver

Attachments: Project Location Map



Job 012560

Western North-South Connector (Benton & Washington Cos.) P.E.

Benton & Washington Counties

ARDOT ARKANSAS DEPARTMENT OF TRANSPORTATION

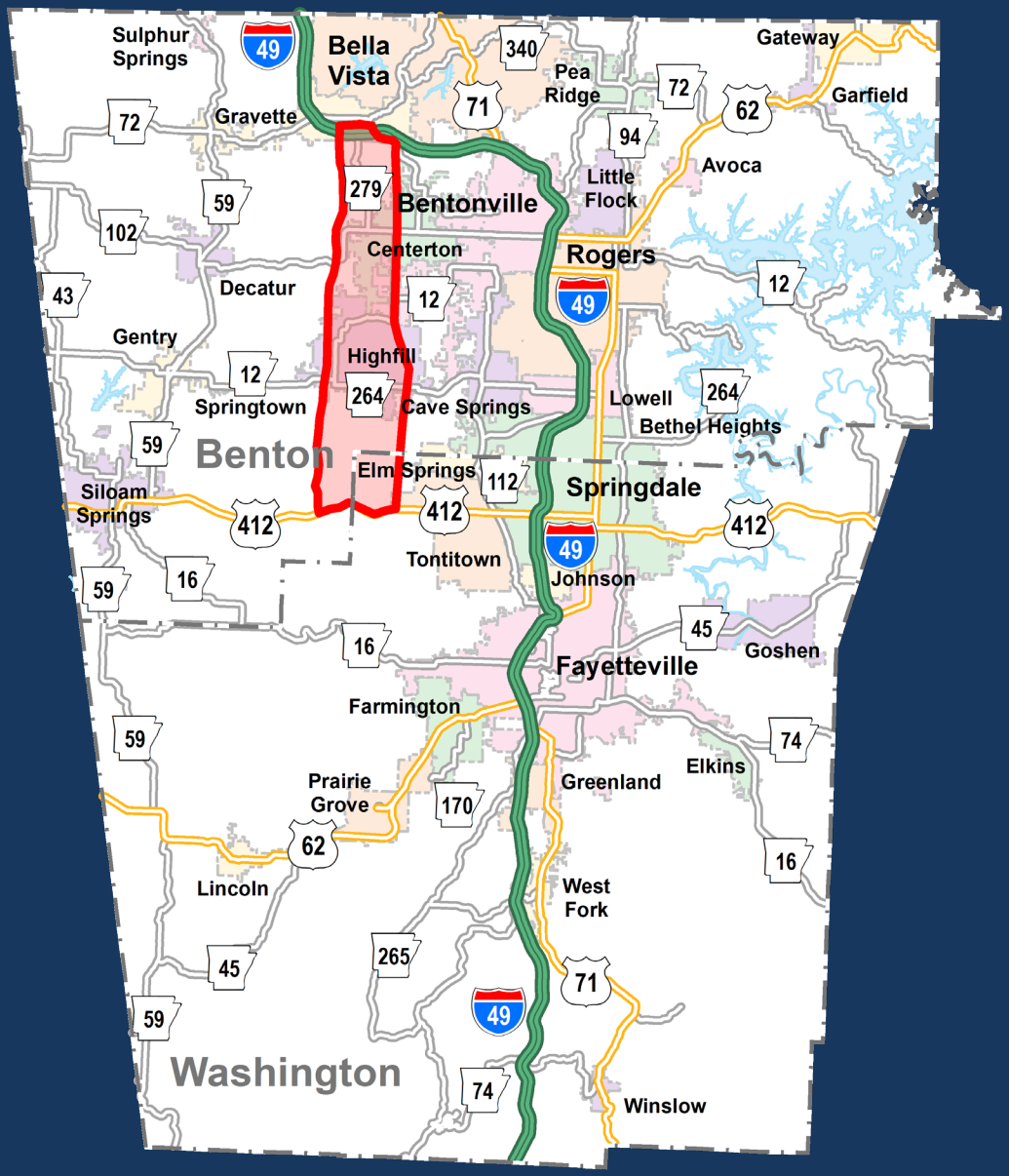
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WESTERN NORTH-SOUTH CONNECTOR STUDY

