ORDINANCE NO. 5156

AN ORDINANCE AMENDING TITLE XV: UNIFIED DEVELOPMENT CODE OF THE CODE OF FAYETTEVILLE TO AMEND CHAPTER 166: DEVELOPMENT IN ORDER TO ADOPT STREET DESIGN AND ACCESS MANAGEMENT DESIGN STANDARDS.

WHEREAS, the City of Fayetteville has adopted City Plan 2025 as its future land use plan; and

WHEREAS, three of the six primary goals of City Plan 2025 are to: discourage suburban sprawl, make traditional town form the standard, and to grow a livable transportation network; and

WHEREAS, the City of Fayetteville recognizes that street design and access management standards will encourage the development of complete, compact and connected neighborhoods; and

WHEREAS, the City of Fayetteville recognizes that development that does not conform to the desired standards may request variances or waivers from the adopted standards from the Planning Commission at a public hearing,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That Chapter 166: Development is amended by repealing and replacing all of section § 166.08 – Design Standards, a copy of which marked Exhibit "A" is attached hereto and made a part hereof.

PASSED and **APPROVED** this the 5th day of August, 2008.

CITY CLERK/TREASURER CITY OF FAYETTEVILLE ARKANSAS WASHINGTON COUNTY

APPROVED:

By: _____
DAN COODY, Mayor

ATTEST:

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

EXHIBIT "A"

Chapter 166: Development is amended by replacing §166.08 Design Standards with the following language .

166.08 Street Design and Access Management Standards

(A) *Intent.* These standards are intended to ensure that development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movements.

(B) *Fitness for development.* Based on topographic maps, soil surveys prepared by the Department of Agriculture and drainage information from the Future Land Use Plan and the Hillside/Hilltop Overlay District, the Planning Commission may require that steep grades, unstable soil and flood plains be set aside and not subdivided until corrections are made to protect life, health, and property.

(C) *Applicability.* The standards set forth herein shall apply to land which is proposed to be developed or redeveloped where the creation of public streets are required, or proposed, or in which new or existing access is created or modified. Developments that create private streets shall utilize these standards as guidelines.

(D) *Street design principles.*

(1) *Extensions.* All street extensions shall be constructed to Minimum Street Standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such.

(2) *Substandard widths.* Developments that adjoin existing streets shall dedicate additional right-of-way to meet the Master Street Plan.

(3) *Street names.* Names of streets shall be consistent with natural alignment and extensions of existing streets, and new street names shall not duplicate or be similar to existing street names. Developers shall coordinate the naming of new streets through the GIS Office during the plat review process.

(4) *Tangents.* A straight tangent at least 100 feet long shall separate reverse curves for Collector and Arterial streets.

(5) *Pedestrian.* Pedestrian-vehicular conflict points should be controlled through signalized intersections and proven traffic calming design principles.

(6) *Street standards.* All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted Minimum Street Standards.

(E) *Block Layout / Connectivity.*

(1) *Block Length.* Block lengths and street intersections are directly tied to the functional hierarchy of the street pattern that exists or is proposed.

(a) *Principal and Minor Arterial Streets.* Signalized intersections should be located at a minimum of one every 2,640 feet (half a mile) along principal and minor arterials and should be based on traffic warrants.

(b) *Collectors.* Intersections should be located at a minimum of one every 1,320 feet (quarter of a mile) along collector streets.

(c) *Locals.* Intersections shall occur at a minimum of one every 800 feet.

(d) *Residential.* Intersections shall occur at a minimum of one every 600 feet.

(e) *Variances.* Block length standards may be varied by the Planning Commission when terrain, topographical features, existing barriers or streets, size or shape of the lot, or other unusual conditions justify a departure.

(2) *Topography.* Local streets should be designed to relate to the existing topography and minimize the disturbance zone.

(3) *Dead-end streets.* Dead end streets are discouraged and should only be used in situations where they are needed for design and development efficiency, reduction of necessary street paving, or where proximity to floodplains, creeks, difficult topography or existing barriers warrant their use. All dead end streets shall end in a cul-de-sac with a radius of 50 feet, or an alternative design approved by the City and the Fire Department. The maximum length of a dead end street (without a street stub-out) shall be 500 feet.

