

27-700 General Standards

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27-701	Large and Small Domestic Animals
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27-701-1 Exotic Animals.

Except as maintained by professional handlers, exotic animals are prohibited in the City of Fort Smith. These animals are defined as any or all of the following animals, whether bred in the wild or in captivity, and also any or all of their hybrids with domestic species. It is not the intent of this section to include domesticated species such as, horses, cows, sheep, or llamas of the animals listed below. The words in parentheses are intended to act as examples only and are not to be construed as being an exhaustive list or to otherwise limit the generality of each group of animals:

- A. Non-human primates and prosimians (such as chimpanzees, monkeys);
- B. Felids, except domesticated cats;
- C. Canis, including wolf hybrids and except domesticated dogs;
- D. Ursids (bears);
- E. Elephants;
- F. Marine mammals (such as seals, sea lions, dolphins, otters);
- G. Crocodylians (such as alligators and crocodiles);
- H. Marsupials (such as kangaroos and opossums);
- I. Ungulates (such as hippopotamus, rhinoceros, giraffe, camel, zebra, deer);
- J. Hyenas;
- K. Mustelids (such as skunks, weasels, otters and badgers);
- L. Procyonids (such as raccoons and coatis);
- M. Edentates (such as anteaters, sloth and armadillos);
- N. Viverrids (such as mongooses, civets, and genets);
- O. Camels; and
- P. Cetaceans (whales).

27-701-2 Large Domestic Animals

Large domestic animals such as horses, cattle, goats, sheep and donkeys (full sized or miniature) may be kept on lots affording continuous and unimpeded use of not less than one (1) full acre, not including habitable structures, in area for each animal, provided:

- A. That such keeping of livestock is for personal use only and not for commercial purposes except as shown on the Land Use Matrix in Chapter 27-400.
- B. That no structure for retail sales of such livestock is maintained on the premises.
- C. That such keeping is not prohibited by other ordinances or by restrictive covenants.
- D. That when an animal produces offspring they can remain with their mother for not more than twelve (12) months without being in violation of this chapter.
- E. That this section shall not be enforced for a period of twelve (12) months following its original adoption and publication so that those affected may have notice and ample time in which to comply.
- F. That when new territory is brought into this zone by the Planning Commission the same twelve (12) month non-enforcement period shall apply from date of the zoning order of the Planning Commission.
- G. The existence of a health hazard as defined by the City of Fort Smith- Sebastian County Health Department shall be cause for immediate abatement of the existing conditions.

27-701-3 Small Domestic Animals

Small domestic animals, including household pets (not including pot-bellied pigs; please see other regulations for chickens and rabbits), may be kept according to the following conditions:

- A. No other ordinance of the city prohibits such use.
- B. The number of such animals is confined to reasonable size so as to be compatible with conditions of the zone in which they are kept. The intent of this section is to recognize that a nuisance may be caused in a more densely occupied area by the keeping of a number of small animals but that the same condition may not cause nuisance to adjacent property owners in a less densely occupied area.
- C. No prevailing noises or odors which would constitute a nuisance at common law shall be allowed.
- D. The existence of a health hazard as defined by the City-County Health Department shall be cause for immediate abatement of the existing conditions. See also Fort Smith Municipal Code, Chapter 4, Animals.
- E. No keeping or raising of small domestic animals for commercial purposes shall

be allowed in residential zones.

- F. For swine, including pot bellied pigs, see Chapter 4-5 of the Fort Smith Municipal Code.

27-701-4 Fowl

- A. This section shall not supersede or invalidate any sections of the Fort Smith Municipal Code. Section 4.4 shall take precedence over any conflicting provisions of this section.

- B. It shall be unlawful and a violation of this section to keep fowl within the corporate limits of the City except under the following conditions:

- 1. Allowed fowl shall include ducks and/or female chickens only. No roosters shall be allowed. All fowl shall be a breed that cannot fly or must be wing-clipped to prevent flight.

- 2. The principal use of the property containing fowl shall be educational or residential.

- 3. A maximum of twenty (20) fowl shall be allowed on lots of at least 21,780 square feet to five (5) acres. The maintaining of more than twenty fowl on a lot in excess of five acres shall require Conditional Use approval; provided, however, owners of five (5) or more acres who currently maintain twenty-one (21) or more fowl may register with the Planning Department by September 30, 2023, and, after registration, shall not be required to apply for or obtain Conditional Use approval.

- 4. All fowl shall be kept in a fenced rear yard.

- 5. If coops, roosts, or a water feature are utilized they must be kept in a sanitary condition and shall not be located closer than 25 feet to an adjacent residential structure

- 6. The City may further restrict or prohibit the keeping of fowl if the fowl have created a public nuisance or public health issue. Order of Abatement of nuisance/health issue shall be issued by City-County Health Official, shall be served on offending owner, and shall be subject to review by the City Administrator if requested by the owner within three (3) days of service of Order of Abatement

- 7. Nothing in this section shall be deemed or construed to prevent the keeping of fowl within a school property for the purposes of study or education.

- C. An owner or other individual violating this section may be issued a citation pursuant to section 1-13

27-702	Mobile Home Parks
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27-702-1 Location

Mobile home parks may be located in any zoning district where Mobile Home Park is identified as a permitted use on the Land Use Matrix.

27-702-2 Site plan

Prior to the issuance of a license as required by Chapter 13, Article III, a preliminary development plan showing all requirements shall be submitted to the Director for approval.

27-702-3 Supervision

The licensee, permittee, or a duly authorized attendant or caretaker, shall be in charge of keeping the mobile home park, its facilities and equipment in a clean, with orderly and sanitary condition at all times. The attendant or caretaker shall be answerable, along with the licensee or permittee, for the violation of any provision of this division to which the licensee or permittee is subject.

27-702-4 Wall

Where any boundary of a mobile home park directly abuts property which is improved with a permanent residential building or directly abuts unimproved property that is, under existing laws and regulations used for permanent residential building construction, a wall, solid fence, or hedge screen with a minimum height above finish grade of six (6) feet shall be provided.

27-702-5 Drainage

The mobile home park shall be located on a well-drained site that is properly graded in order to ensure rapid drainage and stay free from stagnant pools of water.

27-702-6 Size of spaces

Each mobile home park shall provide mobile home lots, and each such lot shall be clearly defined or delineated. Each lot shall have a minimum depth of sixty (60) feet and width of not less than forty (40) feet.

27-702-7 Placement of homes

Mobile homes shall be so located on each space so that there will be at least a twenty-foot clearance in all directions between mobile homes or buildings within the mobile home park. No mobile homes shall be located closer than ten (10) feet to any property line of the park that does not abut a public street or highway. No mobile home park shall be located closer to any property line of the park which abuts a public street or highway within twenty-five (25) feet or such other distance as may be established by ordinance or regulations as a front yard or setback requirement, with respect to conventional buildings in the zone in which the mobile home park is located.

27-702-8 Curb and gutter roadway required

All mobile home park lots shall abut upon a curb and gutter roadway of not less than twenty-two (22) feet in width, and shall have unobstructed access to a public street or highway.