BENTON AND WASHINGTON COUNTIES



EXECUTIVE SUMMARY AUGUST 2025

ARDOT ARKANSAS DEPARTMENT OF TRANSPORTATION

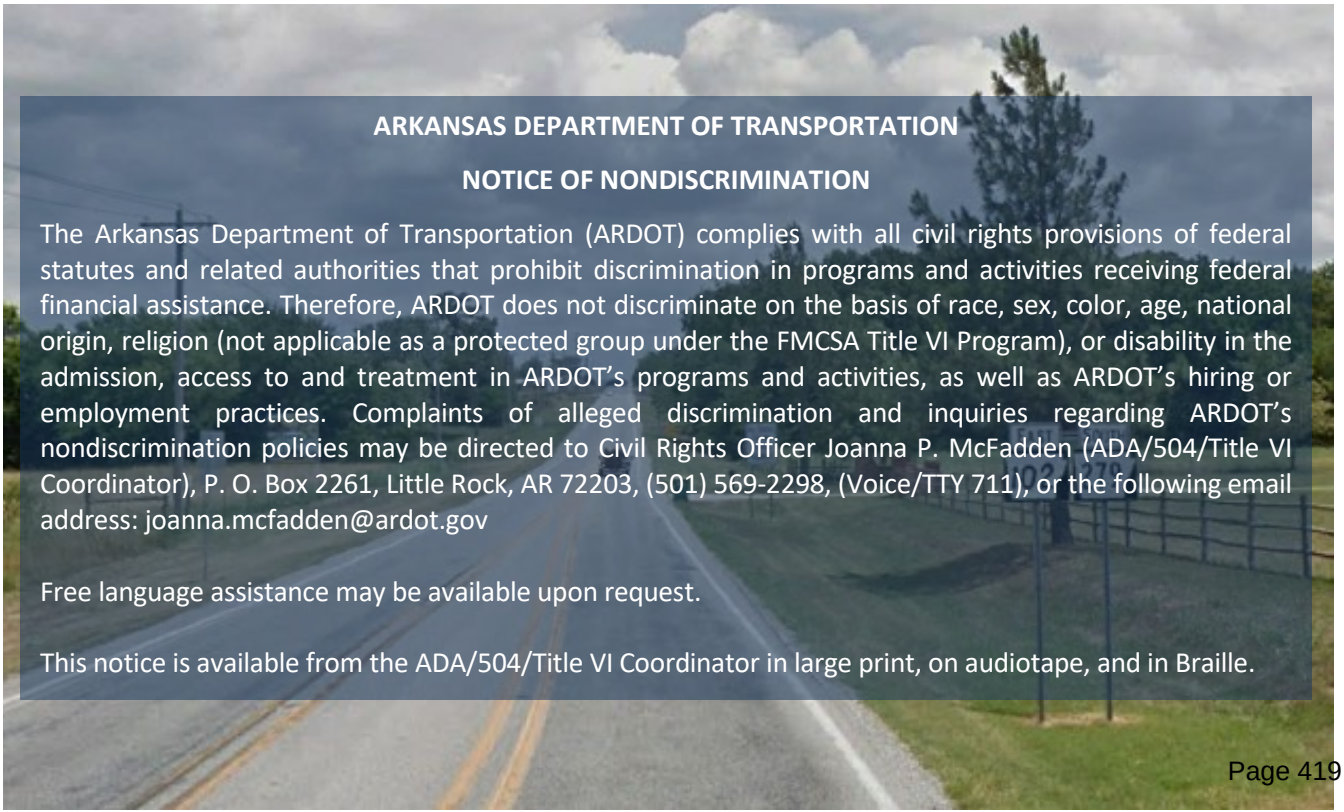
WESTERN NORTH-SOUTH CONNECTOR STUDY

BENTON AND WASHINGTON COUNTIES

EXECUTIVE SUMMARY

Prepared by the Planning & Research Division
Arkansas Department of Transportation
In Cooperation with the Federal Highway Administration

This report was funded in part by the Federal Highway Administration,
U.S. Department of Transportation. The views and opinions of the authors expressed herein
do not necessarily state or reflect those of the U.S. Department of Transportation.



ARKANSAS DEPARTMENT OF TRANSPORTATION

NOTICE OF NONDISCRIMINATION

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Free language assistance may be available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape, and in Braille.