(F) *Access Management.* Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Local streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto two public streets shall place a higher priority on accessing the street with the lower functional classification, ex. Local and Collector.

(1) *Curb cut minimum distance from intersection.*

(a) *Principal and Minor Arterial Streets.* Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When necessary, curb cuts along arterial streets shall be shared between two or more lots. Where a curb cut must access the arterial street, it shall be located a minimum of 250 feet from the center line of an intersection or driveway.

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-500 ft.	1
501-1000 ft.	2
1001-1500 ft.	3
More than 1500 ft.	4

(b) *Collector Streets.* Curb cuts shall be located a minimum of 100 feet from the center line of an intersection or driveway. When necessary, curb cuts along collector streets shall be shared between two or more lots.

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-100 ft.	1
101-250 ft.	2
251-500 ft.	3
More than 500 ft.	4

(c) *Local and Residential Streets.* Curb cuts shall be located a minimum of 50 feet from the center line of an intersection or driveway. In no case shall a curb cut be located within the radius return of an adjacent curb cut or intersection. Curb cuts shall be a minimum of fifteen (15') feet from the adjoining property line, unless shared.

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-50 ft.	1
51-125 ft.	2
126-250 ft.	3
More than 250 ft.	4

(d) *Residential Subdivisions.* In the case of residential subdivisions, curb cuts shall be discouraged along arterial and collector streets. When necessary, curb cuts along arterial and collector streets shall be shared between two or more lots. Curb cuts along all streets shall be located a minimum of five feet (5') from the adjoining property line, unless shared.

(e) *Variance.* In order to protect the ingress and egress access rights to a street of an abutting property owner, a variance to the curb cut minimums shall be granted by the Planning Commission to allow an ingress/egress curb cut at the safest functional location along the property. Such a curb cut may be required to be shared with an adjoining parcel if feasible. If a parcel on the corner of an arterial or collector street provides such short frontage along a major street that there is no safe ingress/egress functional location on that street, the Planning Commission may deny the curb cut or may limit such curb cut to ingress or egress only.

(2) *Speed.* All streets should be designed to discourage excessive speeds.

(G) *Non-conforming Access Features.*

(1) *Existing.* Permitted access connections in place on the date of the adoption of this ordinance that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with the applicable standards under the following conditions:

(a) When new access connection permits are requested;

(b) Upon expansion or improvements greater than 50% of the assessed property value or gross floor area or volume;

(c) As roadway improvements allow.

(H) *Easements.* Utility and drainage easements shall be located along lot lines and/or street right-of-way where necessary to provide for utility lines and drainage. The Planning Commission may require larger easements for major utility lines, unusual terrain or drainage problems.

(I) *Residential lots.* The use and design of lots shall conform to the provisions of zoning where City zoning is in effect. When no City zoning applies, the following standards shall govern unless in conflict with more stringent city, county or state regulations:

(1) *Bulk and area regulations:*

	Planning Area
Lot area minimum	10,000 sq. ft.
Lot width minimum	75 ft.
Side setback	10 ft.
Front Setback	25 ft.
Rear setback	20 ft.
Frontage on improved street	75 ft.

(2) *Size.* The size and shape of the lots shall not be required to conform to any stipulated pattern, but insofar as practicable, side lot lines should be at right angles to straight street lines or radial to curved street lines. When a tract of land is subdivided into larger than normal lots, such lots shall be so arranged as to permit the logical location and opening of future streets and appropriate resubdivision of the lots, with provisions for adequate utility connections for such resubdivision.

(3) *Developments outside city developed to all inside the city standards.* If the City Council grants access to the City's sewer system pursuant to § 51.113 (C) and the owner/developer agrees to petition for annexation as soon as legally possible and develop the subdivision in accordance with all city development requirements including payment of all impact fees, the bulk and area requirements for this subdivision shall conform to those within the RSF-4 Zoning District rather than those within the planning area.

