



#2 West along the property line



Phase 3 and Phase 4 of Eastridge Subdivision additional 80 homes

Windsor Landing alone has 200+ houses in this picture is 377 homes not counting the houses that will be sold for commercial land



CRYE-LEIKE, REALTORS®

2907 S. Caraway Road • Jonesboro, AR 72401

March 14, 2011

Mr. Jim Lyons, Attorney
407 South Main Street
Jonesboro, Arkansas 72401

RE: Fairgrounds Relocation

Dear Mr. Lyons:

I want to take this opportunity to give you my opinion of what the relocation of the fairgrounds will do to the property values of the surrounding neighborhoods. I have been listing and selling real estate in Jonesboro since 1989 and am the Principal Broker and Manager of Crye-Leike, Realtors.

These neighborhoods are residential and just outside the city limits. I have sold homes in these neighborhoods in the past. Families who have bought there had a desire to be in a quiet country atmosphere with conveniences the City of Jonesboro has to offer not being very far from their homes. The relocation of the fairgrounds to this area will not help the value of these homes appreciate. It is my opinion it will do the exact opposite, they will decrease in value because of the obvious reason, the "quiet country atmosphere" will no longer be there. The fairgrounds being located there will effect the safety of children, traffic count, noise level, the list goes on and on.

Annexing these properties into the city limits to allow them city sewer is not going to make up for the depreciation of what the fairgrounds will do to the value of these properties.

Sincerely,



Cathi Nisenbaum



For all your Real Estate needs.



Cathi Nisenbaum

Office: (870) 933-5699 • Home: (870) 932-5905 • Mobile: (870) 930-5673

Broker/Manager, CRS, GRI

**Jonesboro, Arkansas, Code of Ordinances >> PART II - LAND DEVELOPMENT
ORDINANCES >> Chapter 117 - ZONING >> ARTICLE VIII. - OTHER STANDARDS AND
REQUIREMENTS >>**

ARTICLE VIII. - OTHER STANDARDS AND REQUIREMENTS

- Sec. 117-324. - Off-street parking and loading.
Sec. 117-325. - Driveways and access: multifamily and nonresidential.
Sec. 117-326. - Landscaping and screening.
Sec. 117-327. - Corner visibility.
Sec. 117-328. - Residential compatibility standards.
Sec. 117-329. - Fences.
Sec. 117-330. - Sidewalks.

Sec. 117-324. - Off-street parking and loading.

- (a) *Applicability.* Off-street parking and loading shall be provided in accordance with the regulations of this section for all new development, and for any existing development that is altered in a way that enlarges or increases capacity by adding or creating dwelling units, guest rooms, floor area or seats.
- (b) *Parking and loading schedules.*
- (1) *Off-street parking schedule A.* Off-street parking spaces shall be provided in accordance with the following off-street parking schedule (schedule A), provided that there shall be no minimum off-street parking requirement for uses located in the C-1 district. In some cases, the applicable off-street parking space requirement in schedule A refers to schedule B.
 - (2) *Number of spaces required.* The number of parking spaces required for a use not listed herein shall be the same as for a similar use which is listed. Where the required number of spaces cannot be ascertained by this method, or the applicant and the city staff cannot agree, the matter shall be submitted to the planning commission for determination.
 - (3) *Approval.* Such determination shall be subject to appeal to the city council.

Schedule A

Uses	Number of Spaces Required
<i>Residential</i>	
Single-family detached	2 per dwelling unit
Single-family attached	2 per dwelling unit
Duplex	2 per dwelling unit
Multifamily	1.25 per efficiency unit
	1.75 per one-bedroom unit
	2.25 per two-bedroom unit
	3.00 per three-bedroom and larger units
Manufactured housing (all)	2 per dwelling unit
Manufactured housing park	2 per unit, plus 1 for each 10 units
Zero lot line single-family	2 per dwelling unit
<i>Civic and commercial</i>	
Animal care, general	1 per 400 square feet
Animal care, limited	1 per 300 square feet