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INTRODUCTION

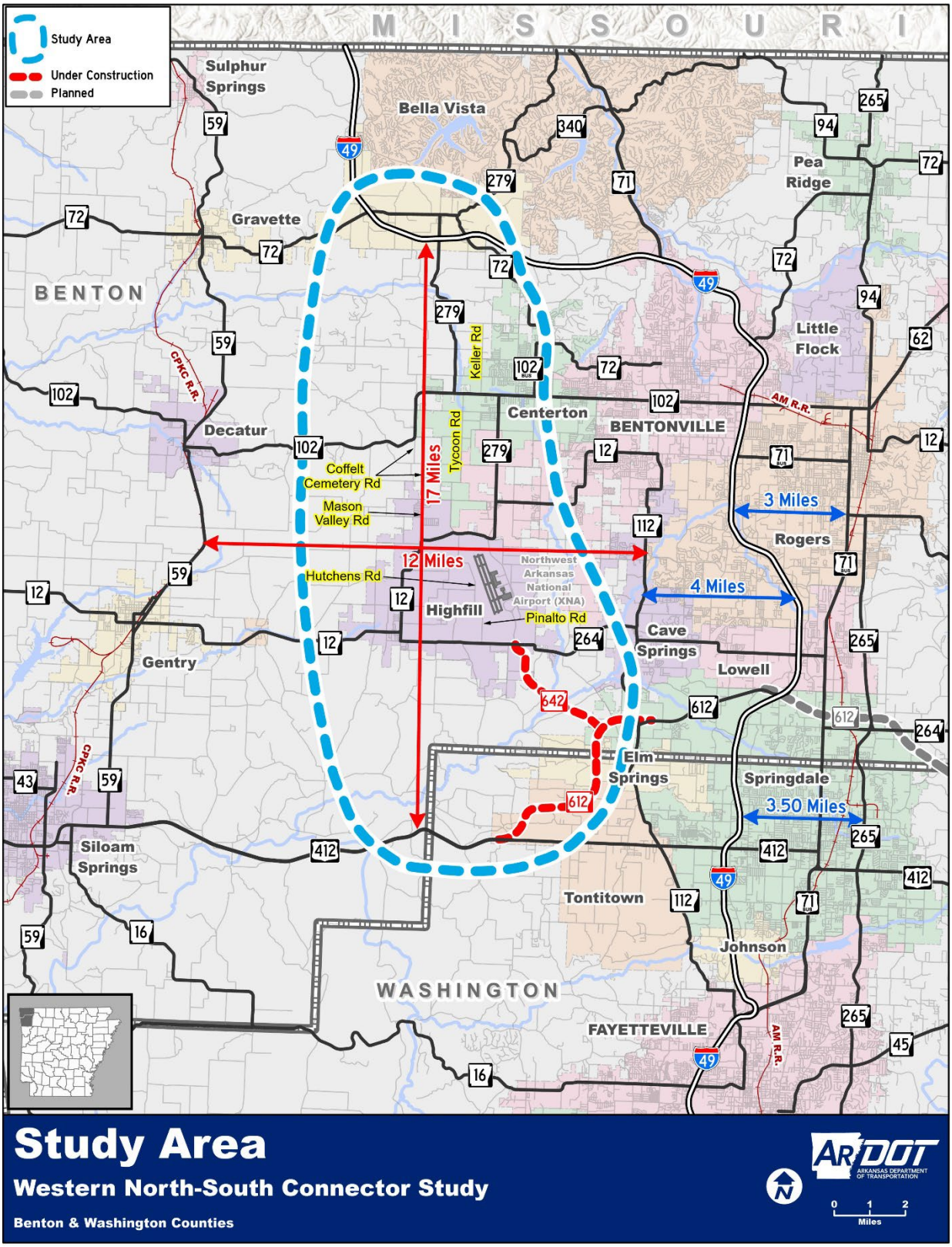
In 2019, the Arkansas State Highway Commission adopted Minute Order 2019-011 (Appendix A), authorizing a planning study to determine the need for and feasibility of a western connection between Highway 612 (Springdale Northern Bypass) and Interstate 49 (Bella Vista Bypass) in Northwest Arkansas. The study area is shown in **Figure 1**.

EXISTING CONDITIONS

As the location for the headquarters of multiple Fortune 500 companies, the home of the University of Arkansas, and thriving outdoor recreational scene, Northwest Arkansas is one of the nation's fastest growing areas, ranked the 18th in population growth rate in 2023. Over the last 25 years, the population of Benton and Washington Counties has nearly doubled, creating a high demand for new residences, supporting land uses (such as schools and retail), and infrastructure. Furthermore, the metropolitan statistical area, which encompasses Benton, Washington, and Madison Counties, is expected to reach one million people by 2050.

In recent years, much of this growth has shifted towards Benton County, particularly west of Interstate 49, where communities such as Gravette, Centerton, Bentonville, and Highfill have experienced rapid and continuing development. Generally, this development has occurred along existing roadways (including state highways) with only minor improvements thus far to accommodate increased traffic. This development pattern has resulted not only in congestion of existing roadways but also a disconnected roadway network with no direct north-south arterial connection between communities.