(Code 1965, App. C., Art. IV, §§C, D, F--H; Ord. No. 1750, 7-6-70; Ord. No. 1801, 6-21-71; Ord. No. 2196, 2-17-76; Ord. No. 2353, 7-5-77; Code 1991, §§159.45, 159.58, 159.51--159.53; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. 4757, 9-6-05; Ord. 4919, 9-05-06)

Cross reference(s)--Bonds and Guarantees, Ch. 158; Variances. Ch. 156; Notification and Public Hearings, Ch. 157

ORD
8/5/08
5156
Amend
Chapter 166
Development

City of Fayetteville
Staff Review Form
City Council Agenda Items
or
Contracts

15-Jul-08
City Council Meeting Date

Leif Olson	Long Range Planning	Operations
Submitted By	Division	Department

Action Required:

ADM 07-2711: (UDC Amendent - Chapter 166: Development - 166.08 Street Design and Access Management Ordinance): Submitted by the City of Fayetteville, an ordinance amending Chapter 166– Development, to adopt Street Design and Access Management Standards

Action Required:	n/a	n/a
Cost of this request	Category/Project Budget	Program Category / Project Name
n/a	n/a	n/a
Account Number	Funds Used to Date	Program / Project Category Name
n/a	n/a	n/a
Project Number	$ - Remaining Balance	Fund Name

Budgeted Item ☐ Budget Adjustment Attached ☐

6.27.08
Department Director — Date

Previous Ordinance or Resolution # n/a

Original Contract Date: n/a

Original Contract Number: n/a

6-27-08
City Attorney — Date
(as to form)

Received in City Clerk's Office
6-27-08

Paul A. Becker 6-30-08
Finance and Internal Service Director — Date

Received in Mayor's Office
ENTERED 6/30/08

Dan Coody 7/2/08
Mayor — Date

Comments:

Left on the first reading 7/15/08

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Gary Dumas, Director of Operations
Karen Minkel, Interim Long Range Planning Director

From: Leif Olson, Long Range Planner

Date: June 25, 2008

Subject: UDC Amendment to Chapter 166.08 - Street Design and Access Management Standards (ADM 07-2711)

RECOMMENDATION

Staff recommends approval of an ordinance amending Chapter 166 – Development to adopt Street Design and Access Management Standards, as recommended by the Street Committee.

BACKGROUND

Staff was directed by elected officials to develop an access management plan that ensures that development is designed to be inherently safe, walkable and efficient for the facilitation of traffic and pedestrian movement. In addition, this was to further implement the adopted goals of the City Council to create complete, compact and connected neighborhoods throughout the city. Planning and Engineering staff have worked closely together since the fall of 2007 to create a clear, consistent and enforceable ordinance. Many of the suggestions contained within the document are modeled after ordinances from Bentonville and Rogers.

This ordinance was discussed at the May 12 and June 23, 2008 Street Committee meetings and was forwarded to the City Council by a 3 to 1 vote at the June 23, 2008 Street Committee meeting with a recommendation for approval.

The Street Design and Access Management ordinance was drafted and subsequent research and graphic examples were created by Planning Staff because of specific requests from the Street Committee for solutions to ongoing access and connectivity issues related to development. Therefore, staff felt that it was appropriate to have the Street Committee discuss this item in order to ensure that staff was proceeding in the right direction. Normally, the Planning Commission would discuss and amend an ordinance changing the Unified Development Code prior to the item moving forward to a body of the City Council. If the City Council so desires Planning Staff can present this ordinance amendment to the Planning Commission for approval and bring this item back at a later date. However, the UDC allows for ordinance amendments to be considered by the City Council without referral from the Planning Commission (Section 154.01(B) of the City of Fayetteville Unified Development Code), and staff is proceeding as directed by the Street Committee.

DISCUSSION

As noted, the Street Committee has considered the proposed ordinance on multiple occassions. In addition, the City Attrorney has offered several policy questions and comments in the attached memos. Staff recommends the ordinance that is presented as Exhibit "A" be considered for adoption by the City Council.

BUDGET IMPACT

None.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE XV: UNIFIED DEVELOPMENT CODE OF THE CODE OF FAYETTEVILLE TO AMEND CHAPTER 166: DEVELOPMENT IN ORDER TO ADOPT STREET DESIGN AND ACCESS MANAGEMENT DESIGN STANDARDS.