27-702-9 Illumination of driveways, walks

All roadways and walkways within the park are required to be hard surfaced and have area lighting at all roadway intersections and at three hundred (300) feet intervals along all roadways and walkways. The minimum size for lamps shall be one hundred seventy-five (175) watts mercury vapor or equivalent.

27-702-10 Electrical Services

Electrical services shall be constructed in accordance with the currently adopted City electrical codes.

27-702-11 Water supply

An adequate supply of pure water for drinking and domestic purposes shall be supplied by pipes to all buildings and mobile home lots within the park to meet the requirements. Each mobile home space shall be provided with a cold water tap at least four (4) inches above the ground. An adequate supply of hot water shall be provided at all times in the service buildings for bathing, washing and cleansing facilities.

27-702-12 Sanitation facilities

Each mobile home park shall provide sanitation facilities in compliance with the rules and regulations pertaining to mobile home and travel trailer parks as adopted by the state board of health.

27-702-13 Specifications of service buildings

- A.** Service buildings housing sanitation facilities shall be permanent structures which comply with all applicable ordinances and statutes to regulate buildings, electrical installations and plumbing sanitation systems.
- B.** The service buildings shall be well lighted at all times of the day and night, shall be well ventilated with screened openings, shall be constructed of such moisture proof material, which may be painted woodwork, as shall permit repeated cleaning and washing and shall be maintained at a temperature of at least sixty-eight (68) degrees Fahrenheit during the period from October first to May first. The floors of the service buildings shall be of water-impervious material.
- C.** All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance.

27-702-14 Sewage and refuse disposal

- A. Water from showers, bathtubs, flush toilets, urinals, lavatories and slop sinks in service and other buildings within the park shall be discharged into a public sewer system in compliance with applicable provisions of this Code and City Ordinances or into a private sewer and disposal plant system of such construction and in such manner as will present no health hazard.
- B. Each mobile home space shall be provided with a sewer at least four (4) inches in diameter, which shall be connected to receive the waste from the shower, bathtub, flush toilet, lavatory and kitchen sink of the mobile home harbored in such space and having any or all of such facilities. The sewer in each space shall be connected to discharge the mobile home waste into a public sewer system in compliance with applicable ordinances or into a private sewer and disposal plant system of such construction and in such manner as will present no health hazard. Plans for construction of sewage disposal and/or treatment facilities shall be approved by the State Board of Health and the City.

27-702-15 Fire protection.

Every mobile home park shall be equipped at all times with fire extinguishing equipment and hydrants in good working order of such type, size, number and location within the park as to satisfy applicable regulations of the fire department. No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time.

27-702-16 Parking space.

Each mobile home space shall have a minimum of two (2) off roadway parking spaces at a dimension of ten (10) by twenty (20) feet, all weather parking spaces.

27-702-17 Open or recreational area.

Not less than five (5) percent of the gross site area of the mobile home or recreational vehicle park, shall be devoted to recreational facilities, generally provided in a central location. In large parks this may be decentralized. Recreational areas may include space for community buildings and community use facilities such as adult recreations, child play areas, and swimming pools, but not include vehicle parking areas. When playground space is provided, it shall be so designated and protected from traffic, thoroughfares, and parking areas. Such space shall be maintained in a sanitary condition and free of safety hazards.

27-703 Commercial Communication Towers

27-703-1 Purpose

The purpose of these regulations is described as follows:

- A. Minimize the adverse effects and impact of towers through careful design, siting and screening;
- B. Conserve the value of adjacent land and buildings;
- C. Avoid potential damage to adjacent properties through engineering and careful siting of tower structures; and
- D. Maximize the use of existing towers in order to reduce and minimize the number of towers needed.

27-703-2 Approved Tower Locations (zoning districts)

As defined herein, commercial communication towers are prohibited within any public right-of-way, utility easement or residential, or C-1 and C-2 zoning districts unless granted by conditional use permit. Such uses are allowed by right within the C-3, C-4, C-5, C-6, I-1, I-2, and I-3 zoning districts subject to applicable zoning restrictions as well as the following restrictions set forth herein.

27-703-3 Ownership

The proposed location for the tower must be large enough to accommodate the communications tower and support facilities, and must include access to a public right-of-way or accessible parking area. Purchase or ownership of a separate parcel may require platting and improvements before construction permits can be issued.

27-703-4 Construction

In order to minimize visual impacts and possible damage that can result from the presence of such facilities, towers (including attached antennae) are limited to monopole construction and shall not exceed two hundred (200) feet in height. Compliance with all requirements of the City of Fort Smith Building Code, including a licensed engineer's structural certification of the tower structure and foundation, must be demonstrated before a building permit will be issued.

27-703-5 Setback

All commercial towers must meet the minimum setbacks for the zoning districts in which they are located. Additionally, commercial towers must be set back from any residential structure a number of feet equal to that distance stated by the tower manufacturer's registered structural engineer's determination of the maximum possible fall zone for the tower. The structural engineer shall be licensed in the state.

27-703-6 Appearance

No lights, signals or illumination shall be permitted on any tower unless required by the Federal Communication Commission (FCC), Federal Aviation Administration (FAA), or other federal, state, or city agency. No commercial advertising, signage or

flags shall be allowed on any tower. This shall not prevent the joint use of a legal existing sign structure as a support mechanism for antennae or microwave dishes. Towers and accessory facilities must be colored or painted in muted tones that minimize their visibility, unless otherwise required by the FCC, FAA, or other federal, state, or city agency. The applicant may be required to disguise, conceal or camouflage a tower and/or antenna to ensure compatibility with the surrounding area.

27-703-7 Site Design

The area containing the monopole, accessory and support structures, and the immediate surrounding area utilized for servicing of the communication tower shall be secured by a minimum eight-foot height chain-link fence. The area within the fence must be either paved or graveled and kept weed-free. Other than the street side of the site, any side that faces any residential use shall include opaque fencing or sufficient shrubs to screen the site. Any shrubbery provided will be planted and maintained within the next appropriate growing season. If security lighting is installed, such light should be directed downward within the site and only triggered by motion detectors.

27-703-8 Co-location

To minimize tower proliferation, each applicant proposing to construct a commercial communication tower shall with the building permit or conditional use permit application submit a statement of the following in writing:

1. Whether any tower or suitable structure exists, within the geographic area to be served by the proposed new tower, which meets the applicant's engineering requirements;
 2. Whether existing towers or suitable structures are of sufficient height to meet the applicant's engineering requirements;
 3. Whether existing towers or suitable structures have sufficient structural strength to support applicant's proposed antenna and related equipment;
 4. Whether the fees, cost, and/or contractual provisions required by the owner of an existing suitable site for co-location of the applicant's antenna are commercially reasonable; and
 5. Other significant limiting factors make existing towers or structures unsuitable for co-location of the proposed antenna.
- A.** The permit issuing agent of the city shall utilize the submitted information, together with other available information, to determine whether co-location may be waived and a new commercial communication tower be authorized for construction.
- B.** The decision of the agent of the City concerning co-location may be appealed to the Planning Commission. Any interested party may file an appeal provided that

the appeal is filed with the planning commission by 5:00 p.m. on the tenth calendar day following the date of the decision by the agent. A fee in the amount established by the board of directors is required for filing an appeal.

