

Appendix E - to be codified as Section 27-441

Overlay zone for the Massard/Zero Street Corridor.

(a) *Area of applicability.* The regulations adopted by these 2008 amendments to the zoning code shall apply to all real properties zoned with designations other than residential and physically contiguous to the right-of-way lines (both sides of the street) of the hereinafter designated sections of Zero Street and Massard Road. The regulations shall be applicable to all portions of said tracts of real property which are located within three hundred (300) feet of the right-of-way line. The regulations apply on Massard between the railroad right-of-way on the north and Forest Wood Way on the south. The regulations apply on South Zero Street/Highway 255 between Massard Creek on the west and Painter Lane on the east.

(b) *Signage regulations.*

(1) *Monument sign defined.* When used herein, "monument sign" shall refer to a ground mounted sign having no more than two (2) faces and being constructed of materials of the same type and in design similar to the principal structure located on the lot on which the sign is located.

(2) *Signage per lot.* Each separately owned lot is allowed no more than one (1) monument sign; provided, any such lot having frontage on two (2) public streets, is allowed no more than two monument signs. In addition to the allowed monument sign(s), each such lot is allowed signs of a maximum total of six (6) square feet to provide traffic directions.

(3) *Sign size.* Each monument sign shall be a maximum of six (6) feet high (inclusive of the base and the display area) and shall not be more than one (1) square foot in area per linear foot of lot frontage with a maximum area of seventy-five (75) square feet in area per sign. As to the monument sign for a retail center or business park, as defined in zoning code section 27-200, the sign area and height may be increased by an additional twenty (20) percent.

(4) *Wall sign allowance.* The wall sign area for the principal structure shall not exceed twenty (20) percent of the wall area on which the sign is located. Permanently affixed, non-changeable, product or service advertising may be permitted up to 5% of wall area of a principal structure if name and logo is reduced to no more than 15% of wall area. The wall sign area for each accessory structure shall not exceed five (5) percent of the wall area on which the sign is located.

(5) Banners are permitted as follows:

- a. Special event banners shall be limited to 32 square feet and shall be permitted no more than twice in each calendar year for a maximum of 30 continuous days at a time.
- b. New business banners shall be limited to 64 square feet and shall be permitted one time with a new business that has obtained a certificate of occupancy for no more than 45 continuous days.

(6) *Outdoor advertising (offsite) signs.* Outdoor advertising (offsite) signs are prohibited in that portion of the area described in (a) above.

(7) *Signs prohibited.* Marquees and changeable letter reader boards and portable signs are expressly prohibited. Changeable letters and/or numbers are permitted in the advertising portion of monument signs. Except as allowed by this section, no signs shall be installed in the area described in (a) above.

(8) *Other sign ordinances.* All signs allowed by these regulations shall comply with further sign regulations of the zoning code and the Code of Ordinances. In the event of a conflict of these regulations and the further sign regulations of the zoning code and the Code of Ordinances, these regulations will control.

(9) *Variance procedures.* Administrative decisions applying the provisions of this section may be appealed to the board of zoning adjustment according to the procedure provided for in section 27-44 of the Code of Ordinances.

- c. *Landscaping regulations.* Each separately owned lot zoned with a designation other than residential within the area described in (a) above shall comply with the following landscaping requirements at the time of developing each lot.

(1) *Perimeter landscaping requirements along public rights-of-way.* A ten-foot wide landscaping area is required and shall be located on the property parallel and adjacent to the public right-of-way line. At a minimum, the planting strip shall be planted with one

(1) tree and ten (10) shrubs for every fifty (50) linear feet of right-of-way frontage. To insure that landscape materials do not constitute a sight hazard, a clear sight triangle shall be observed at all street intersections or intersections of driveways with streets. Within the designated sight triangle, no landscape material exceeding twenty-four (24) inches in height shall be permitted; provided, trees shall be permitted as long as only the tree trunk is visible between the ground and eight (8) feet above the ground and the tree does not otherwise present a traffic visibility hazard. The sight triangle, see Exhibit B, is described as the area delineated by a distance of twenty (20) feet along the intersecting property lines, beginning at the corner point and extending said twenty (20) feet in both directions away from the point of intersection and then connecting the terminus points by a line to form the triangular area.