Auditorium, arena, theater	1 for each 4 seats, based on maximum capacity	5000
Bank or financial institution	1 per 300 square feet	
Bed and breakfast	2 per building, plus 1 per guest room	
Church	1 for each 4 seats in the sanctuary (sharing possible)	
College or university	1 per 300 square feet, or 1 for each 2 students, whichever is greater	
Communication tower	1 space (plus office space, if on site)	
Construction sales and service	Spaces to be provided pursuant to schedule B	
Convenience store	1 per 200 square feet	
Day care, limited or general	1 per employee and/or attendant, plus 2 spaces	
Funeral home	1 for each 4 chapel seats, plus 1 per employee	
Government service	1 per 300 square feet	
Hospital	1 for each 3 beds, plus 1 for each 3 employees	
Hotel or motel	1 per guest room, plus 1 per 10 guest rooms	
Day care, limited or general	1 per employee and/or attendant, plus 2 spaces	
Library	1 per 500 square feet	
Medical service	6 per doctor or dentist	
Museum	1 per 500 square feet	
Office, general	1 per 300 square feet	
Recreation/entertainment, indoor	1 per 400 square feet	400 sq ft
Recreational vehicle park	1 per camping space	
Restaurant, fast-food	1 per 75 square feet of customer service/dining area	
Restaurant, general	1 per 150 square feet for first 2,500 square feet, plus 1 per 100 square feet over 2,500 square feet	
Retail/service, general	1 per 250 square feet	
Retail/service, furniture and bulky items	Spaces to be provided pursuant to schedule B	
School, nursery, elementary and middle	1 per staff and employee, plus 1 space per classroom	
School, high	1 for each 3 students, plus 1.5 per classroom	
Service station	2 per service bay, plus 1 per pump	
Vehicle and equipment sales	Spaces to be provided pursuant to schedule B	
Vehicle repair, general or limited	5 per service bay	
Vocational school	1 per 3 students, plus 1 per faculty member	

Warehouse, residential (mini) storage	1 for each 5 storage bays, or 1 per 1,000 square feet, whichever is greater
Industrial and manufacturing	
Asphalt or concrete plant	Spaces to be provided pursuant to schedule B
Auto wrecking or salvage yard	Spaces to be provided pursuant to schedule B
Manufacturing, general	Spaces to be provided pursuant to schedule B
Manufacturing, limited	Spaces to be provided pursuant to schedule B
Research service	1 per 300 square feet
Warehousing	Spaces to be provided pursuant to schedule B
Welding or machine shop	1 per 1,000 square feet or 1 per employee, whichever is greater

- (4) *Off-street parking schedule B.* Off-street parking for schedule B uses shall be provided in accordance with the following table:

Schedule B

Activity	Number of Spaces Required
Office or administrative area	1 per 300 square feet
Indoor sales, service or display area	1 per 500 square feet
Outdoor sales, service or display area	1 per 750 square feet
Manufacturing area	1 per 1,000 square feet
Indoor storage, warehousing, or equipment servicing	1 per 5,000 square feet unless number of employees and visitors requires greater

- (5) *Off-street loading schedule.* Off-street loading spaces shall be provided in accordance with the following minimum standards:

Off-Street Loading Schedule

Floor Area (in square feet)	Minimum Requirements
Retail and service, warehouse, wholesale, and manufacturing uses	
3,000 to 25,000	1
25,001 to 85,000	2
85,001 to 155,000	3
155,001 to 235,000	4
235,001 to 325,000	5
325,001 to 425,000	6
425,001 to 535,000	7
535,001 to 655,000	8
655,001 to 775,000	9

775,001 to 925,000	10
925,001 or more	10, plus 1 per 200,000 square feet above 925,001
Offices, nursing homes, hospitals, hotels and institutions	
3,000 to 100,000	1
100,001 to 335,000	2
335,001 to 625,000	3
625,001 to 945,000	4
945,001 or more	5, plus 1 per 500,000 square feet above 945,001