WHEREAS, the City of Fayetteville has adopted City Plan 2025 as its future land use plan; and

WHEREAS, three of the six primary goals of City Plan 2025 are to: discourage suburban sprawl, make traditional town form the standard, and to grow a livable transportation network; and

WHEREAS, the City of Fayetteville recognizes that street design and access management standards will encourage the development of complete, compact and connected neighborhoods; and

WHEREAS, the City of Fayetteville recognizes that development that does not conform to the desired standards may request variances or waivers from the adopted standards from the Planning Commission at a public hearing,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That Chapter 166: Development is amended by repealing and replacing all of section §166.08 – Design Standards, a copy of which marked Exhibit "A" is attached hereto and made a part hereof.

PASSED and **APPROVED** this the ____ day of ____, 2008.

APPROVED:

By: _____
DAN COODY, Mayor

ATTEST:

By: _____
SONDRA SMITH, City Clerk

EXHIBIT "A"

Chapter 166: Development is amended by replacing §166.08 Design Standards with the following language.

166.08 Street Design and Access Management Standards

(A) *Intent.* These standards are intended to ensure that development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movements.

(B) *Fitness for development.* Based on topographic maps, soil surveys prepared by the Department of Agriculture and drainage information from the Future Land Use Plan and the Hillside/Hilltop Overlay District, the Planning Commission may require that steep grades, unstable soil and flood plains be set aside and not subdivided until corrections are made to protect life, health, and property.

(C) *Applicability.* The standards set forth herein shall apply to land which is proposed to be developed or redeveloped where the creation of public streets are required, or proposed, or in which new or existing access is created or modified. Developments that create private streets shall utilize these standards as guidelines.

(D) *Street design principles.*

(1) *Extensions.* All street extensions shall be constructed to Minimum Street Standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such.

(2) *Substandard widths.* Developments that adjoin existing streets shall dedicate additional right-of-way to meet the Master Street Plan.

(3) *Street names.* Names of streets shall be consistent with natural alignment and extensions of existing streets, and new street names shall not duplicate or be similar to existing street names. Developers shall coordinate the naming of new streets through the GIS Office during the plat review process.

(4) *Tangents.* A straight tangent at least 100 feet long shall separate reverse curves for Collector and Arterial streets.

(5) *Pedestrian.* Pedestrian-vehicular conflict points should be controlled through signalized intersections and proven traffic calming design principles.

(6) *Street standards.* All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted Minimum Street Standards.

(E) *Block Layout / Connectivity.*

(1) *Block Length.* Block lengths and street intersections are directly tied to the functional hierarchy of the street pattern that exists or is proposed. Waivers from the following maximum block length standards may be granted by the Planning Commission, when justifiable.

(a) *Principal and Minor Arterial Streets.* Signalized intersections should be located at a minimum of one every 2,640 feet (half a mile) along principal and minor arterials and should be based on traffic warrants.

(b) *Collectors.* Intersections should be located at a minimum of one every 1,320 feet (quarter of a mile) along collector streets.

(c) *Locals.* Intersections shall occur at a minimum of one every 800 feet.

(d) *Residential.* Intersections shall occur at a minimum of one every 600 feet.

(2) *Topography.* Local streets should be designed to relate to the existing topography and minimize the disturbance zone.

(3) *Dead-end streets.* Dead end streets are discouraged and should only be used in situations dictated by difficult topography or existing barriers to connecting adjoining properties. All dead end streets shall end in a cul-de-sac with a radius of 50 feet, or an alternative design approved by the City and the Fire Department. The maximum length of a dead end street (without a street stub-out) shall be 500 feet.

(F) *Access Management.* Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Local streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto two public streets shall place a higher priority on accessing the street with the lower functional classification, ex. Local and Collector.

(1) *Curb cut minimum distance from intersection.*

(a) *Principal and Minor Arterial Streets.* Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When necessary, curb cuts along arterial streets shall be shared between two or more lots. Where a curb cut must access the arterial street, it shall be located a minimum of 250 feet from the center line of an intersection or driveway.

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-500 ft.	1
501-1000 ft.	2
1001-1500 ft.	3
More than 1500 ft.	4

(b) *Collector Streets.* Curb cuts shall be located a minimum of 100 feet from the center line of an intersection or driveway. When necessary, curb cuts along collector streets shall be shared between two or more lots.

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-100 ft.	1
101-250 ft.	2
251-500 ft.	3
More than 500 ft.	4

(c) *Local and Residential Streets.* Curb cuts shall be located a minimum of 50 feet from the center line of an intersection or driveway. In no case shall a curb cut be located within the radius return of an adjacent curb cut or intersection. Curb cuts shall be a minimum of fifteen (15') feet from the adjoining property line.