Figure 1: Study Area



As a result, motorists must either travel along local roads or use indirect routes (such traveling east to access Interstate 49) to travel to other communities or important destinations, such as the Northwest Arkansas National Airport (XNA). As shown in **Figure 1**, the regional major highway facilities consist of north-south routes such as Highway 265, Highway 71B, Interstate 49, Highway 112, and Highway 59, and east-west routes such as Highway 72, Highway 102, Highway 12, Highway 264, Highway 412, and Highway 612. The distance between Highway 59 and Highway 112, which are the closest continuous north-south routes to the study area, is approximately 12 miles. In contrast, the distance between other major north-south continuous highway routes is approximately three to four miles. This gap presents a great opportunity for a north-south arterial to enhance regional connectivity and mobility.

PLANNING CONSIDERATIONS

This study builds on current plans for north-south corridor improvements within the study area. Relevant plans and projects include:

- The Centerton Master Street Plan (MSP) identifies several north-south arterials between the Bella Vista Bypass and Highway 12. These alignments generally follow Highway 279, Tycoon Road, Keller Road, Coffelt Cemetery Road, or Mason Valley Road, with connecting segments to fill gaps in the existing network. The City of Bentonville's MSP identifies similar arterial alignments between Centerton and Highfill. The Highfill MSP illustrates two north-south arterials between Highway 12 and Highway 264, one following Highway 12 and the other following Hutchens Road and Pinalto Street west of XNA.

- The Northwest Arkansas Regional Planning Commission's (NWARPC) *2045 Metropolitan Transportation Plan* (2021) proposes improvements to Highway 279 and Highway 12 from the Bella Vista Bypass to Highway 264, consistent with the broader need to improve north-south mobility throughout the region.

- Job 012326 (currently scheduled for completion in 2027) will construct the western portion of the Springdale Northern Bypass, a new location, four-lane divided highway with full control of access from Highway 412 to Highway 112; and Job090069 (also scheduled for completion in 2027) will construct the XNA Connector with a similar facility type from Highway 264 to the Springdale Northern Bypass.

- The *Northwest Arkansas Western Beltway Feasibility Study* (2011), conducted by the NWARPC, considered construction of an arterial highway or freeway from Gravette to Fayetteville. Between the Bella Vista Bypass and the Springdale Northern Bypass, the proposed alignments of the western beltway fall within the study area shown in **Figure 1**. The study documented the need to improve north-south travel to accommodate the growth of the region. While some long-distance travelers may be attracted to the route, most trips would have origins and destinations within the study area. For that reason, the proposed western beltway was not viewed as providing significant traffic relief for Interstate 49.

Several projects are under development to improve Highway 112 from Bentonville to Fayetteville. These projects will greatly improve north-south mobility between the study area and Interstate 49. ARDOT has also studied the need for and feasibility of improvements along Highway 59 and Highway 72, and improvements to those roadways would further enhance north-south mobility in western Benton County.

PURPOSE AND NEED

The Arkansas Long Range Intermodal Transportation Plan (LRITP) defines six goal areas that support the Department's mission. These goal areas inform the purpose of and need for transportation improvements within the study area.

SAFETY AND SECURITY

As discussed further in the next section, to travel north-south through the study area, motorists must generally follow indirect routes with numerous stops and turns. As the area continues to grow, this will result in long travel distances, increased congestion, and poor intersection performance. All of these outcomes are associated with lesser network-wide safety performance.

CONGESTION REDUCTION, MOBILITY, AND SYSTEM RELIABILITY

As mentioned previously, the Northwest Arkansas region has seen tremendous growth in the past decades, which resulted in high increases in traffic volumes throughout the region. **Figure 2** and **Figure 3** show the traffic volume changes by decade between 2004 and 2024. It is evident that the growth has accelerated between 2014 and 2024.

Coupled with the high traffic demand, the lack of network connectivity in the western part of the two-county area has contributed to the congestion that has been experienced by many. *Connectivity* refers to the number of links in a transportation network and how directly travelers can reach their destinations. As connectivity increases, route options increase, travel distances decrease, and the time required for travelers to reach their destination decreases. Problems attributed to congestion or lack of capacity can be due to lack of connectivity, which results in high traffic volumes on a small number of continuous roadways and often results in indirect travel.