- (2) *Interior landscaping for vehicular use areas.*

a. *Requirement.* For any open vehicular use area, excluding loading and unloading areas, containing more than six thousand (6,000) square feet of area, or twenty (20) or more vehicular parking spaces, the owner shall provide interior landscaping in addition to the previously required landscaping along the public

right-of-way. Interior landscaping may be peninsular or island types.

b. *Landscape area.* For each one hundred (100) square feet or fraction thereof of vehicular use area, a minimum total of five (5) square feet of landscaped area shall be constructed and maintained. Additionally, the minimum size for the landscaped area shall be sixty-four (64) square feet. In order to encourage the required landscape areas to be dispersed, no individual landscape area may be larger than three hundred fifty (350) square feet in size, unless the vehicular use area is over thirty thousand (30,000) square feet. If the vehicular use area is in excess of thirty thousand (30,000) square feet, no individual landscape area may be larger than one thousand five hundred (1,500) square feet.

c. *Setbacks.* In all required interior landscape areas, trees are required to be set back a distance of four (4) feet from the edge of pavement.

d. *Vehicle overhang.* Parked vehicles may overhang the interior landscaped area no more than two and one-half (2 1/2) feet, provided concrete or other wheel stops are installed to insure no greater overhang of the landscaped area.

(2) *Landscape materials.*

a. *Materials.* Required landscape areas shall be planted using, at the option of the owner, tree, shrub, grass or ground cover plants identified in subsections (e), (f), (g) and (h). Any owner desiring to plant unlisted plants may make written application to the administrative officials of the city. Any decision of the administrative officials is subject to appeal to the board of zoning adjustment according to the provisions of section 27-44 of the Code of Ordinance.

b. *Plants.* Artificial plants are prohibited. All plant materials shall be living plants and shall meet the following requirements:

1. *Quality.* Plant materials must conform to the standards of the American Association of nurserymen and shall have passed any inspections required by state regulations.

2. *Deciduous trees.* All planted deciduous trees shall have a minimum thickness of two (2) inches at the aboveground trunk at time of planting.

3. *Evergreen trees.* Evergreen trees shall be a minimum of five (5) feet height at the time of planting.

4. *Grass or ground cover.* Grass may be sodded or seeded; provided, in drainage swales or other areas subject to erosion, solid sod, erosion reducing net, or suitable mulch must be used and nurse-grass seed shall be sown for immediate protection until complete coverage otherwise is achieved. Grass sod shall be clean and free of weeds and noxious pests or diseases. In areas where ground cover rather than grass is used, the ground

cover shall be planted in such a manner as to present a finished appearance and seventy-five (75) percent complete coverage after one (1) complete growing season.

(3) *Maintenance.* The initial developer and the owner of the property, and their successors in interest, shall be responsible for the continued maintenance of all landscaping areas so as to keep them (a) in a proper, neat and orderly appearance, (b) free from refuse and debris, (c) with dead plant material replaced within one (1) year of the death of the plant material or by the next planting period, whichever comes first and (d) with other defective landscape materials replaced or repaired within three (3) months of defect. The maintenance obligation of the developer, and the developer's successor in interest other than the owner, shall terminate two (2) years following the developer's sale of the subject property.

2. *Enforcement.* Violation of the regulations adopted by this section may be enforced in any lawful manner including, without limitation, the refusal by the city to issue a building occupancy permit.