(c) *Computing off-street parking and loading requirements.*

- (1) *Multiple uses.* Lots containing more than one use shall provide parking and loading in an amount equal to the total of the requirements for all uses.
- (2) *Fractions.* When measurements of the number of required spaces result in fractions, any fraction of one-half or less shall be disregarded and any fraction of more than one-half shall be rounded upward to the next highest whole number.
- (3) *Area.* Unless otherwise noted in the provisions, all square footage-based parking and loading standards shall be computed on the basis of gross floor area.
- (4) *Employees, students and occupant-based standards.* For the purpose of computing parking requirements based on the number of employees, students, residents or occupants, calculations shall be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces.
- (5) *American's With Disability Act Requirements (ADA).* Pursuant to Federal ADA standards, a portion of the total number of required off-street parking spaces in each off-street parking area shall be specifically designated, located and reserved for use by person with physical disabilities. Responsibility for compliance, in all respects, shall rest with the applicant.

(d) *Location and design of off-street parking and loading spaces.*

- (1) *On-site.* Except as otherwise specifically provided, required off-street parking and loading spaces shall be located on the same lot as the principal use.
- (2) *Right-of-way.* Off-street parking spaces shall be prohibited within the public right-of-way; and no portion of the abutting street right-of-way shall, except for the driveway, shall be paved or used in any manner except as green area.
- (3) *Setbacks.*
 - a. In single districts, required off-street parking shall not be located within a street setback. Parking in excess of the required number of spaces is allowed in the street setback, but not off the driveway, and not in a manner which obstructs sidewalks or visibility.
 - b. Where parking is to be provided in the street setback of a multifamily dwelling, there shall be established a setback line of ten feet. The area between the setback line and the front lot line shall be prepared and planted with grass, shrubs, trees, or ground cover not inconsistent with other landscaping provisions contained herein, and protected by interior curbing.
 - c. In all commercial and industrial districts, required parking is allowed within the street setback.
- (4) *Ingress and egress.* Off-street parking and loading spaces shall be designed to permit exiting vehicles to enter the public right-of-way in a forward motion. No off-street parking or loading space shall be allowed that requires vehicles to back onto a public right-of-way, except single-family and duplex residential development on local and collector streets.
- (5) *Surfacing.* All required off-street parking and loading spaces, and the driveways serving off-street parking and loading spaces, shall be paved with asphalt, concrete or brick; provided driveways serving single-family dwellings shall only be required to pave the first 100 feet, as measured from the street. The area of the driveway from the edge of the street to the property line shall be paved.

(6)

Drainage. All off-street parking and loading areas shall be designed with drainage facilities adequate to dispose of all stormwater, and to not increase the stormwater runoff onto the surface of adjoining properties or streets.

- (7) *Curbing.* The perimeter of all off-street parking and loading areas and their access drives shall be curbed, with the exception of single-family, duplex, triplex and fourplex residences. Landscape islands and other interior features within parking lots shall also be protected by curbs. The area between the curb and the property line, except for the driveway, shall be maintained as green space.
- (8) *Striping.* Off-street parking areas containing five or more spaces shall be delineated by pavement striping.
- (9) *Parking space dimensions.* Off-street parking spaces shall contain a minimum area of at least 180 square feet, with a minimum width of nine feet and a minimum length of 18 feet.
- (10) *Loading space dimensions.* Off-street loading spaces shall be at least 14 feet by 45 feet in size, with a minimum 18-foot height clearance.
- (11) *Aisle dimensions.* Drive aisles within off-street parking lots shall comply with the following minimum width requirements:

NOT
ADDRESSED

Parking Angle (in degrees)	One-Way Aisle (in feet)	Two-Way Aisle (in feet)
90	24	24
60	18	24
45	16	24
30	13	24