- C. Antennae may be placed wholly within or upon any building located within a commercial or industrial zoning district as permitted in section 27-402, or any publicly owned building, provided any supporting equipment is screened from nearby residential districts. A commercial antenna may be mounted to the exterior of such buildings if integrated into the overall architectural design of the building. Roof mounted antennae may not extend more than twenty (20) feet above the highest point of the roof structure, and provided any supporting equipment is screened from nearby residential districts. A commercial antennae may be attached to any utility structure (such as a water tower or electrical transmission tower) or to a public building not located in a street right-of-way and owned by a government or public agency, provided that the antennae does not extend more than twenty (20) feet above the height of the structure, provided any supporting equipment is screened from nearby residential districts. At the time a building permit is issued, the Planning and Zoning Department may notify all existing telecommunication providers of the opportunity for co-location. Notice of a desire to co-locate shall be given within sixty (60) days of the receipt of said notice.

- D. To further minimize tower proliferation, the city states its intention to consider the providing of properties owned or controlled by the city as sites for co-location of commercial communication towers. Any person desiring to locate a commercial communication tower on property owned or controlled by the city may make application for co-location by submitting the request with the following information to the city administrator, or administrative officials of the city designated by the city administrator.
 - 1. A description of the facility proposed to be located on city-owned or controlled property with all information required by this section of chapter 27 of the Fort Smith Code; and,
 - 2. The identity of city owned or controlled property as to which co-location is required or, in the alternative, a request that the city administrator examine and provide potential co-location sites within any geographically described area by the applicant.

Within forty-five (45) days of receipt of such application, the city administrator, or his designated agent, shall determine the availability of potential co-location sites on city owned or controlled property. The city administrator will make that determination after evaluating the effect that co-location would have on the purpose for which the city owns or controls the subject property. The administrator shall, within that time period, identify in writing any potential co-

location sites available for co-location and shall identify required installation procedures, operating procedures, liability insurance and compensation factors involved in the co-location. If the applicant concurs in the potential use of any co-location site identified by the city administrator, the proposed arrangement for co-location shall be placed in writing and submitted to the governing body of the city for approval or rejection.

27-703-9 Traffic and Parking

Vehicular access to the tower site shall be limited to a major street if the site adjoins both a major street and a local street. If the tower site contains on-site personnel, at least one (1) space shall be provided for each two (2) on-site personnel plus one (1) additional space.

27-703-10 Application (submittal) Requirements

A building permit is required for any new tower construction, tower addition, or tower alteration. A structural engineer's structural certification is required for any construction, addition or alteration to a tower structure. A building permit is required for the addition or relocation of any antenna or equipment on a tower. The City's Building Department may request certification by a registered engineer that the requested action on any antenna or equipment will not cause the certified structural loading of the tower to be exceeded.

27-703-11 Exemption

An antenna and tower for the following uses are exempt from these requirements and are permitted uses in any district if accessory to a permitted use and if they comply with the applicable regulations of the district in which they are situated:

1. Ham radios;
2. Citizen band radios; and
3. Radio, television receiving and broadcasting.

27-703-12 Conflict with FCC or FAA Regulations

In the event there is a direct conflict between these regulations and Federal Communication Commission (FCC) regulations or Federal Aviation Administration (FAA) regulations, or any other federal or state regulations, said regulations shall govern.

27-703-13 Abandoned Facilities

At such time that the tower ceases to be used for communication purposes for a period exceeding twelve (12) consecutive months, the owner shall dismantle and completely remove the tower and all associated equipment from the property and make all reasonable efforts to return the property to its prior condition.

27-703-14 Variances

The Board of Zoning Adjustment shall hear request for variances from the literal provisions of the zoning chapter in accordance with the requirements set forth in Chapter 27-300 of these regulations. The denial of a variance request shall be in writing and supported by substantial evidence in a written record.

27-703-15 Annual action plan submittal

On or before January 15 of each new year, all telecommunication providers which are not expressly exempted by other provisions of this section shall, on a good faith basis, forecast the number of improvements and/or installations planned with the City within the ensuing twelve (12) consecutive months.

The information shall be submitted to the City Planning Department. The information obtained from all companies shall be analyzed and compared as to redundancy or geographic duplication of facilities. Where it is determined that a potential for co-location exists, the affected companies will be contacted and a meeting shall be arranged for the purpose of plan review.

The City acknowledges that some or all of the data and information to be provided on an annual basis to the City by the telecommunication providers may contain confidential information in which the respective provider has a proprietary interest. The City also acknowledges that such information or data, if disclosed, might give some advantage, economic or otherwise, to the provider(s) competitor(s). Consequently, the City agrees that its Board of Directors, administration staff and employees will maintain the confidentiality of such information or data to the fullest extent possible under the federal and/or Arkansas Freedom of Information Acts.

If no capital facilities expansion is planned for the coming year, a letter to that effect shall be submitted to the City Planning Department.

27-703-16 Permit construction time line

Upon approval of a conditional use permit, a building permit and/or variance permit, construction must begin within one (1) year or the permit shall be null and void. An applicant requesting an extension of their permit may submit a revised construction schedule to the planning department within the one (1) year period, with said extension not to be unreasonably withheld.

27-704 Signs

27-704-1 Permitted business signs in residential zones

The following types of signs are permitted or prohibited in the following designated residential zones:

- (1) Single-family duplex districts:
 - a. Temporary real estate and construction signs, not exceeding one (1) square foot in area for each ten (10) feet of frontage;
 - b. Daycare home: No sign permitted;
 - c. Residential accessory uses: No sign permitted;
 - d. Home occupations: No sign permitted.
- (2) Multi-family dwellings districts:
 - a. Temporary real estate and construction signs, not exceeding one (1) square foot in area for each ten (10) feet of frontage;
 - b. Daycare home: No sign permitted;
 - c. Residential accessory uses: No sign permitted;
 - d. Home occupations: No sign permitted;
 - e. Development identification signs, free-standing: One (1) sign per frontage not to exceed twenty-four (24) square feet per sign;
 - f. Development identification signs, facade: One (1) sign per each frontage wall not to exceed one (1) percent of wall area.
- (3) Public buildings, adult daycare, semi-public buildings, public libraries, fire and police stations, museums, community centers, nursing and convalescent homes, clubs and lodges, dormitories, churches, rectories, monasteries, public, private and parochial schools, convents:
 - a. All free-standing signs shall not exceed a cumulative total of fifty (50) square feet; and
 - b. Facade (wall) signs shall not exceed five (5) percent of the outside wall on which the sign is located.
- (4) Communication towers, utility substations:
 - a. Signs shall not be permitted on tower or monopole structures.

b. Signs required for public health and safety or identification may be displayed on security fencing if placed in conformity with section 27-704-5.