3. *Tree species.*

(1) *Primary list.* The following list of trees are those which have been found to be best suited to this area and yet requiring the least amount of maintenance. This list, along with the secondary list, are those trees which may be planted in the required landscaping area. Additional selective trees may be substituted when proven to be hearty to this region:

TABLE INSET:

Common Name	Scientific Name
Bald cypress	Taxodium distichum
Chinese elm	Ulmus parvifolia
Flowering Bradford pear	Pyrus calleryana "Bradford"
Ginkgo (male)	Ginkgo biloba
Honey locust	Gleditsia triacanthos
Loblolly pine	Pinus taeda
Pin oak	Quercus palustris
Sawtooth oak	Quercus acutissima
Sugar hackberry	Ceitis laevigata
Willow oak	Quercus phellos

(2) *Secondary list.* The following list of trees are those which have been found to be the next best suited to this area but require increased maintenance:

TABLE INSET:

Common Name	Scientific Name
American holly	Ilex opaca
Crab apple	Malus spp.
	a
Dogwood	Camus florida
Hawthorn	Crataegus opaca
Redbud	Cercis canadensis
River birch	Betula nigra
Southern magnolia	Magnolia grandiflora
Swamp red maple	Acer rubrum
Water oak	Quercus nigra
Weeping willow	Salix babylonica

4. *Shrub species.*

a. *Primary list.* The following list of shrubs are those which have been found to be best suited to this area and yet requiring the least amount of maintenance. This list, along with the secondary list, are those shrubs which may be planted in the required landscaping area. Additional selective shrubs may be substituted when proven to be hearty to this region:

TABLE INSET:

Common Name	Scientific Name
Evergreen hollies	Ilex species
Nandina	Nandina domestica

b. *Secondary list.* The following list of shrubs are those which have been found to be the next best suited to this area but require increased maintenance:

TABLE INSET:

Common Name	Scientific Name
Abelia	Abelia grandiflora
Boxwood	Buxus sempervirens
Chinese photinia	Photinia serrulata

5. *Grasses.*

a. The following grasses may be used:

Mayer Z-52 Zoysia
 Emerald zoysia
 Bermuda grass
 Bermuda grass hybrids
 Centipede
 St. Augustine

b. The grasses listed in (a) of this exhibit are the more commonly used grasses adjacent to vehicular use areas.

(h) *Ground covers.*

(1) *Primary list.* The following list of ground covers are those which have been found to be best suited to this area and yet requiring the least amount of maintenance. This list, along with the secondary list, are those ground covers which may be planted in the required landscaping area. Additional selective ground covers may be substituted when proven to be hearty to this region.

TABLE INSET:

Common Name	Scientific Name
Dwarf nandina	N. domestica "harbour dwarf"
Junipers	Juniperus species
Liriope	Liriope muscari
Memorial rose	Rosa wichuraiana
Mondo grass	Ophiopogon japonicus
Periwinkle	Vinca minor

Spreading euonymus	E. fortunei "radicans"
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(2) *Secondary list.* The following list of ground covers are those which have been found to be the next best suited to this area but require increased maintenance:

TABLE INSET:

Common Name	Scientific Name
Carolina jessamine	Gelsemium sempervirens
Dwarf bamboo	Arundinaria pygmaea
English ivy	Hedera helix
Honeysuckle	Lonicera sempervirens

i. Xeriscape Option

- a. As a low maintenance option, the City encourages the use of landscaping which promotes water conservation and is drought resistant. "Xeriscape" is a planting practice that relies on minimal irrigation. Conserving resources such as fertilizer, fuels, water, labor, time and money are important elements of this. By encouraging the reestablishment of native plant communities, xeriscape uses plants adapted to specific climate conditions and locations as alternatives to or reductions of traditional turf grass areas.
- b. Xeriscape has seven (7) basic principles to follow in the use of trees, shrubs, perennials and turf grasses which can be adapted to prolonged periods of drought and/or reduced watering regimens. The following steps are key to a successful xeriscape program:
 - i. **Planning & Design.** Develop a plan by situating and locating all the existing elements of a yard/greenspace area. Consider the conditions of view, slope, wind and light to develop a new landscape plan. Group plants with similar water and shading needs together.
 - ii. **Soil Analysis.** Determine the soil type and identify any problem spots which may need soil improvements. Add organic matter such as peat moss or manure to enrich soils.
 - iii. **Appropriate Plant Selection.** Plants should be appropriately selected for the area (region) they are to be used in and for their ability to withstand drought conditions and promote water conservation.
 - iv. **Practical Turf Grass Areas.** Reduce the amount of landscape/greenspace area