Figure 2: Traffic Growth (2004 to 2014)

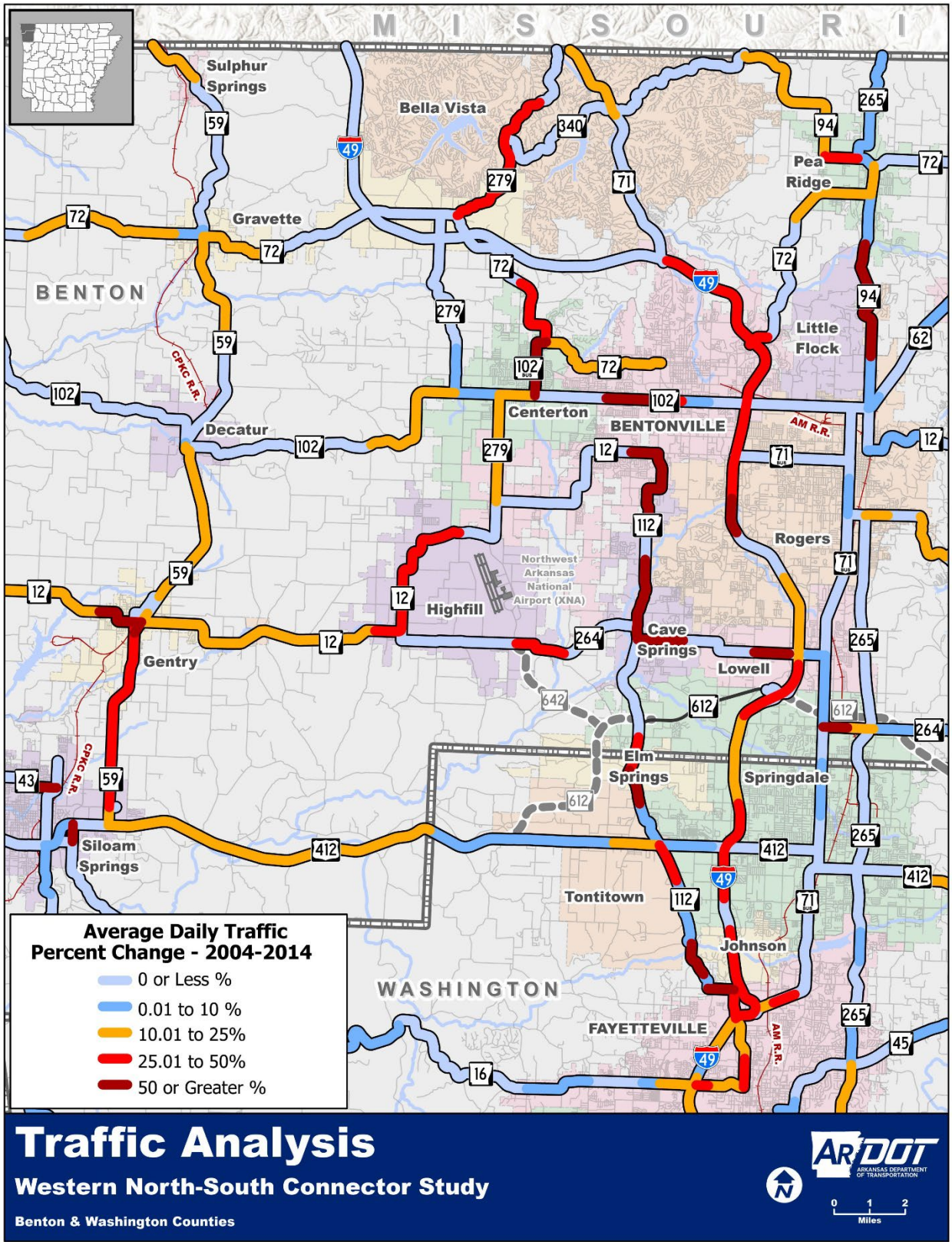
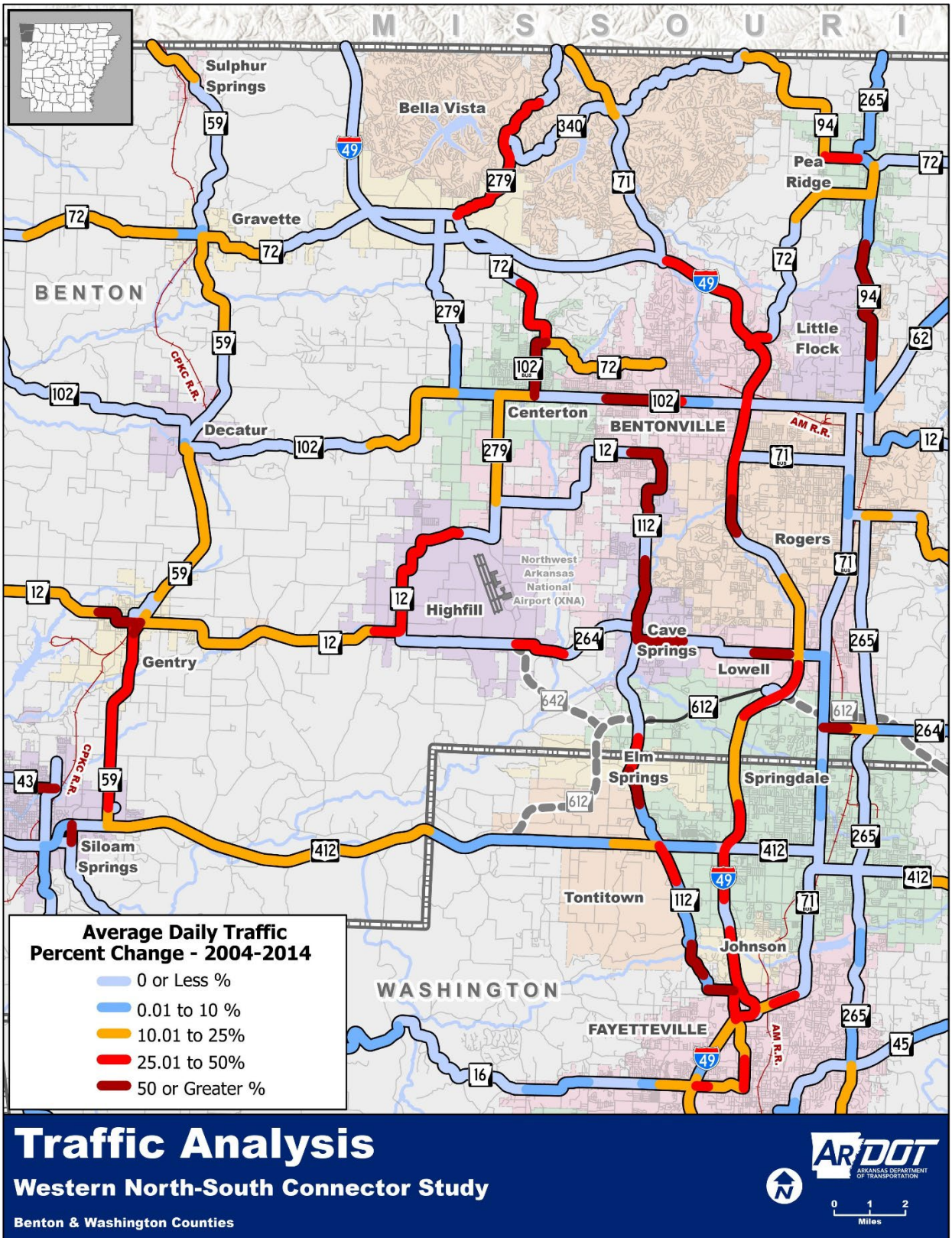