- (12) *Timing of construction.* All required parking and loading spaces, driving aisles, and accessways shall be constructed prior to the issuance of a certificate of occupancy, provided that a temporary certificate of occupancy may be issued by the inspection department if it is determined, based on information provided by the applicant, that inclement weather or other factors beyond the control of the applicant have prevented compliance with this timing requirement. Before approval of a temporary certificate of occupancy, the parking area subgrade, stone base, shall be compacted in accordance with the city's construction standards. The temporary certificate of occupancy shall expire at the end of 120 days or within such shorter time-frame specified by the inspection department at the time of approval of the certificate.
- (13) *Use of off-street parking and loading spaces.* Required off-street parking spaces shall be used solely for the parking of motor vehicles in operating condition, and shall not be used for the storage of vehicles, boats, motor homes, campers, mobile homes, materials, tractor trailers or other temporary storage unless they are located in a designated staging area and are screened, fenced or otherwise fully shielded from public view.
- (e) *Off-site parking.* Required off-street parking shall be located on the same lot as the use it is intended to serve, provided that a portion, not to exceed 25 percent, of the required off-street parking spaces may be located on a remote and separate lot from the lot on which the principal use is located, if the off-site parking complies with the following standards.
- (1) *Ineligible activities.* Off-site parking shall not be used to satisfy the off-street parking standards for residential uses, restaurants, convenience stores, or other convenience-oriented uses.
- (2) *Location.* No off-site parking area shall be located more than 80 feet from the required parking lot of the use served, unless a shuttle service is provided. Distance shall be measured along the shortest legal, practical walking route.
- (3) *Zoning classification.* Off-site parking areas shall require the same or a more intensive zoning classification than that required for the use served.
- (4) *Agreement for off-site parking.* In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement shall be required. An attested copy of the agreement between the owners of record shall be submitted to the zoning official for recording. In addition, whether under the same ownership or not, a legal document to prevent development of the off-site parking area shall be executed and recorded. Recording of the agreement shall take place before issuance of a building

permit for any use to be served by the off-site parking area or in the case of an existing building, prior to issuance of a certificate of occupancy.

- (f) **Shared parking.** The zoning official, subject to appeal to the planning commission, may authorize a reduction in the number of required parking spaces for multiple use developments and for uses that are located near one another that have different peak parking demands and operating hours. Shared parking shall be subject to the following standards.
- (1) *Location.* Shared off-street parking spaces shall be located no further than 500 feet from the building and uses they are intended to serve unless shuttle service is provided.
 - (2) *Study.* An acceptable parking study shall be submitted which clearly established that uses will make use of the shared spaces at different times of the day, week, month or year.
 - (3) *Agreement.* A shared parking plan shall be enforced through written agreement. Proof of recording of the agreement shall be presented prior to issuance of a building permit.
 - (4) *Revocation of certificate of occupancy.* Failure to comply with the shared parking provisions of this article shall constitute a violation of this article, and shall specifically be cause for revocation of a certificate of occupancy.
- (g) **Outdoor parking/storage of boats, trailers, and recreational vehicles.** One boat, trailer and/or recreational vehicle may be parked outdoors on a lot in a residential district provided that:
- (1) The boat, trailer or recreational vehicle is owned and used by a resident of the premises;
 - (2) The boat, trailer or recreational vehicle is not parked in the area between the front of the residence and the street or other area between the structure and the street, except for the purpose of loading or unloading during a period of less than eight hours;
 - (3) If the boat, trailer or recreational vehicle is located in the side or rear yard, it shall be effectively screened from view of abutting lands by a wall, fence or dense hedge planting at least six feet in height;
 - (4) The boat, trailer or recreational vehicle is not used for living, sleeping or housekeeping purposes; and
 - (5) The boat, trailer or recreational vehicle is currently registered and licensed, as required by state law.
- (h) **Vehicle stack space for drive-through facilities.** In addition to meeting the off-street parking requirements of the section, establishments with drive-through facilities shall comply with the following minimum vehicle stack space standards:
- (1) *Stack space schedule.*
 - a. Fast-food restaurants, 110 feet measured from the order station.
 - b. Banks, 70 feet measured from the teller drop.
 - c. Automatic carwash, 50 feet measured from the entrance.
 - d. Other uses, 30 feet measured from the pickup window.
 - (2) *Design and layout.* Vehicle stack spaces shall be subject to the following design and layout standards:
 - a. Stack spaces shall be designed so as not to impede pedestrian access to the building, on and off site traffic movements or movements into or out of parking spaces.
 - b. Stack space lanes shall be a minimum of eight feet wide, and shall be separated from other internal driveways with painted lines or curbing.