devoted to a grass lawn to 50 % or less. This will reduce the amount of maintenance required to irrigate and mow the area.

- v. Efficient Irrigation. Irrigation should be grouped according to the type and condition of the plants rather than a fixed schedule. Drip watering can be used for many plants and conserves water. Limit sprinklers to grass areas only.
 - vi. Use Mulches. Organic mulches minimize weed growth, reduce evaporation, slow erosion and help prevent temperature fluctuations.
 - vii. Appropriate Maintenance. Proper pruning, weeding, fertilization and proper attention to the irrigation system will insure the quality of the xeriscape
- c. For those residents or businesses who want to pursue xeriscape landscaping the following guidelines are suggested:
- i. Install rain sensor "smart devices" on irrigation systems with automatic irrigation controls to conserve water when rainfall has or is occurring.
 - ii. Use at least 50% native vegetation which is indigenous to Arkansas in the xeriscape design.
 - iii. Adhere to the following guidelines for the percentage of xeriscaped area to turf grass lawn areas:
 - 1. Single family and duplex residential - A maximum of 80% turf grass lawn and minimum of 20% xeriscape for the pervious area.
 - 2. Multi-family residential - A maximum of 60% turf grass lawn and minimum of 40% xeriscape for the pervious area.
 - 3. Commercial, office, industrial and other developments - A maximum of 50% turf grass lawn and minimum of 50% xeriscape for the pervious area.
- d. Homebuilders or developers subdividing lots or constructing new single family residential homes are encouraged to offer a xeriscape option in any series of landscaping options offered to prospective home buyers.
- e. Use water conservation efficient irrigation systems. Trees, shrubs, flowers and groundcover should be irrigated with low volume drip emitters, micro-sprayers or soaker hoses. The sprinkler irrigation systems should be reserved to the turf grass lawn areas.
- f. Use organic mulches such as wood chips, bark or pine straw to minimize evaporation, reduce weed growth, slow erosion and help prevent soil temperature fluctuations.

B.

(7) Group similar landscaping together according to their watering requirements to minimize

overall water usage and reduce the amount of maintenance required.

(8) The following trees and plants are recommended:

Drought Tolerant Shrubs		
Common Name	Scientific Name	Native
glossy abelia	<i>Abelia x grandiflora</i>	no
barberry	<i>Berberis</i> spp.	no
butterfly bush	<i>Buddleia davidii</i>	no
boxwood	<i>Buxus</i> spp.	no
beautyberry	<i>Callicarpa</i> spp.	yes
French hybrid ceanothus	<i>Ceanothus x delilianus</i>	yes
flowering quince	<i>Chaenomeles speciosa</i>	no
smoketree	<i>Cotinus coggygria</i>	no
yew	<i>Taxus</i> spp.	no
fuzzy deutzia	<i>Oeutzia</i> spp.	no
Euonymus	<i>Euonymus</i> spp.	no
forsythia	<i>Forsythia</i> spp.	no
fothergilla	<i>Fothergil/a gardenii</i>	yes
witch hazel	<i>Hamamelis virginiana</i>	yes
oakleaf hydrangea	<i>Hydrangea quercifo/ia</i>	yes
American holly	<i>flex attenuata</i>	yes
Nellie Stevens holly	<i>flex 'Nellie R. Stevens'</i>	no
Burford holly	<i>flex cornuta</i>	no
possomhaw holly	<i>flex decidua</i>	yes
inkberry holly	<i>flex glabra</i>	yes
yaupon holly	<i>flex vomitoria</i>	yes
Virginia sweetspire	<i>/tea virginica</i>	yes
juniper	<i>Juniper</i> spp.	some are
crapemyrtle	<i>Lagerstroemia indica</i>	no
loropetalum	<i>Loropetalum chinensis</i>	no
Oregon grape holly	<i>Mahonia aquifolium</i>	yes
leatherleaf mahonia	<i>Mahonia bea/ei</i>	no
southern waxmyrtle	<i>Myrica cerifera</i>	yes
northern bayberry	<i>Myrica pennsylvanica</i>	yes
nandina	<i>Nandina domestica</i>	no
Russian sage	<i>Perovskia atriplicifolia</i>	no
mock-orange	<i>Phi/adelphus</i> spp.	yes
ninebark	<i>Physocarpus opulifolius</i>	yes
scarlet firethorne	<i>Pyracantha coccinea</i>	no
alder buckthorn	<i>Rhamnus fragula</i>	no
Chinese sumac	<i>Rhus chinensis</i>	no
staghorn sumac	<i>Rhus typhina</i>	yes
rosemary	<i>Rosmarinus officinalis</i>	no
spirea	<i>Spirea</i> spp.	some are
tamarisk	<i>Tamarix</i> spp.	no
cranberry viburnum	<i>Viburnum opulus</i>	yes
snowball viburnum	<i>Viburnum plicatum</i>	no
blackhaw	<i>Viburnum prunifolium</i>	yes
southern blackhaw	<i>Viburnum rufidulum</i>	yes
Adam's needle yucca	<i>Yucca fi/amentosa</i>	yes

Drought Tolerant Perennials		
Common Name	Scientific Name	Native
yarrow	<i>Achillea</i> spp.	no
Arkansas bluestar	<i>Amsonia hubrectii</i>	yes
wormwood	<i>Artemisia 'Powis Castle'</i>	no
butterfly weed	<i>Asclepia tuberosa</i>	yes
tickseed	<i>Coreopsis grandiflora</i>	yes
purple coneflower	<i>Echinacea purpurea</i>	yes
indian blanket flower	<i>Gaillardia pulchella</i>	yes
pink wand flower	<i>Gaura lindheimeri</i>	yes
baby's breath	<i>Gypsophilia muralis</i>	no
daylily	<i>Hemorocal/is</i> spp.	no
rock candytuft	<i>/beris sempervirens</i>	no
lavender	<i>Lavandu/a</i> spp.	no
gayfeather	<i>Liatris spicata</i>	yes
black-eyed susan	<i>Rudbeckia</i> spp.	yes
blue salvia	<i>Salvia farinacea</i>	yes
lavender cotton	<i>Santolina chamaecyparissus</i>	no
sedum	<i>Sedum</i> spp.	some are
lamb's ear	<i>Stachys byzantina</i>	no

Drought Tolerant Ground Covers		
Common Name	Scientific Name	Native
wild ginger	<i>Asarum canadense</i>	yes
ice plant	<i>Carpobrotus edulis</i>	no
cranberry cotoneaster	<i>Cotoneaster</i>	no
hardy yellow iceplant	<i>Delosperma nubigenum</i>	no
winter creeper	<i>Euonymus fortunei</i>	no
white wood aster	<i>Eurybei divericta</i>	yes
Carolina jessamine	<i>Ge/semium sempervirens</i>	yes
cranesbill	<i>Geranium sanguineum</i>	no
St. Johnswort	<i>Hypericum calycinum</i>	no
winter jasmine	<i>Jasminum nudiflorum</i>	no
hens and chicks	<i>Jovibarba hirta</i>	no
liriope	<i>Liriope muscari</i>	no
mondo grass	<i>Ophiopogon japonicus</i>	no
Virginia creeper	<i>Parthenocissus quinquefo/ia</i>	yes
solomon's seal	<i>Polygonatum bif/orum</i>	yes
sweetbox	<i>Sarcococca hookeriana</i>	no
hens and chicks	<i>Sempervivum spp.</i>	no
woolly thyme	<i>Thymus pseudo/anuginosus</i>	no
purple heart	<i>Tradescantia pallida</i>	no
purple verbena	<i>Verbena 'Homestead Purple'</i>	
Turkish speedwell	<i>Veronica liwanensis</i>	no