(5) Subdivisions, developments signs: Two (2) signs per entrance, Signage shall not exceed sixty (60) square feet in area per sign.
(Ord. No. 3391, as amended, § 10-10(B), 11-1-76; Ord. No. 64-99, § 2, 10-5-99)

27-704-2 Permitted business signs in transitional zones

The following types of signs are permitted and the following regulations shall apply to all signs in transitional zones:

- (1) Flat, single-faced signs may be mounted directly on the facade of a structure, provided that the total sign area does not exceed five (5) percent of the building facade area (building elevation area) as measured from the adjacent street right-of-way.
- (2) Pedestal or monument type signs are permitted and shall conform to the following regulations:
 - a. Such signs, if illuminated, shall be illuminated with indirect lighting only;
 - b. The maximum size of a pedestal or monument sign for a lot or parcel fronting on any local street, identified from time to time by the City of Fort Smith Master Street Plan, shall not exceed twelve (12) square feet;
 - c. The maximum size of a pedestal or monument sign for a lot or parcel fronting on any collector street and arterial street, identified from time to time by the City of Fort Smith Master Street Plan, shall be based upon the length of lot or parcel frontage as outlined as follows:

TABLE INSET:

Frontage Length	Maximum Signage Area
0--99 ft.	18 sq. ft.
100--199 ft.	24 sq. ft.
200 ft. or greater	32 sq. ft.

d. If directional sign(s) are utilized within a development on a lot or parcel, the size of the directional signage shall be considered as part of the maximum sign area for the lot or parcel which contains the directional sign(s) and shall

cause the allowable pedestal or monument sign area to be reduced by the amount of directional signage area.

(Ord. No. 3391, as amended, § 10-10(C), 11-1-76; Ord. No. 49-92, §§ 1, 2, 8-4-92; Ord. No. 60-95, § 1, 9-5-95)

27-704-3 Permitted signs in open, commercial and industrial zones

The following types of signs are permitted in open, commercial or industrial zones.

- (1) All free-standing signs shall not exceed one (1) square foot in area per linear foot of frontage with a maximum area not to exceed three hundred (300) square feet.
- (2) All single face, facade (wall) signs are unlimited in size if placed directly on and are contained totally within the dimensions of the outside wall.
- (3) Outdoor advertising signs shall comply with section 27-704-4.
- (4) Multi-tenant or business park signs may be allowed when the following criteria are met:
 - a) the tenants are located within the same development, subdivision, lot, tract, or parcel
 - b) business park/retail centers shall be limited to one sign and shall comply with the general sign standards as well as the sign standards for the specific zoning district or overlay district
 - c) business park/retail centers with more than six (6) lots or tenants may increase the sign area by an additional twenty (20) percent provided the sign area does not exceed 300 s.f. and the height does not exceed 30 feet

(Ord. No. 3391, as amended, § 10-10(D), 11-1-76; Ord. No. 64-99, § 3, 10-5-99)

27-704-4 Outdoor advertising signs

- (a) Outdoor advertising signs are to be considered as a specific use, rather than an incidental use to an existing land use, in that outdoor advertising signs produce a revenue to the property owner as a land use while the advertising message carried by business signs does not produce a revenue but is incidental to a revenue-producing land use. Because of the special characteristics of outdoor advertising signs as compared with other types of land uses and structures, certain qualifications and requirements are set forth below in connection with outdoor advertising signs as a permitted use.

- (b) Outdoor advertising signs are permitted in all Industrial zones, Commercial-4 zones, Commercial-5 zones, ETJ Industrial Light zones, and ETJ Industrial Moderate zones. They may be permitted in ETJ Open-1 zones by the planning commission's approval of a Conditional Use request.
- (c) No outdoor advertising sign structure of any size shall be permitted to be erected closer than one thousand (1,000) feet from an existing outdoor advertising sign structure which is larger than thirty-five (35) square feet in sign area. No more than four (4) outdoor advertising sign structures (over thirty-five (35) feet in area) per statute mile are permitted. All distances between two sign structures or between any four (4) outdoor advertising sign structures, irrespective of which side of the right-of-way one (1) or more of the four (4) structures may be located, shall be measured along a line parallel to the right-of-way and from the centers of the closest support poles.
- (d) No outdoor advertising sign shall be permitted to be erected closer than two hundred fifty (250) feet from any residentially zoned or developed property. The distance shall be measured from the property line of the residentially zoned or developed property closest to the subject sign to the center of the nearest support pole of the sign.

- (e) Within six hundred sixty (660) feet of the right-of-way of an interstate highway, no outdoor advertising sign structure designed to be primarily viewed from the roadway of such interstate highway shall be permitted to be erected closer than five hundred (500) feet to any other such sign structure on the same side of the right-of-way, as measured along a line parallel to such highway, and from the centers of the closest support poles.
- (f) No outdoor advertising sign (whether static or digital) shall be permitted to be erected with a sign area in excess of three hundred (300) square feet along non-interstate streets nor to be erected with a sign area in excess of three hundred seventy-eight (378) square feet on interstates. Sign area in excess of three hundred seventy-eight (378) square feet but not to exceed six hundred seventy two (672) square feet along interstates may be allowed by the planning commission's approval of a Conditional Use request so long as an equivalent or greater amount of sign square footage is deleted by the loss of one or more of the applicant's sign credits in the sign bank. Consistent with the definition of "sign area" in Section 27-200, a deletion of sign area footage is not accomplished by removal of only one face of a double faced or V-type advertising sign.
- (g) Outdoor advertising signs may be erected with a static face or with a digital face, provided the sign complies with all provisions applicable to outdoor advertising signs and the following.
 - (1) For permitted structures containing a digital face, only one digital face shall be allowed per facing, and the digital face shall be the only sign allowed on that facing;
 - (2) Electronic message changes must be accomplished within a time interval of two (2) seconds or less;
 - (3) The message or image on a digital face must remain static for a minimum of eight (8) seconds;
 - (4) Digital faces shall contain a default design that will freeze the message in one position if a malfunction occurs;
 - (5) Signs that contain, include, or are illuminated by any flashing, intermittent, or moving light or lights, including animated parts or scrolling messages or images, are prohibited, with the exception of those giving public service

information such as time, date, temperature, and weather and/or similar information approved in writing in advance by the City Administrator or the Administrator's designated agent;

(6) There shall be no appearance of a visual dissolve or fading in which any part of one electronic message/display appears simultaneously with any part of a following electronic message/display;

(7) A sign owner may modify existing, legal, conforming structures to a digital face only after filing an application and receiving a permit to do so;

(8) Signs containing a digital face shall not be located closer than 1,500 linear feet along interstate highways and 1,000 linear feet along non-interstate state streets to another digital faced sign when measured along the same direction of the traveled way;

(9) Digital faces shall comply with all other requirements of federal and state outdoor advertising regulations;

(10) Digital faces shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter. Documentation shall be provided to the City at time of permit issuance certifying the digital billboard has been set to be incapable of exceeding .3 foot candles above ambient light;

(11) Each display on a digital face must have a light sensing device that will adjust the brightness as ambient light conditions change;

(12) The city planning department shall be provided with an on-call contact person and telephone number for every permitted digital face. In the event of malfunction, the contact person must have the ability and authority to make modifications to the displays and lighting levels. If modifications cannot be made to correct the malfunction within a timely manner, then the digital face must be disabled until the modifications are made. It shall be the responsibility of the permittee to maintain with the planning department accurate and current contact information; and,

(13) Failure to adhere to any of these provisions may result in the revocation of the digital face authorization of the permit (following due process including notice to comply).