(Zoning Ord., § 14.36.01)

Sec. 117-325. - Driveways and access; multifamily and nonresidential.

The following standards shall apply to all driveways providing access to multifamily or nonresidential uses.

- (1) *General standards.*
 - a. Access to property shall be allowed only by way of driveways, and no other portion of the lot frontage shall be used for ingress or egress. Continuous curb cuts are prohibited.
 - b. Driveway design shall be such that minimization of interference with through street traffic is achieved, and shall be subject to approval of the city engineer. The types of vehicles that a driveway is intended to serve shall be a prime factor in determining the acceptable radii of driveways.
 - c. Provisions for circulation between adjacent parcels should be provided through coordinated or joint parking system.
- (2) *Driveway spacing.*
 - a.

Arterial streets. Direct access to any arterial street shall be limited to the following restrictions:

1. *Spacing from signalized intersections.* All driveways providing access to arterial streets shall be constructed so that the point of tangency of the curb return radius closest to a signalized or stop sign-controlled intersection is at least 120 feet from the perpendicular curb face of the intersecting street. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.
 2. *Spacing from other, nonsignalized, access points.* All driveways providing access to arterial streets shall be constructed so that the point of tangency of the curb return radius closest to any nonsignalized street or driveway intersection is at least 80 feet from the perpendicular curb face of the intersecting street or driveway. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.
- b. **Collector streets.** Direct access to collector streets shall be regulated in accordance with the following standards:
1. *Spacing from signalized intersections.* All driveways providing access to collector streets shall be constructed so that the point of tangency of the curb return radius closest to a signalized or stop sign-controlled intersection is at least 120 feet from the perpendicular curb face of an intersecting arterial street and 80 feet from the perpendicular curb face of an intersecting collector or local street. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.
 2. *Spacing from other, nonsignalized, access points.* All driveways providing access to collector streets shall be constructed so that the point of tangency of the curb return radius closest to a nonsignalized street or driveway intersection is at least 80 feet from the perpendicular curb face of the intersecting street or driveway. In the event that this standard cannot be met because of an unusually narrow or shallow lot size, the city engineer may approve a reduction in spacing as long as the reduction does not result in an unsafe traffic condition.
- c. **Driveways per parcel.**
1. At least one driveway shall be permitted for any lot. Shared driveways shall be recommended for lots that have less than 150 feet of frontage.
 2. Driveways shall be located a minimum of 20 feet from the side property lines. A separation of 40 feet is required between the driveways on one lot and the driveways on the adjacent lots. Driveways on the same lot shall be no closer than 50 feet to each other.
 3. Driveways on corner lots shall be located as far away from the intersection as possible. In no case shall a driveway be installed closer than five feet to the beginning of the curb radius.
- d. **Ingress/egress driveway width.** The width of the driveway throat shall not exceed 40 feet in width. Driveway lanes shall be a minimum of 13 feet in width and shall not have more than three lanes in one entrance/exit.

(Zoning Ord., § 14.36.02)


Sec. 117-326. - Landscaping and screening.

This section sets out the minimum landscaping and screening requirements for new development in the city as follows:

- (1) **Applicability exemptions.** The following shall be exempt from the standards of this section:
 - a. *Residential.* The AG, RR, R-O, RS-1—RS-8, R-1, R-1A, and R-2 districts shall be exempt from all standards of this section.
 - b. *Existing development; changes in use.* Improvements or repairs to existing development that do not result in an increase in floor area, and changes in use that do not result in an increase in intensity, shall also be exempt from all the standards of this section.