Drought Tolerant Ornamental Grasses		
Common Name	Scientific Name	Native
big blue stem	<i>Andropogon gerardii</i>	yes
weeping love grass	<i>Eragrostis curvula</i>	yes
purple love grass	<i>Eragrostis spectabilis</i>	yes
maiden grass	<i>Miscanthus sinensis</i>	no
pink muhly grass	<i>Muhlenbergia capillaris</i>	yes
switchgrass	<i>Panicum spp.</i>	yes
little blue stem	<i>Schizachyrium scoparium</i>	yes
indian grass	<i>Sorghastrum nutans</i>	yes
Eastern gamma grass	<i>Tripsacum dactyloides</i>	yes

Drought Tolerant Turf Grasses		
Common Name	Scientific Name	Native
Bermuda Grass		no
Zoysia Grass		no

Recommended Tree Planting List

Small Trees (25ft or less)

Blackjack Oak - *Quercus marilandica*
Camellia - *Camellia japonica*
Ornamental Crabapple - *Malus* hybrids
Crapemyrtle - *Lagerstromia indica*
Deciduous Magnolia - *Magnolia soulangia*, *M. stellata*, *M. liiflora*
Desert Willow - *Chiopsis linearis*
Dogwood - *Camus florida* or *Camus kousa*
Foster Holly - *Ilex x attenuata*
Heptacodium - *Heptacodium miconioides*
Japanese Flowering Cherry - *Prunus serrulata*
Japanese Flowering Cherry - *Prunus yedoensis*
Japanese Maple - *Acer palmatum*
Little Gem Magnolia - *Magnolia grandiflora* 'Little Gem'
Redbud - *Cercis canadensis*
Service Berry - *Amelanchier canadensis*
Thornless Cockspur Hawthorne - *Crataegus crusgalii* var. *inermis*
Trident Maple - *Acer buergerianum*
Vitex Chaste Tree - *Vitex incisa*
White Fringetree - *Chionanthus virginicus*
Yaupon Holly - *Ilex x vomitoria*

Medium Trees (60ft or less)

American Holly - *Ilex opaca*
Black Gum - *Nyssa sylvatica*
Cherry Laurel - *Prunus caroliniana*
Chinese Pistache - *Pistachia chinensis*
Golden Catalpa - *Catalpa bignonioides*
Golden Raintree - *Koelreuteria paniculata*
Honeylocust (!hornless) - *Gleditsia triacanthos*
Japanese Pagoda Tree - *Sophora japonica*
Lacebark Elm - *Ulmus parvifolia*
Linden - *Tilia americana*

Loblolly Pine - *Pinus taeda*
Native Pecan - *Carya illinoensis*
Nuttall Oak - *Quercus nuttallii*
Persian Parrotia - *Parrotia persica*
Red Maple - *Acer rubrum*
River Birch - *Betula nigra*
Sawtooth Oak - *Quercus acutissima*
Shumard Oak - *Quercus shumardii*
Sweet Bay Magnolia - *Magnolia virginiana*

Large Trees (greater than 60ft)