- (h) V-type outdoor advertising signs are permitted provided the angle of separation of the two sides of the sign is not greater than thirty (30) degrees.
- (i) No outdoor advertising sign shall be permitted to be erected unless it has a minimum height at the lowest portion of the face surface of the sign of at least thirteen (13) feet and has a maximum height at the tallest point on the face surface of forty-five (45) feet, which minimum and maximum heights are to be measured from the elevation of a perpendicular line from the center/crown of the roadway to which the sign is adjacent.
- (j) No portion of an outdoor advertising sign shall be erected in a public right-of-way.
- (k)(1) Subsequent to the adoption of this Ordinance, no new outdoor advertising sign shall be permitted to be erected within the city limits nor within Fort Smith's extra-territorial planning jurisdiction area except as provided herein. This prohibition against new outdoor advertising signs shall apply even in those areas regulated by the Federal Highway Beautification Act (23 U.S.C. 131) or the Arkansas Highway Beautification Act (Ark. Code Ann. § 27-74-101 et seq.).
- (2) Sign Bank. There is hereby created an outdoor advertising sign credit bank ("Sign Bank") whereby the city planning department shall maintain a credit on file for the replacement of outdoor advertising signs as allowed under subsection (1) above or for the expansion in size of outdoor advertising signs as allowed by (f) above. The purposes of the Sign Bank permitting process are to ensure that the quantity and size of outdoor advertising signs in the City of Fort Smith and its extra-territorial jurisdiction area do not increase and to ensure proper placement of replaced or relocated outdoor advertising signs.
 - A. The owners of each outdoor advertising sign existing as of the effective date of these regulations shall be given a credit for the sign and the size of its face(s) within the Sign Bank. A double faced or V-type outdoor advertising sign shall entitle an owner to a single credit in the Sign Bank (not an additional credit for additional faces).
 - B. If an existing outdoor advertising sign is removed it is incumbent on the sign owner to inform the city planning department of the removal of the sign in writing within thirty (30) days of the removal in order to avoid action by the city

planning department to delete or cancel the subject sign credit.

- C. Prior to the issuance of a building permit for the construction of a new outdoor advertising sign or the relocation of an outdoor advertising sign, the applicant shall submit evidence that an existing sign bank credit belonging to the owner/applicant is assigned to the new or relocated sign.
 - D. Prior to the issuance of a building permit for an outdoor advertising sign with expanded size pursuant to (f) above, the applicant shall submit evidence that an existing sign bank credit (or credits if the square footage of an existing sign with a credit is insufficient to provide the expanded size applied for) belonging to the owner/applicant is assigned to the sign to be constructed pursuant to (f).
 - E. The owner of an existing outdoor advertising sign credit may transfer and assign the credit to another person or entity by delivering to the city planning department an acknowledged document identifying the transferred sign credit. Partial assignments of a sign credit for the purpose of meeting square footage requirements pursuant to (f) above are not allowed.
- (l) Nonconforming Outdoor Advertising Signs.
- (1) Repairs to a nonconforming outdoor advertising sign that do not exceed 50% of the replacement cost of the sign are permitted.
 - (2) All repairs to a nonconforming outdoor advertising sign that exceed 50% of the replacement cost are permitted only if the sign is converted to a monopole structure and only if there is no increase in the size and height of the sign and the sign is located in the proper zoning district for outdoor advertising signs. If the existing sign exceeds the maximum size and height requirements for the sign's location, repairs may be permitted pursuant to this subsection (l)(2) only if the sign is reconstructed to comply with the maximum size and height requirements for the location and the sign is located in the proper zoning district for outdoor advertising signs.
 - (3) Converting a nonconforming outdoor advertising sign to digital is permitted only when the converted sign will not increase in size or height, complies with the maximum size and height requirements for the specific location,

the sign is in a proper zoning district for outdoor advertising signs, the sign is a proper distance from residentially zoned or developed property and the sign complies with all specific requirements for digital signs.

- (4) In the event of a storm, fire or other loss to a nonconforming outdoor advertising sign, reconstruction or digital conversion of the nonconforming sign which cannot comply with all of the provisions of those regulations shall not be permitted unless a Conditional Use request is approved by the planning commission and reconstruction or digital conversion is completed within one (1) year from the date of the loss.

- (m) All outdoor advertising signs shall comply with subsections (a), (b), (i) and (j) of the general regulations set forth in Fort Smith Code Section 27-704-5.

(Ord. No. 3391, as amended, § 10-10(E), 11-1-76; Ord. No. 32-01, §§ 1, 2, 6-5-01)

27-704-5 General regulations

- (a) Signs shall not be erected or illuminated in such a manner as to obscure or otherwise interfere with an official traffic sign, signal or device, or to obstruct or otherwise interfere with the driver's view of approaching, merging or intersecting traffic.
- (b) Signs shall not be erected which imitate or resemble any traffic sign, signal or device, or which are erected or maintained upon trees or painted or drawn upon rocks or natural features, or which are structurally unsafe or in disrepair.
- (c) All signs occurring in or over public rights-of-way shall be:
 - (1) Not more than thirty-six (36) inches in height; or
 - (2) At least twelve (12) feet to the bottom of the sign, except for not more than two (2) supportive posts which are not more than sixteen (16) inches in width or diameter. Such heights of thirty-six (36) inches and twelve (12) feet are to be measured from the elevation of the center of the street at that point. If a sign occurs in or over the setbacks or rights-of-way of two (2) streets, such heights of thirty-six (36) inches and twelve (12) feet are to be measured from the lower street. Additionally, signage that is placed at intersecting streets in the triangular area (known as the sight triangle) shall be governed by (c)(1) and (c)(2) above. The sight triangle is described as the area delineated by a distance of twenty-five (25) feet along the intersecting

property lines, beginning at the property corner point and extending said twenty-five (25) feet in both directions away from the corner point of intersection and then connecting the terminus points by a line to form the triangular area.

- (d) No signs, except as noted in sections 27-357 and 27-358, shall be nearer than forty-five (45) feet to any residential zone lot.
- (e) No flashing signs shall occur in or over any building setbacks or public rights-of-way.
- (f) No sign base or support shall be erected in a public right-of-way.
- (g) All businesses or parties having signs located within the city limits and which cease operation of the business or activity advertised by such signs shall remove such signs within sixty (60) days of such cessation of business.
- (h) If any nonconforming sign is damaged or destroyed by any cause to the extent that its cost of repair exceeds fifty (50) percent of its replacement cost it shall be considered a total loss and shall not be permitted to be replaced.
- (i) It shall be a violation of this division for any person to place or cause to be placed any sign on any property within the city without first obtaining a sign permit from the city building official or his designated agent, except as noted in section 27-357(1).
- (j) If a lot has frontage on more than one (1) street, each frontage will have its own permitted sign area. The frontages on two (2) streets may not be combined to determine the permitted sign area for one (1) frontage.