- (2) **General landscaping requirements.** In the absence of a landscape plan, the following general landscaping requirements shall apply to all development:
- a. **Landscaping required.** All multifamily development of five units or more, and all commercial development shall be required to provide at least one tree and three five-gallon shrubs per unit within the development.
 - b. **Location.** Landscaping required pursuant to this section shall be installed between the property line and the required street setback areas.
- (3) **Parking lot.** Landscaping. In the absence of a landscaping plan, the parking lot landscaping standards of this section shall apply to the interior of all off-street parking areas containing more than ten off-street parking spaces. They shall not apply to vehicle and equipment sales lots or storage areas, multi-level parking structures, or areas devoted to drive-through lanes.
- a. **Relationship to other landscaping standards.** Trees provided to meet the general landscaping requirements of subsection (2) of this section may be used to meet a development's parking lot landscaping requirements.
 - b. **Required landscaping.** In the absence of a landscape plan, at least one tree and three five-gallon shrubs shall be provided for each ten parking spaces and fraction thereof within an off-street parking area.
 - c. **Location.** Required landscaping shall be reasonably dispersed throughout off-street parking areas.
 - d. **Planting areas.** Planting areas that contain trees shall be at least seven feet wide and protected by raised curbs to prevent damage by vehicle.
- (4) **Dumpster screening.** Dumpsters located in any district shall be completely screened from view on all sides visible to the public by a fence or wall with a minimum height of six feet, or one foot taller than the dumpster, whichever is greater. The fence or wall shall provide complete visual screening of the dumpster, and be compatible in material and color with the principal structure on the lot.
- (5) **Landscape material standards.** The following standards shall be considered the minimum required planting standards for all trees and landscape material:
- a. **Plant quality.** Plants installed to satisfy the requirement of this section shall conform to or exceed the plant quality standards of the most recent edition of American Standard for Nursery Stock, published by the American Association of Nurserymen. Plants shall be nursery grown and adapted to the local area.
 - b. **Artificial plants.** No artificial plants or vegetation shall be used to meet any standards of this section, unless expressly approved by the planning commission.
 - c. **Trees.**
 1. **Types.**
 - (i) **Required.** Where required or permitted, trees shall be of ornamental, evergreen, or of the large deciduous types.
 - (ii) **Prohibited.** The following trees shall be prohibited and shall not be used to satisfy the landscaping or buffering standards of this section unless approved by the planning commission:
 - A. Box elder;
 - B. Soft maple;
 - C. Hackberry; or
 - D. American elm.
 - (iii) **Species mix.** When more than ten trees are required to be planted to meet the standards of this section, a mix of species shall be provided. For each ten, or fractions thereof, another differing species shall be used.
 2. **Size.**
 - (i) **Medium and large deciduous trees.** Medium and large deciduous trees planted to satisfy the standards of this section shall have a minimum height of eight feet, and a minimum diameter of three inch, measured at a point that is at least four and one-half feet above existing grade level.
 - (ii) **Small deciduous or ornamental trees.** Small deciduous and ornamental trees planted to satisfy the standards of this section shall have a minimum height of four feet.
 - (iii) **Conifers or evergreens.** Conifers or upright evergreen trees planted to satisfy the standards of this section shall have a minimum height, after planting, of six feet.
 - (iv)

260 trees -
780 shrubs



Use of existing plant material. Trees that exist on site, prior to its development, may be used to satisfy the landscaping standards of this section provided they meet the size, variety, and location requirements of this section.

- (6) *Installation, maintenance and replacement.*
- a. *Installation.* All landscaping shall be installed according to sound nursery practices in a manner designed to encourage vigorous growth. All landscape material, both living and nonliving, shall be in place prior to issuance of a final certificate of occupancy. A temporary certificate of occupancy may be issued prior to installation of required landscaping if binding, written assurances are submitted, ensuring that planting will take place when planting season arrives.
 - b. *Maintenance and replacement.* Trees, shrubs, fences, walls and other landscape features, which includes screening depicted on plans approved by the city shall be considered as elements of the project in the same manner as parking, building materials, and other details are elements of the plan. The landowner, or successors in interest, or agent, if any, shall be jointly and severally responsible for the following:
 1. Regular maintenance of all landscaping in good condition and in a way that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, as needed and in accordance with acceptable horticultural practices;
 2. The repair or replacement of required landscape structures, e.g., fences and walls, to a structurally sound condition;
 3. The regular maintenance, repair, or replacement, where necessary, of any landscaping required by this section; and
 4. Continuous maintenance of the site.
- (7) *Alternative compliance.* Applicants shall be entitled to demonstrate that the intent of this section can be more effectively met, in whole or in part, through alternative means. If approved, an alternative compliance landscape plan may be substituted, in whole or in part, for landscaping that meets the expressed terms of this section.
- a. *Procedure.* Alternative compliance landscape plans shall be considered through the site plan review process.
 - b. *Review criteria.* In reviewing proposed alternative compliance landscape plans, favorable consideration shall be given to exceptional landscape designs that attempt to preserve and incorporate existing vegetation in excess of minimum standards, and plans that demonstrate innovative design and use of plant materials. Alternative compliance landscape plans may be approved upon a finding that any of the following circumstances exist on the proposed building site or surrounding properties:
 1. Natural land characteristics or existing vegetation on the proposed development site would achieve the intent of this section;
 2. Innovative landscaping or architectural design is employed on the proposed development site to achieve a buffering effect that is equivalent to the buffering or screening standards of this section;
 3. The required landscaping or buffering would be ineffective at maturity due to topography, or the location of improvements on the site; or
 4. The proposed alternative represents a plan that is as good or better than a plan prepared in strict compliance with the other standards of this section.