Elm (dutch elm disease resistant varieties)
American Sycamore - *Platanus occidentalis*
Baldcypress - *Taxodium distichum*
Bur Oak - *Quercus macrocarpa*
Cherrybark Oak - *Quercus falcata* var. *Pagodaefolia*
Dawn Redwood - *Metasequoia glyptostroboides*
Ginkgo (male varieties) - *Ginkgo biloba*
Kentucky Coffeetree - *Gymnocladus dioica*
Live Oak - *Quercus virginiana*
London Plane Tree - *Platanus hybrida occidentalis x orientalis*
Northern Red Oak - *Quercus rubrum*
Pin Oak - *Quercus palustris*
Southern Magnolia - *Magnolia grandiflora*
Southern Red Oak - *Quercus falcata*
Sugar Maple - *Acer saccharum*
Swamp Chestnut Oak - *Quercus michauxii*
Sweetgum (fruitless varieties) - *Liquidambar styraciflua*
Tulip Tree (Yellow Poplar) - *Liriodendron tulipifera*
Water Oak - *Quercus nigra*
White Oak - *Quercus alba*
Willow Oak - *Quercus phellos*

(i) *Design requirements for new commercial buildings and additions to existing commercial buildings.*

(1) *Purposes.*

- a. To protect and enhance the overlay zone for the Phoenix Avenue Extension.
- b. To provide good civic design and arrangement.
- c. To preserve property values of surrounding property.

(2) *Commercial building design standards.*

- a. Any development that contains more than one building shall incorporate a recurring, unifying and identifiable theme for the entire development.
- b. The predominant (fifty-one (51) percent of the gross wall area or greater) exterior building facade of all commercial buildings must be of high quality materials such as brick, wood, native stone, tinted glass, stucco, exterior insulated finished systems (EIFS) or tinted/textured concrete masonry units. Smooth-faced concrete block, plain or untextured tilt-up panels and prefabricated steel panels are prohibited as the predominant facade.
- c. All facades of a building that are visible from the finish grades of adjoining properties or public streets shall have design characteristics similar to the buildings front facade. This shall be implemented by requiring the same treatment as discussed in (i)(2)b above.
- d. Mechanical equipment, including but not limited to, heating/cooling systems, trash receptacles and utility boxes shall be completely screened from adjoining properties and street right-of-way. For ground-mounted or located equipment the screening shall be a wall or fence or the equipment shall be enclosed within a building. For roof-mounted equipment, the screening shall be architecturally incorporated into the roof and shall consist of materials compatible with the supporting building.
- e. Chain link, barbed wire or sheet metal fencing material is prohibited.

(3) *Design review.* All landscaping, new commercial building developments and additions to existing commercial buildings shall be subject to design review and approval by the planning department. The following drawings, information and plans shall be submitted to the planning department for design review and approval with site plan or development plan applications.

- a. Rendered elevation drawings of front, rear and one (1) side of the proposed structure at one-eighth (1/8) inch to one (1) foot (minimum) scale showing the

design of the structure and the materials of the building's external finishes being proposed.

- b. The site plan shall include the location and proposed screening of all mechanical equipment.

The city administrator or his designated agent, at his discretion, may refer any design review and approval to the board of zoning adjustment for their review and approval. Any administrative decision applying the provisions of this section may be appealed to the board of zoning adjustment according to the procedure provided for in section 27-44 of this Code of Ordinances.

(4) *Effects of approval.*

- a. An approved design shall be binding on the applicants and their successors and assignees. No building permit shall be issued for any building or structure not in conformance with the approved design. No element of an approved design shall be eliminated, altered or provided in another manner unless an amendment is approved in accordance with this section, provided, however, that the city administrator, or his designated agent, may approve such minor changes in the design as will not cause any of the following circumstances to occur:

1. Any change to the recurring, unifying and identifiable theme from one building to the next in a single development.
2. Any change that reduces the percentage of the predominate facade to a percentage less than fifty-one (51) percent of the gross wall area.
3. Any modification having an adverse impact on adjacent property.
4. Any modification that lessens the requirements for screening of the mechanical equipment.
5. Any modification that lessens the requirements for all facades of a building, visible from adjoining properties or public streets, having similar design characteristics to the building's front facade.