(Ord. No. 3391, as amended, § 10-10(F), 11-1-76; Ord. No. 60-95, § 2, 9-5-95; Ord. No. 95-98, § 1, 12-1-98; Ord. No. 64-99, § 4, 10-5-99)

27-704-6 Purpose, intent

It is the intention of the governing body of the city to repeal by the adoption of this division all provisions of this chapter which previously regulated such signs except those provisions dealing with the regulation of signs within any historic district created by ordinance of the city. In the event of any conflict in the provision of this division and the provisions regulating signs contained in any ordinance creating any historic district, the provisions of the latter shall control. (Ord. No. 3391, as amended, § 10-10(G), 11-1-76)

27-704-7 Portable sign permits

- (a) It shall be unlawful for any person to place a portable sign on their property within the City of Fort Smith without first obtaining a portable sign permit. The permit shall include a sticker placed on the sign for the approved site.
- (b) Portable sign owners shall be given six (6) months from the date of this ordinance (December 20, 1988,) to obtain a portable sign permit. A permit shall be required for each sign.
- (c) No permanent sign base or support shall be erected or maintained in any public right-of-way. After obtaining an appropriate sign permit from the city, signs may be installed so that a portion of the sign occurs in the air space of a public right-of-way, subject to the following requirements:
 - (1) The sign face may not be more than thirty-six (36) inches in height; and,
 - (2) Any portion of the sign occurring in the public right-of-way shall be at least twelve (12) feet above the ground surface of the right-of-way; and,
 - (3) The supportive post(s) (which may not be located in the right-of-way) for any such sign shall not be more than two (2) and shall not be more than sixteen (16) inches in width or diameter.
 - (4) Such heights of thirty-six (36) inches and twelve (12) feet are to be measured from the elevation of the center of the street at the point of the overhanging portion of sign. If the sign occurs in or over the rights-of-way of two (2) streets, such heights of thirty-six (36) inches and twelve (12) feet are to be measured from the higher street.
 - (5) All signage that is placed at intersecting streets in the triangular area (known as the sight triangle) shall be governed by (c)(1) and (c)(2) above. The sight triangle is described as the area delineated by a distance of twenty-five (25) feet along the intersecting property lines, beginning at the property corner point and extending said twenty-five (25) feet in both directions away from the corner point of intersection and then connecting the terminus points by a line to form the triangular area.
- (d) Every applicant shall pay to the city a fee of twenty-five dollars (\$25.00) for each permit. The permit shall be issued for a specific address, and should the portable sign be relocated, a new permit is required. Every portable sign permit shall be renewed before January of each year and when the portable sign is relocated to another site.

- (e) Should the portable sign have electrical power, it shall meet the requirements of the National Electrical Code and chapter 6, article III of this Code prior to the issuance of a sign permit.
- (f) For the purpose of portable signs, the sign area measurement shall be a rectangular perimeter around the entire sign, the length of which is the maximum possible length of the sign, the width of which is the maximum possible width of the sign above the legs or other portable supports.

(Ord. No. 109-88, § 2, 12-20-88)

27-704-8 Bench and Bus Shelter Signs Exempt

Bench signs and bus shelter signs owned, operated or contracted by the city transit department and on or adjacent to a public right-of-way are not subject to the regulations.

(Ord. No. 93-06, § 2, 10-3-06)

27-704-9 Electronic Message Center/Digital Signs

- (a) Electronic message center/digital signs shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter. Documentation shall be provided to the City at the time of permit issuance certifying the digital sign has been set to be incapable of exceeding 0.3 foot candles above ambient light.
- (b) Each display on a digital face must have a light sensing device that will adjust to the brightness as ambient light conditions change.
- (c) Existing Electronic Message Center Signs. A nonconforming sign shall be removed or modified to comply with these regulations if the following occurs:
 1. More than 50 percent of the sign is destroyed and the destruction is other than the facial copy replacement. A nonconforming sign shall be deemed to be more than 50 percent destroyed if the estimated cost of reconstruction or repair exceeds 50 percent of the replacement as determined by the Director.
 2. The sign is remodeled or altered in a manner not in compliance with these regulations.
 3. Replacement of the sign or sign electronics.
 4. A structural change is made to the sign or sign structure and/or support elements.

5. The sign is moved or relocated, except where the sign is relocated as a result of a street or utility improvement project.
6. The sign becomes a danger to the public or is unsafe.
7. The sign constitutes a traffic hazard not created by the relocation or widening of streets.

27-705 Pistol Range (indoor)

In addition to the conditional use requirements as listed within 27-332. All conditional uses issued for an indoor pistol range shall be subject to the following conditions:

- a. The board of directors shall automatically review the operation of the facility six (6) months after the facility opens for business. The purpose of the review shall be to ensure that [no] additional sound-proofing measures are necessary. If problems are found to exist (exceeding eighty (80) decibels) from the outside of the exterior wall of the firing range, then the board may impose additional noise abatement measures on the applicant which are necessary to reduce the decibel levels below eighty (80) decibels.
- b. All potential owners and operators of an indoor pistol range shall be required to obtain a letter from the chief of police stating that the individuals have no known criminal history. Such letter shall be submitted to the city clerk prior to the planning commission's review of a conditional use permit.
- c. Ammunition fired within the facility should not exceed in power and velocity what is commonly known as .45 caliber.
- d. The ventilation system shall be designed so that the total volume of air in the range is changed from twenty (20) to forty (40) times per hour at a minimum. A steady positive flow of air toward the back stop at the velocity of fifty (50) feet per minute shall be the minimum acceptable level.

27-706 Day Care Homes

Day care home, six (6) to twelve (12) children, shall mean a child care service, licensed by the State, in a single family home that is the full time residence of the caregiver, which cares for a limited number of children who are apart from their own family during a part of the day.

These regulations shall apply to all day care homes:

1. Day Care Homes are limited to the zoning districts specified in this chapter.

2. Day Care Homes require a conditional use permit in accordance with Section 27-332.
3. Day Care Homes shall be operated in a manner that will not change the character of the residence.
4. Day Care Homes are permitted to have no more than one (1) employee who does not reside at the home.
5. All vehicles including the employee parking space must be parked on the property and on a paved parking space. All parking and paving must comply with section 14-52 of this Code.
6. All pick-up and drop-off of children shall be on the property's driveway and not on the public right-of-way unless otherwise approved by the planning commission.

27-707 Mini-Storage Warehouses

27-707-1 Purpose

The purpose of these regulations is described as follows:

- A. Protect and enhance the City of Fort Smith.
- B. Provide good civic design and arrangement.
- C. Preserve property values of surrounding property.

27-707-2 Mini-Storage Locations

As defined herein, mini-storage warehouses are subject to development plan review by the Fort Smith Planning Commission and approval by the Board of Directors. Subject to approval and applicable zoning and design standards, mini-storage warehouses (non-climatized) are permitted within the I-1, I-2, I-3, ETJ I-1, and ETJ I-2 zoning districts. Mini-storage warehouses (climatized) are permitted in the I-1, I-2, I-3, ETJ I-1, and ETJ I-2 zoning district.

27-707-3 Applicability

- A. The design guidelines shall apply to all new mini-storage warehouses and to existing mini-storage warehouses when a structure or site will: (1) increase the gross square footage of the structure or site by 50% or greater; (2) shall include any cumulative building additions from

the effective date of this ordinance that over a five-year period amount to a 50% increase in square footage; and (3) shall also include the redevelopment of existing structures into mini-storage warehouses.