(Zoning Ord., § 14.36.03)

Sec. 117-327. - Corner visibility.

On corner lots at intersecting two-way streets, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two feet and eight feet above curb grade within the triangular area formed by an imaginary line that follows street side property lines, and a line connecting them, 25 feet from their point of intersection. This sight triangle standard may be increased by the city in those instances deemed necessary for promoting traffic safety, and may be lessened at intersections involving one-way streets.

(Zoning Ord., § 14.36.04)

Sec. 117-328. - Residential compatibility standards.

The compatibility standards of this section are intended to protect low density residential uses and neighborhoods from the adverse impacts sometimes associated with high density residential uses and nonresidential development. The standards are intended to mitigate the effects of uses with operating and structural characteristics that are vastly different than those associated with single-family and duplex uses.



- (1) *Applicability, triggering property.* Compatibility standards shall apply to all development in the C-1, C-2, C-3, C-4, CR-1, I-1 and I-2 zoning districts when such development is adjacent to triggering property, which shall include all property:
- Occupied by a single-family or duplex dwelling unit that is a use permitted by-right in the zoning district in which it is located; or
 - Zoned in an RS or RM zoning district.
- (2) *Exemptions.*
- Notwithstanding the applicability provisions of subsection (1) of this section, compatibility standards shall not be triggered by property that is public right-of-way, railroad track, roadway or utility easement.
 - The following uses and activities shall specifically be exempt from compliance with compatibility standards:
 - Construction of a use permitted by right in a RS or RM district; provided that multifamily development shall be screened when abutting a single-family use or zone;
 - Structural alteration of an existing building when such alteration does not increase the building's square footage or height; and
 - A change in use that does not increase the minimum number of off-street parking spaces required.
- (3) *Setback standards.* The following setback standards shall apply to all development that is subject to compatibility standards:
- Small sites.* On sites with 20,000 square feet of area or less that also have less than 100 feet of street frontage, structures shall be set back from the lot line of triggering property in accordance with the following requirements:

Street Frontage (in feet)	Minimum Setback (in feet)
0 to 52.50	10.0
52.51 to 54.99	10.5
55.00 to 57.50	11.0
57.51 to 59.99	11.5
60.00 to 62.50	12.0
62.51 to 64.99	12.5
65.00 to 67.50	13.0
67.51 to 69.99	13.5
70.00 to 72.50	14.0
72.51 to 74.99	14.5
75.00 to 77.50	15.0

77.51 to 79.99	15.5
80.00 to 82.50	16.0
82.51 to 84.99	16.5
85.00 to 87.50	17.0
87.51 to 89.99	17.5
90.00 to 92.50	18.0
92.51 to 94.99	18.5
95.00 to 97.50	19.0
97.51 to 99.99	19.5

