

Article 29: Reserved for Future Use Site Plan Review

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SECTION 29-1 INTENT

29-101.

- a. The very nature of land development creates potential for traffic congestion, overcrowding, adverse visual environmental impacts, and health problems. Also, the City strives to achieve the goal of promoting growth in Arkansas City, while stabilizing the established residential patterns of the area. The City seeks to ensure that any location that accommodates intense urban use be subject to Site Plan Review by the zoning administrator in accordance with this Article. Site Plan Review helps ensure that the meaning and intent of these subdivision regulations are fully complied with and so property owners and developers understand City requirements under these regulations before projects begin.
- b. Site Plan Review regulates the development of structures and sites in a manner that considers the following:
 1. The balancing of landowners' rights to use their land, with the corresponding rights of abutting and neighboring landowners to live without undue disturbances, including, for example, noise, smoke, fumes, dust, odor, glare and stormwater runoff;
 2. The convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent areas or roads;
 3. The adequacy of waste disposal methods and protection from pollution of surface or groundwater;
 4. The protection of historic and natural environmental features of the site under review, and those of adjacent areas; and
 5. The stability of the built environment, particularly residential neighborhoods, by promoting urban development that is compatible with clearly identified natural resources.

SECTION 29-2 APPLICABILITY

29-201.

- a. The Zoning Administrator shall require that all applications for building permits for residential, commercial and industrial developments, other than applications for accessory buildings, be subject to site plan review in accordance with these regulations, and for redevelopments which enlarge the size of the original structure by more than fifty percent (50%) in the case of a renovation or alteration. The Zoning Administrator may require a site plan review in accordance with the regulations for any development requiring a building permit upon a determination that such development may impact parking, storm water, traffic or create other impacts upon public health, safety or welfare. The Zoning Administrator may require a site plan review regardless of whether a development involves the subdivision of land. Developments shall be encouraged to implement the objectives of the adopted City of Arkansas City Comprehensive Plan to foster compatibility among land uses in the City.

Commented [JW1]: This article is entirely new content to the Zoning Regulations. The text was largely adopted from Article 13 Site Plan Review of the Subdivision Regulations. Some of the content from that Article was removed and placed in Articles 9 & 15. Where that happens in those articles, it will be noted. These changes are occurring in accordance with Section 8-5 of the 2022 Comprehensive Plan.

Also since this is entirely new content staff has chosen not to use the red underline so that it is not overwhelming to the reader. The reader should treat all of this content as if it was red underlined with the exception of the title at the top.

- b. All site plan applications for non-residential development shall be reviewed by the Technical Advisory Committee as established by Section 2-6 of the Subdivision Regulations. A meeting shall be held between the applicant and the committee to discuss the site plan review requirements and other site or application issues specific to the proposed development. The applicant should submit preliminary plans for initial review and comment at this time. Staff will conduct the final site plan review after this meeting and the applicant shall then submit final plans in accordance with Section 29-5 of these regulations.

SECTION 29-3 AUTHORITY

29-301. Building permits shall not be issued for any use of land or proposed construction for which site plan review is applicable unless site plan review approval has been granted.

SECTION 29-4 FILING FEE

29-401. A filing fee shall be paid as part of the plan review fee at or prior to the time of building permit application in an amount established by the City Commission in the Comprehensive Fee Schedule.

SECTION 29-5 SUBMISSION REQUIREMENTS

29-501.

- a. The site plan shall include the following data, details, and supporting plans which are found relevant to the proposal. The applicant shall make notations explaining the reasons for any omissions.
- b. Site plans shall be prepared by a registered professional engineer, architect, land surveyor or landscape architect at the largest scale possible, but no less than a scale of one (1) inch equals 20 feet, on standard 24" x 36" sheets. The number of copies of the site plan to be submitted for review shall comply with the City's schedule of copies. Items required for submission include:
1. Name of the project, address, boundaries, date, north arrow and scale of the plan.
 2. Name and address of the owner of record, developer, and seal of the engineer, architect or landscape architect.
 3. All existing lot lines, easements and rights-of-way. Include area in acres or square feet, abutting land uses and structures.
 4. The location and use of all existing and proposed structures within the development. Include all dimensions of height and floor area, show all exterior entrances and all anticipated future additions and alterations, side views of structure, building elevations of structure, and proposed building materials. For developments in the Historic District and/or C-4 Central Business District, indicate design details to make new construction compatible with existing structures and conformance to the adopted Comprehensive Plan and Zoning Regulations.
 5. The location of all present and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs and fences. Location, type and screening details for all waste disposal containers shall also be drawn.
 6. The Zoning Administrator may require location, height, intensity and bulb type for all external lighting fixtures. The direction of illumination and methods proposed to eliminate glare onto adjoining properties must also be shown.
 7. The location, height, size, materials, and design of all proposed signage.
 8. The location, size and common name of all existing plant materials to be retained on the site, including a description of the methods by which such materials could be preserved; mature sizes of plant material drawn to scale and identified by common name or appropriate key; location of all trees, twelve-inch (12") caliper or larger measured at four and one-half feet (4 ½') above ground level that are proposed for removal.