G) *Driveway Approach Spacing.* Locations of driveway approaches shall be approved to provide maximum safety for street traffic and users of the driveway approach. Property frontages of three hundred (300) feet or less shall be limited to one (1) driveway approach. On properties with frontages in excess of three hundred (300) feet, the spacing (S) between drives on the same property shall be three hundred (300) feet. The spacing across the property line (SPL) shall be no less than 60 feet or the sum of the radii plus a 25 foot tangent length, whichever is greater. If spacing across the property line cannot be achieved, the property owners are encouraged to

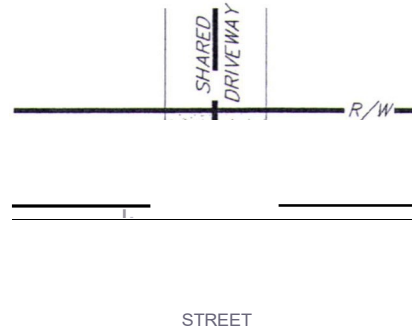
construct a shared driveway. Minimum separation between driveways and street intersections (A) shall be two hundred (200) feet. See Exhibit A.

Where a residential property fronts on both a residential street and a collector, arterial or boulevard street, access shall be granted only from the residential street, except when this provision is waived by the city administrator. Any applicant who is denied a waiver of such provision by the city administrator may appeal the decision to deny to the city planning commission by filing a written notice of such intention to appeal, with the director of planning within ten (10) calendar days following the denial. A fee in the amount established by the board of directors shall accompany such notice of appeal.

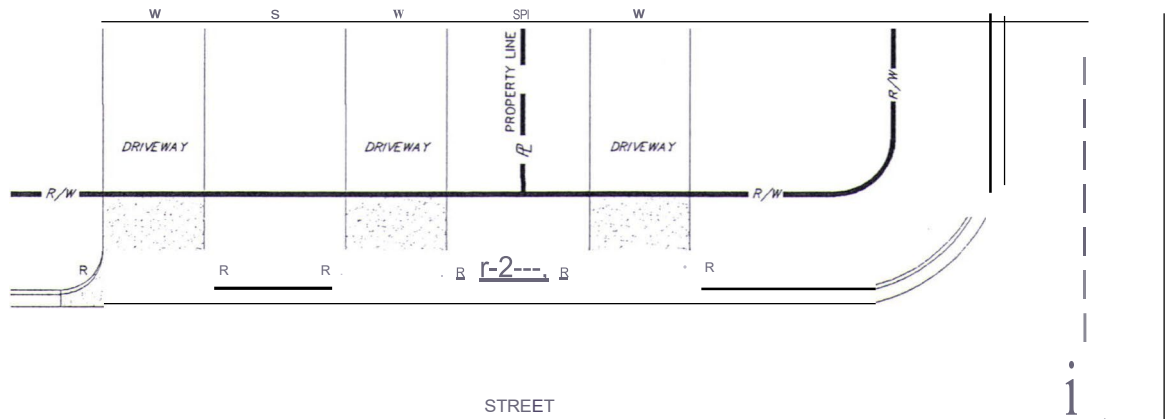
On high volume driveway approaches, special requirements such as turning lanes, control of access to the driveway, signalization, etc. may be required where deemed necessary.

Sections 22-78, subsections "a" and "b" shall also apply to the construction of driveway approaches, excluding the driveway spacing requirements which shall be governed as previously noted.

Exhibit A



EXAMPLE OF A SHARED DRIVEWAY



- DEFINITIONS OF MEASUREMENTS OF MULTIPLE DRIVEWAYS
- A = SEPARATION OF DRIVEWAY FROM AN INTERSECTING STREET
 - W = WIDTH OF DRIVEWAY
 - R = RADIUS OF CURB RETURN
 - T = TANGENT BETWEEN CURB RADII
 - SPL = SPACING ACROSS A PROPERTY LINE
 - S = SPACING BETWEEN ADJACENT DRIVEWAYS ON SAME PROPERTY