- B. Buildings in compliance with these regulations shall not be renovated, remodeled, altered, or repaired so that the building will be in noncompliance with these regulations.

27-707-4 Mini-Storage Warehouse Design Standards

Mini-storage warehouse developments shall comply with the following:

- A. Developments shall have a principal building oriented towards a street right-of-way. The principal building shall be 51% high-quality materials. High-quality materials include brick, native stone, stucco, exterior insulated finished systems, (EIFS), cementitious siding (e.g., Hardie Board), and tinted/textured concrete masonry units.
- B. The roofline of a building longer than sixty-five (65) feet shall include at least one vertical elevation change or parapet of at least three (3) feet and extending at least twenty (20) percent of the length of the roofline.
- C. Each building façade greater than sixty-five (65) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) percent of the length of the façade and extending at least twenty (20) percent of the length of the façade.
- D. The exterior building façade of all buildings must be constructed with 51% high-quality materials on any façade facing a street right of way. If a mini-storage warehouse is constructed next to property zoned or developed residential, all facades shall be 100% high-quality materials. High-quality materials include brick, native stone, stucco, exterior insulated finished systems, (EIFS), cementitious siding (e.g., Hardie Board), and tinted/textured concrete masonry units.

- E. All mini-storages shall be screened from street rights of way and adjoining properties with a wall not less than eight feet in height. The wall shall be:
1. A decorative, opaque wall constructed of stone, brick, tinted/textured concrete masonry units, exterior insulated finished systems (EIFS), or other materials as approved. Main entry gates may utilize non-opaque materials such as wrought iron, steel tubing or similar materials.
 2. The wall shall be integrated with the overall architectural design of the development.
 3. Wood privacy and vinyl covered chain-link fences are prohibited. Razor wire and barbed wire shall only be permitted when not visible from a street right-of-way and adjacent property.
- F. In lieu of utilizing high-quality materials and wall projections or recesses, a wall as described in Section 27-707-4(E) may be constructed.
- G. Buildings shall be designed and located so that overhead doors within such facilities are not visible from a street right of way. When a non-opaque gate is utilized, overhead doors may be visible through the gate.
- H. All mechanical equipment, heating/cooling systems, trash receptacles and utility boxes shall be completely screened from adjoining properties and street right of way.
- 1) For ground-mounted equipment, the screening shall consist of a wall, fence, or approved landscaping or the equipment must be enclosed with a building.
 - 2) For roof-mounted equipment, the screening shall be architecturally incorporated into the roof design and shall consist of materials that are

visually compatible with the supporting building.

- I. Vehicle storage yards shall be restricted to the rear of the site.

27-707-5 Additional Requirements for Mini-Storage Warehouse (Climatized)

In addition to the above standards, the following standards shall apply to mini-storage warehouse (climatized):

- A. All exterior building façades shall be constructed with 51% high-quality materials. High-quality materials include brick, native stone, stucco, exterior insulated finished systems, (EIFS), cementitious siding (e.g., Hardie Board, and tinted/textured concrete masonry units) or other approved materials
- B. A decorative masonry wall described in 27-707-4(E) is not required.
- C. Loading areas shall not be visible from a street right of way.
- D. Interior storage units shall not be visible through a building storefront or windows from a street right-of-way.
- E. Building facades that face a street right of way shall avoid solid walls through the use of windows.

27-707-6 Application Requirements

- A. Submittal of a Development Plan Application as defined in Section 27-331 is required for all mini-storage warehouse developments allowed in the zoning districts described in 27-707-2.
- B All mini-storage warehouse developments shall require review by the Planning Commission and approval of the Board of Directors prior to the issuance of a building permit.
 1. **Planning Commission Action.** Following the public hearing, the Planning Commission may recommend approval, approval as amended, or denial of the proposed amendment.
 - a. The Planning Commission's recommendation shall be certified to the Board of Directors.
 - b. The Board of Directors shall consider the

Planning Commission's recommendation at the second regularly scheduled meeting following action by the Planning Commission.

- c. If the Planning Commission fails to make a recommendation on the application, it shall be deemed to have made a recommendation of denial.

At that point the application shall be forwarded to the Board of Directors with no recommendation having been made.

- 2. **Action by the Board of Directors.** When the Planning Commission certifies a recommendation to the Board of Directors, the Board shall take any action consistent with its authority, including:

- a. Approving the application
- b. Approving the application plan as amended;
- c. Denying the application;
- d. Returning the application to the Planning Commission with specific questions or issues; or
- e. Continue the application to a date certain.

27-707-7 Any standard not specifically covered by this section shall be subject to the general requirements of the Unified Development Ordinance.

Planning and Zoning Department Fee Schedule

<u>Application Type</u>	<u>Fee</u>
Accessory Residential Use	\$ 35
Rezoning or Zoning Text Amendment	\$ 350
Development Plan Review	\$ 300 \$ 100 when submitted with another application
Conditional Use Permit	\$ 350
Subdivision-Major	\$ 200 + \$4 per lot; \$ 600 maximum
Subdivision-Minor	\$ 125
Appeals/Vested Rights to Planning Commission or Board of Directors	\$ 75
Variances (Zoning, Driveway, or Subdivision)	\$ 250
Home Occupations	\$ 150
Master Land Use Plan Amendment	\$ 350 \$ 100 when submitted with a rezoning application
Annexation	\$ 350
Temporary Revocable License	\$ 150
Street/Right-of-way/Easement Closing	\$ 150

Appendix C Traffic Impact Analysis Format

1. General Outline of Report

- a. Table of Contents
- b. List of Figures and Tables
 - Traffic Impact Analysis Background and Requirements
 - Data Sources
- c. Introduction
- d. Study Area
 - Existing Land Use
 - Proposed Development
 - Existing Roadway Conditions & Traffic Counts
- e. Analysis
 - Trip Generation
 - Trip Distribution and Trip Assignment
 - Projected Site Turning Movement Counts
 - Projected Traffic
 - Capacity Analyses
- f. Conclusions and Recommendations
- g. Appendix

2. Maps and Diagrams

- a. Conditions Maps and Drawings
 - Location Maps and Site Plans^{1,2,3}
 - Master Street Plan⁴
 - Existing Turning Movement Count Diagram - AM Peak Hour⁵
 - Existing Turning Movement Count Diagram - PM Peak Hour⁵
 - Existing Turning Movement Count Diagram - Peak Period for Site⁵
 - Summary of Existing / Projected 24 Hour Volumes⁶
- b. Trip Generation / Trip Distribution Diagrams
 - Site Trip Distribution^{7,8}
 - Boundary Street Projected Turning Movements - Peak Period⁵ for Site⁹
- c. Recommended Site Access Configuration and Roadway Improvements
 - Diagram¹⁰

3. Tables

- a. Land Use Characteristics and Total Site Trips Generated¹¹
- b. Site Trips Attracted from Passing Traffic (if applicable)¹²
- c. Land Use Characteristics and Internal/External Site Trip Generated¹³
- d. Summary of Capacity Analyses^{14, 15, 16, 17}

4. Conclusions and Recommendations

As a minimum, the TIA shall identify all geometric and operational improvements necessary to provide an acceptable LOS for facilities within the project site and/or along the boundary streets of the project

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site. Both on-site and off-site improvements must be evaluated. Priority should be given to beneficial off-system improvements as a means of minimizing the impact on the existing transportation system. Improvements that are to be considered for the purpose of mitigating less than an acceptable LOS shall include as a minimum: pavement widening, installation of turn lanes, installation of median islands, access control, installation of curbs and/or sidewalks, installation of traffic signalization, traffic signing, and/or pavement marking modifications.