Figure 3: Traffic Growth (2014 to 2024)



To travel north or south across the study area, motorists must navigate two-lane roadways and frequently stop and turn at intersections. The absence of a continuous and direct route will significantly hinder mobility as the region grows. Additionally, the lack of a direct north-south route within the study area will likely prompt some motorists to travel eastward along congested roadways to access a north-south arterial route, such as Highway 112 or Interstate 49.

ECONOMIC COMPETITIVENESS

Northwest Arkansas is a regional hub of economic activity and home to national leaders in retail, food products, transportation logistics, and other industries. Likewise, the region is a hub for education, medical services, entertainment, and other institutional and social activities. The continued success of the region will depend on the ability to safely and efficiently move people and goods, which will require investments in regional infrastructure. In particular, additional transportation infrastructure will be needed to facilitate growth and development of the study area.

ENVIRONMENTAL SUSTAINABILITY

A cursory environmental review and community engagement identified potential environmental constraints unique to this area, including sensitive species, spring recharge areas, cemeteries, and karst resources. In addition, the study area has varied patterns of development, ranging from ranches and family estate lots to dense or rapidly-expanding residential subdivisions, along with cemeteries, churches, and other scattered constraints. Careful planning and design will be required to balance the region's transportation needs with these environmental constraints.

OTHER LRITP GOALS

Other LRITP goal areas are discussed below.

- **Multimodal Transportation System** – Northwest Arkansas communities have been intentional about accommodating bicycle and pedestrian needs in the transportation system. Multimodal transportation needs should be considered in the development of any new or improved highways within the study area.
- **Infrastructure Conditions** – Pavements and bridge structures within the region are generally maintained in a good state of repair, but system preservation is a continuing need and priority.

PURPOSE AND NEED SUMMARY

The population of Northwest Arkansas is increasing rapidly due to its economic prosperity and high quality of life. As a result, many communities in western Benton County are growing quickly due in part to the availability of undeveloped land. A well-planned transportation system, sized appropriately for the growing population, is essential for the continued success of the region. While multiple east-west roadways exist within the study area, there is a lack of north-south routes needed to provide safe and efficient travel between communities.