- b. *Large sites.* On sites with more than 20,000 square feet of area or 100 feet of street frontage or more, no structure shall be erected within 20 feet of the lot line of triggering property.
- c. *Surface-level parking and driveways.* Surface-level off-street parking areas and driveways shall not be subject to the above setback standards, however such standards shall apply to parking structures. Surface-level parking areas shall be setback a minimum of ten feet from the lot line of triggering property.
- (4) *Building height.* No structure shall exceed 35 feet in height within 50 feet of the lot line of triggering property. Structures located over 50 feet from the lot line of triggering property may increase height, if permitted by base district zoning regulations, at a ratio of one foot in height for each five feet of setback. For example, a building limited to a maximum of 35 feet in height at 50 feet from triggering property may be increased to a maximum height of 45 feet at a point that is 100 feet from the lot line of triggering property.
- (5) *Screening standards.* Decorative walls, vegetative screening, fencing or earthen berms shall be provided to completely screen off-street parking areas, mechanical equipment, storage areas, and refuse collection areas from view of triggering property.
- (6) *Site design standards.* The following additional site design standards shall apply to development that is subject to the compatibility standards of this section:
 - a. No swimming pool, tennis court, ball field, or playground area, except those that are accessory to a single-family dwelling unit, shall be permitted within 50 feet of the lot line of triggering property.
 - b. Dumpsters and refuse receptacles shall be located a minimum of 25 feet from the lot line of triggering property.
 - c. Exterior lighting shall be designed to minimize light spilling onto surrounding property.

(Zoning Ord., § 14.36.05)

Sec. 117-329. - Fences.

Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of all fences:

- (1) *Maximum height.* Fences shall not exceed eight feet in height, unless approved by the planning commission. Fencing in the I-1 and I-2 districts, and around tennis courts and other recreational amenities, shall be exempt from this height limit.
- (2) *Corner visibility.* Fences shall comply with the corner visibility standards of section 117-327.
- (3) *Construction materials.* Fences in all residential zoning districts shall be constructed so that the horizontal and vertical support posts are inside the fence area or hidden from

view of those outside the fenced area. This requirement shall not apply to fences that abut nonresidential zoning districts or in situations where the owner of the lot adjacent to the fence agrees to a plan for placing support posts on the outside of the fence. All exposed steel, except galvanized metal, shall have a color finish coat applied to them and be preserved against rust and corrosion.

- (4) *Design and maintenance.* All fences shall be maintained in their original upright condition. Fences designed to be painted or have other surface finishes shall be maintained in their original condition as designed. Missing boards, pickets, or posts shall be replaced in a timely manner with material of the same type and quality.
- (5) *Prohibited.* Barbed wire and electrified fences shall be prohibited on all lots of less than two acres in area.

(Zoning Ord., § 14.36.06)

Sec. 117-330. - Sidewalks.

- (a) *Multifamily and commercial development.* Sidewalks shall be required for all multifamily developments that contain five units or more. Sidewalks may be required through the site plan approval process for commercial developments.
- (b) *Construction standards.* Sidewalks shall be constructed in accordance with all applicable city standards and specifications, and with all applicable ADA, Americans with Disabilities Act, requirements. If detached and set back at least five feet from the back of the curb, such sidewalks shall have a minimum width of four feet. If attached to the curb or located closer than five feet to the curb, such sidewalks shall have a minimum width of five feet.
- (c) *Timing of installation.* Required sidewalks shall be installed prior to occupancy of any structure.

(Zoning Ord., § 14.36.07)

Fair site alone if Oak subdivision is not annexed		Fair site and Oak subdivision		Additional for homes	
North along CR701	1542	East along south 705	747	Running north along 705	608
East inside fair site	2200	Northeast along east edge of subdivision	1892		641
				Running west long 705	450
					<u>345</u>
Total Footage estimate	3742		2639		2044
Price per foot estimate	\$50.00		\$50.00		\$50.00
Estimated Cost	\$ 183,250.00		\$131,950.00		\$102,200.00
<u>Plus: Additional Costs</u>					
Long (across a road into the yard) standard CWL charge					\$ 9,000.00
Short (into the yard) standard CWL charge					\$ 51,000.00
<u>Lateral lines to houses</u>					<u>\$ 70,000.00</u>
TOTAL ESTIMATED COST	\$ 183,250.00		\$131,950.00		\$232,200.00