9. The location of all present and proposed utility systems including:
 - (a) sanitary sewage system;
 - (b) water supply system;
 - (c) telephone, telecommunication, cable and electrical systems; and
 - (d) storm drainage system including existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes and drainage swells.
10. Construction and post-construction best management practices (BMPs) may be required as part of the plan to prevent stormwater pollution. This must include run-off calculations and must be approved by the city engineer following a determination that the plan is in conformance with the City's adopted Stormwater ordinance. A Storm Water Pollution Prevention Plan (SWPPP) must be submitted to the State if more than 1 acre is disturbed.
11. Existing and proposed topography shown at not more than two-foot contour intervals. All elevations shall refer to the United States Geodetic Survey (USGS) datum. If any portion of the parcel is within the 100-year flood plain, the area shall be shown with base flood elevations and the developer shall present plans for meeting Federal Emergency Management Agency (FEMA) requirements.
12. Zoning district boundaries adjacent to the site's perimeter shall be drawn and identified on the plan.
13. Access Management plan in accordance with the AASHTO "A Policy on Geometric Design of Highways and Streets". Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within 100 feet of the site shall be shown.

The Zoning Administrator may require a traffic study for developments in heavy traffic areas, to include:

 - (a) The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
 - (b) The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and
 - (c) The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities, existing and proposed daily and peak hour traffic levels, as well as road capacity levels.
 - (d) Other information as requested by the Zoning Administrator.
14. For new nonresidential construction or alterations to any existing nonresidential structure, a table containing the following information must be included:
 - (a) Area of structure to be used for a particular use, such as retail operation, office, storage, etc.;
 - (b) Estimated maximum number of employees;
 - (c) Maximum seating capacity, where applicable;
 - (d) Number of parking spaces existing and required for the intended use; and
 - (e) A landscape plan for paved parking may be required.
15. Dumpster Enclosure and Improvements:

- (a) Exterior refuse shall be kept in an enclosed area large enough to contain one week's production of refuse and shall be contained in a refuse bin equipped with a lid.
- (b) The enclosure shall be a minimum of 12 feet wide to allow access for the truck picking up the refuse bin. The depth of the enclosure should be the depth of the refuse bin being used plus an additional four (4) feet to allow for the mechanical dumping of the refuse bin. The enclosure shall have a minimum height of five (5) feet.
- (c) The floor of the enclosure shall be reinforced concrete with a minimum thickness of four inches (4") with #4 reinforcing rods at twenty-four inches (24") each direction.
- (d) There shall be a 12' x 12' concrete pad in front of the enclosure. This pad should be a minimum depth of eight inches (8") and have #4 reinforcing rods every twenty-four inches (24") in each direction and have a test strength of 4,000 psi.
- (e) The enclosure should be shielded on three sides by a wall or decorative fence and positioned in such a manner to shield the refuse bins from sight of any public thoroughfare or adjoining property to the extent possible. When decorative fence is used the corner post should be made of steel pipe with a four-inch (4") diameter and filled with concrete.
- (f) The number and location of refuse bins shall be located on site plans prior to approval.

SECTION 29-6 STANDARD OF REVIEW

29-601. The recommendations of the Zoning Administrator shall be based on the following standards:

- a. The extent to which the proposal conforms to this Article and these regulations.
- b. The extent to which the development would be compatible with the surrounding area.
- c. The extent to which the proposal conforms to the provisions of the City's comprehensive plan.
- d. The extent to which the proposal conforms to the standard specifications used in the City.
- e. The extent to which the location of streets, paths, walkways, and driveways are located to enhance safety and minimize any adverse traffic impact on the surrounding area.