ALTERNATIVES ANALYSIS

To address the need for north-south connectivity improvements within the study area, a range of conceptual improvement alternatives was considered. This study assumes that the new or improved roadway would be an arterial (see **Figure 4**), not a freeway.

Figure 4. Illustrative Four-lane Arterial Cross-Sections



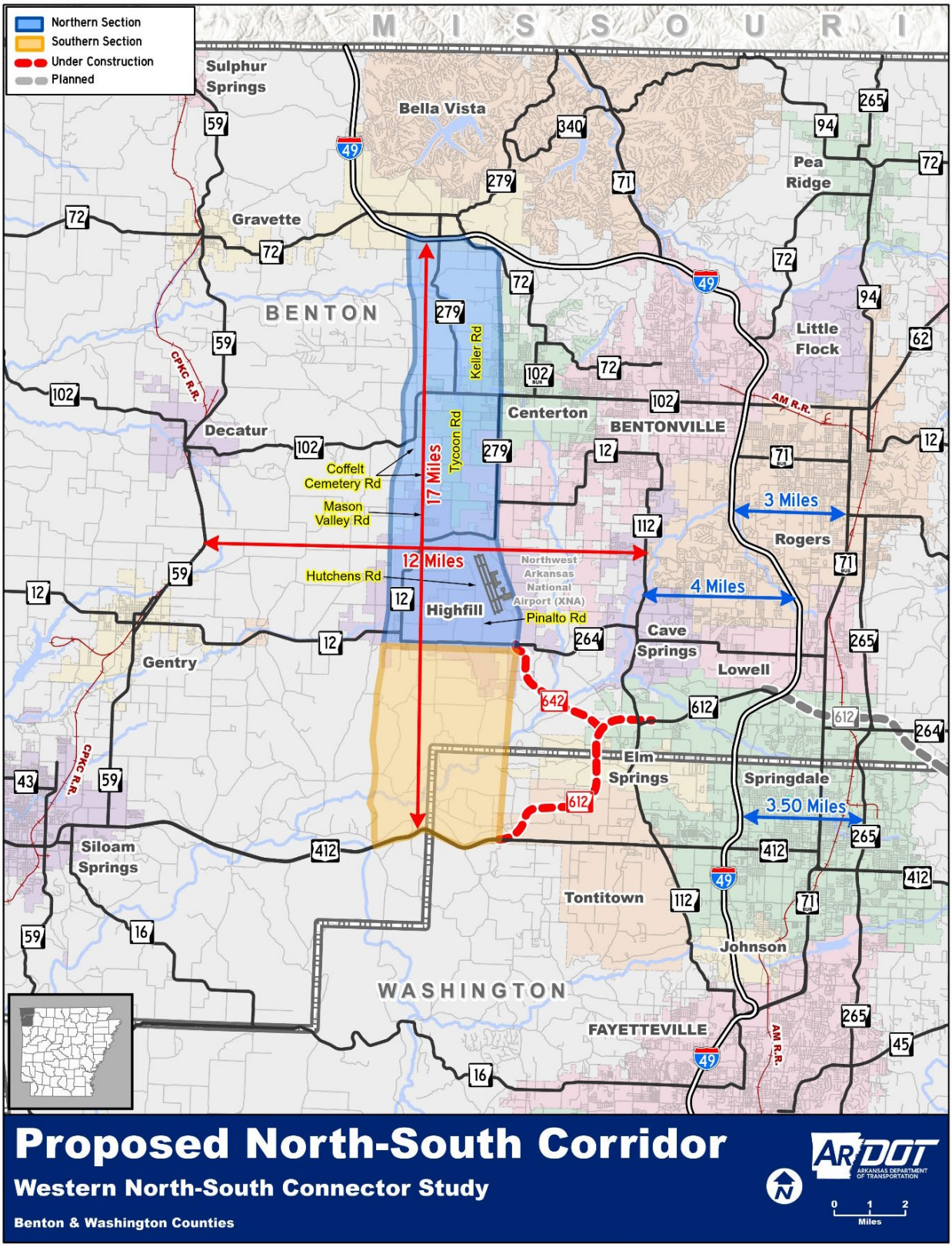
NO-ACTION ALTERNATIVE

Under the No-Action Alternative, no improvements would be made to existing roadways within the study area. Without any action, the previously discussed mobility and connectivity challenges would not be addressed. The No-Action alternative has no associated costs to the Department other than maintaining the existing highway system.

IMPROVEMENT ALTERNATIVES

Through extensive public involvement and coordination of local officials, a corridor that received the most support for a continuous north-south arterial is shown in **Figure 5**.