5. Appendix
Appendix documents shall be provided to the City at the time the TIA is submitted. The number of appendix documents to be submitted shall be identified at the time of the preliminary information meeting. At a minimum, the Appendix shall contain:
 - a. Summaries of Turning Movement Counts.
 - b. Summaries of 24 hour Counts.
 - c. Summaries of Capacity Analyses.
 - d. All other data necessary to support findings and recommendations.

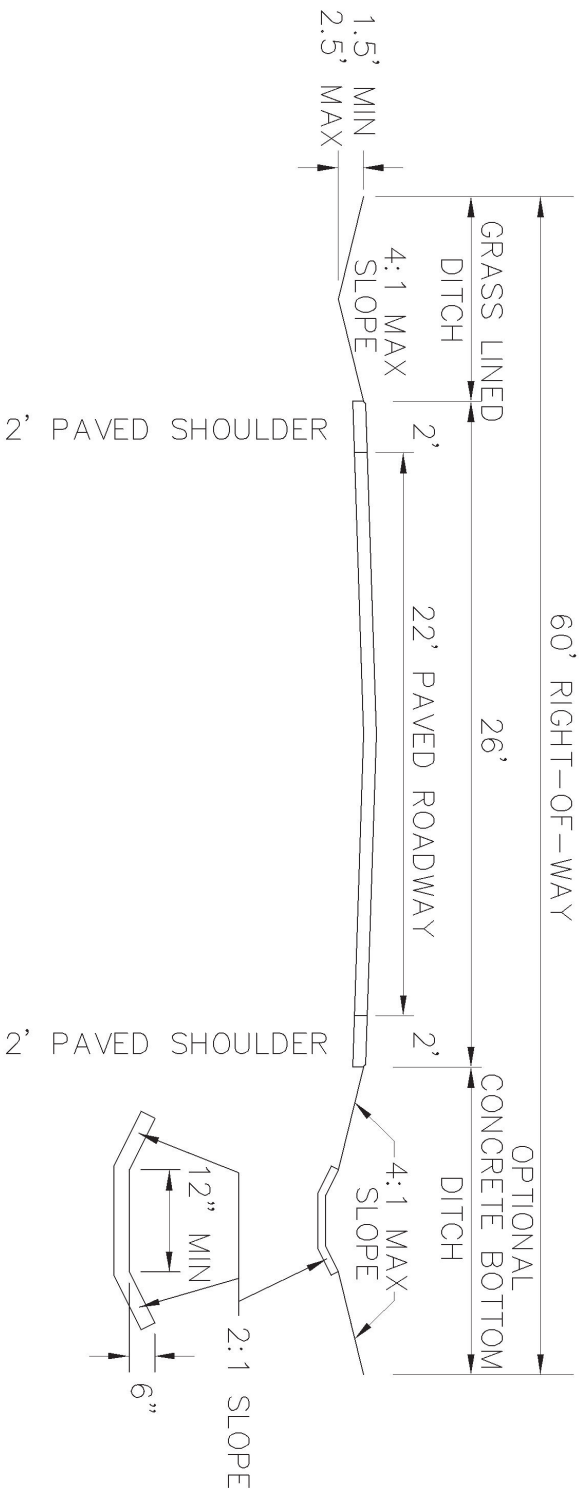
Notes:

- 1 Show pavement marking layout and lane usage for all boundary streets. Drawing must reflect driveway locations and roadway geometry within +/- 1 foot of actual location.
- 2 Show driveways and land uses on both sides of all boundary streets of the proposed site.
- 3 All driveways and intersecting streets that connect to a boundary street shall be illustrated in sufficient detail to serve the purpose of illustrating traffic function. At a minimum, this detail shall include all lane widths, traffic islands, medians, sidewalks, curbs, and traffic control devices.
- 4 At a minimum, the drawing shall encompass a minimum four (4) mile radius from the site and shall identify all roadways designated on the City of Fort Smith Master Street Plan, their corresponding designation, a legend identifying roadway classifications, and the approximate location of the proposed development.
- 5 Results of the turning movement count for each location shall be overlaid on top of the Existing Conditions Layout.
- 6 Indicate existing and projected 24-hour volumes for all major roadways, as identified in the preliminary scoping meeting. Assumptions of growth rates for traffic demand and references shall be identified on this exhibit.
- 7 Indicate general directional distribution of trips to and from the development.
- 8 Indicate assignment/distribution of projected trips for the site, by movement, at each access point.
- 9 Indicate combined existing and site generated traffic and the site generated traffic volume for all movements at each intersection and/or driveway within the study

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area.

- 10 The diagram shall, as a minimum, indicate existing and proposed pavement marking layouts for all boundary streets, proposed modifications to existing and/or the installation of new traffic control devices, proposed on-site circulation, parking layout, pad locations, and any modifications necessary to address increases in traffic demand associated with the site development that result in significant reductions in operations.
- 11 The table shall include land use, gross leasable area (GLA), estimated daily trip generation estimates, and trip generation rates and estimates for weekday AM, PM, and for the development peak traffic period, broken down by entering and exiting trips.
- 12 The table shall include assumptions regarding percentage of passer-by traffic associated with each land use for the development, including proper source references.
- 13 The table shall include assumptions regarding percentage of internal/external capture traffic associated with each land use for the development, including proper source references.
- 14 The table shall summarize before and after conditions associated with level-of-service (LOS) for all study intersections and access drives adjacent to the site, whether signalized and unsignalized. Furthermore, existing and proposed conditions shall be summarized side-by-side for each peak period evaluated. All special evaluation conditions shall be appropriately footnoted.
- 15 Capacity analyses will be required for each roadway infrastructure improvement in order to verify the LOS associated with a given improvement.
- 16 Capacity analyses will follow the principles established in the latest edition of the Transportation Research Board's Highway Capacity Manual (HCM) (see Reference) unless otherwise directed by the City Engineer. Capacity will be reported in quantitative terms as expressed in the HCM and in terms of traffic LOS.
- 17 Capacity analyses will include traffic queuing estimates for all critical applications where length of queues is a design parameter (i.e., auxiliary turn lanes, traffic gates, etc.).



FORT SMITH PLANNING AREA
 ALTERNATIVE RESIDENTIAL STREET SECTION
 SINGLE FAMILY RESIDENTIAL SUBDIVISIONS

125' MINIMUM LOT WIDTH
 14,000 SQUARE FOOT MINIMUM LOT SIZE
 MAXIMUM 3 DWELLING UNITS PER ACRE