Figure 5. Proposed North-South Arterial Corridor



Planning-level cost estimates (**Table 1**) were developed for various conceptual alternatives for improving a north-south alignment within the study area. These alternatives ranged from improving existing routes, such as Highways 279 and 12, to constructing a four-lane lane roadway on a completely new location. Separate estimates were produced for a northern section (from Bella Vista Bypass to Highway 264) and a southern section (from Highway 264 to the Springdale Northern Bypass). All estimates assume the construction of an interchange at the Bella Vista Bypass, as well as traffic signals or roundabouts at other major intersections.

Table 1. Cost Estimates (in 2025 dollars)

Scenario	Length (miles)	Construction Cost	Total Cost
Northern Section	12 – 15	$500M – $750M	$750M – $1,000M
Southern Section	5 – 10	$250M – $500M	$500M – $750M
TOTAL	17 – 25	$750M – $1,250M	$1,250M – $1,750M
Note: Cost estimates are presented in ranges to account for improving existing roads to complete new location construction.			

PUBLIC INVOLVEMENT

This study included several rounds of public involvement meetings including virtual meetings in mid-2020 and late-2021 and in-person meetings in mid-2023 and early 2025. Over the course of the study, more than 500 comments forms were received. To summarize:

- Many participants recognize that the area is growing quickly, and there is a need for improved north-south connectivity through the region. Specific concerns included truck traffic, safety, and congestion on existing roads.

- Many participants (including some who believe an improved north-south connector is needed) expressed concerns about potential impacts, including impacts on homes, agricultural property, communities, and the natural environment. Some participants commented that delaying improvements may result in greater impacts due to the rapid development of the study area.
- Some participants believe that a freeway facility is needed to accommodate the growth of the region, but there was greater support for making improvements to existing roadways to minimize disruption to the community.

CONCLUSIONS

Northwest Arkansas continues to grow at a rapid pace, and careful planning is needed to ensure that future growth can be accommodated. This study documents the need for new or improved roadways to facilitate safe and efficient north-south travel. A broad study area was identified to serve the need for a north-south connector from Bella Vista Bypass to the Springdale Northern Bypass.

To address the transportation needs of the study area while accommodating public concerns, this study recommends:

- **An arterial roadway, not a freeway.** An arterial roadway would require less right of way, resulting in less impact on property and the environment. To maintain a high level of mobility and safety, access to an arterial roadway could be managed, but would not be strictly prohibited as would be required for a freeway. In addition, the cross-section of an arterial roadway could vary by location (as shown in **Figure 4**).

- **Improving existing roadways where feasible.** Local and regional plans document the local vision for major roadways within each community. Where possible, those roadways would be improved, with new roadway segments constructed to connect existing roadways and provide a continuous and direct route.
- **Prioritizing the northern section over the southern section.** The area between the Bella Vista Bypass and Highway 264 (the northern section shown in **Figure 5**) is growing rapidly. This rapid growth creates demand for new or improved roadways, while also introducing obstacles to roadway construction. In contrast, the area between Highway 264 and Highway 412 (the southern section shown in **Figure 5**) is more difficult to develop, and the XNA Connector and Springdale Northern Bypass will greatly improve mobility through that area.

At this time, no funds have been identified for any improvements discussed in this study. Due to the high costs associated with roadway improvements, cost sharing among local jurisdictions should be explored.

APPENDIX A

MINUTE ORDER 2019-011

ARKANSAS STATE HIGHWAY COMMISSION

MINUTE ORDER

District: Nine

Page 1 of 1 Page

County: Benton

Category: Miscellaneous

WHEREAS, IN BENTON COUNTY, local officials have suggested that a highway connection from the proposed Highway 612 (Springdale Northern Bypass) to Highway 549 (Bella Vista Bypass) west of Interstate 49 and in the vicinity of the Northwest Arkansas Regional Airport could improve regional mobility.

WHEREAS, a comprehensive study of the existing highway network, upcoming highway improvements and possible new location alternatives in this region should be considered.

NOW THEREFORE, the Director is authorized to conduct a planning study of the region west of Interstate 49 to identify the need for and feasibility of a western connection between the Springdale Northern Bypass and the Bella Vista Bypass.

Approved:

Chairman

Vice-Chairman

Member

Member

Member

TP&P

Submitted By:

Assistant Chief Engineer - Planning

for

Approved:

Director

Minute Order No. 2019 011

Date Passed JAN 9 2019

Form 19-456
Rev. 6/18/2015
Y:\MPP\Minute Orders\2018\MO Authorize NWA Western Corridor 2019-01.docx

WESTERN NORTH-SOUTH CONNECTOR STUDY

BENTON AND WASHINGTON COUNTIES