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-50 ft.	1
51-125 ft.	2
126-250 ft.	3
More than 250 ft.	4

(d) *Residential Subdivisions.* In the case of residential subdivisions, curb cuts shall be discouraged along arterial and collector streets. When necessary, curb cuts along arterial and collector streets shall be shared between two or more lots. Curb cuts along all streets shall be located a minimum of five feet (5') from the adjoining property line.

(2) *Speed.* All streets should be designed to discourage excessive speeds.

(G) *Non-conforming Access Features.*

(1) *Existing.* Permitted access connections in place on the date of the adoption of this ordinance that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with the applicable standards under the following conditions:

(a) When new access connection permits are requested;

(b) Upon expansion or improvements

greater than 50% of the assessed property value or gross floor area or volume;

(c) As roadway improvements allow.

(H) *Easements.* Utility and drainage easements shall be located along lot lines and/or street right-of-way where necessary to provide for utility lines and drainage. The Planning Commission may require larger easements for major utility lines, unusual terrain or drainage problems.

(I) *Residential lots.* The use and design of lots shall conform to the provisions of zoning where City zoning is in effect. When no City zoning applies, the following standards shall govern unless in conflict with more stringent city, county or state regulations:

(1) *Bulk and area regulations:*

	Planning Area
Lot area minimum	10,000 sq. ft.
Lot width minimum	75 ft.
Side setback	10 ft.
Front Setback	25 ft.
Rear setback	20 ft.
Frontage on improved street	75 ft.

(2) *Size.* The size and shape of the lots shall not be required to conform to any stipulated pattern, but insofar as practicable, side lot lines should be at right angles to straight street lines or radial to curved street lines. When a tract of land is subdivided into larger than normal lots, such lots shall be so arranged as to permit the logical location and opening of future streets and appropriate resubdivision of the lots, with provisions for adequate utility connections for such resubdivision.

(3) *Developments outside city developed to all inside the city standards.* If the City Council grants access to the City's sewer system pursuant to § 51.113 (C) and the owner/developer agrees to petition for annexation as soon as legally possible and develop the subdivision in accordance with all city development requirements including payment of all impact fees, the bulk and area requirements for this subdivision shall conform to those within the RSF-4 Zoning District rather than those within the planning area.

(Code 1965, App. C., Art. IV, §§C, D, F--H; Ord. No. 1750, 7-6-70; Ord. No. 1801, 6-21-71; Ord. No. 2196, 2-17-76; Ord. No. 2353, 7-5-77; Code 1991, §§159.45, 159.58, 159.51--159.53; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. 4757, 9-6-05; Ord. 4919, 9-05-06)

Cross reference(s)--Bonds and Guarantees, Ch. 158; Variances. Ch. 156; Notification and Public Hearings, Ch. 157.

THE CITY OF FAYETTEVILLE, ARKANSAS

STREET COMMITTEE MEMO

To: Street Committee Members

Through: Karen Minkel, Interim Long Range Planning Director
Ron Petrie, City Engineer

From: Leif Olson, Long Range Planner

Date: June 18, 2008

Subject: Access Management Ordinance

Background:
Following the Street Committee meeting of May 12, 2008, Planning Staff began a project to apply the proposed street connectivity regulations in order to compare them with the typical sub-division design that has been constructed in the recent past. Staff created two different scenarios on the same tracts of land located west of Rupple Rd. and south of Persimmon St. This area is relatively flat with a significant flood plain bisecting the 40 acre quarter sections.

In the first scenario, Planning Staff laid out a series of streets in a typical cul-de-sac design with low connectivity. Like most of the development in the surrounding area the homes face inward on dead-end streets. Access is limited by a small number of connections with adjoining subdivisions and collector and arterial streets. Neighbors that live in close proximity, but on different cul-de-sacs, are required to travel a long distance by street to visit one another. On a small scale, this type of development pattern may not look that bad. However, after complete build-out, the conglomeration of this kind of development creates disjointed auto-centric sprawl accessed by way of a board fence lined collector street. This neighborhood discourages pedestrian traffic and increases vehicular traffic congestion at the small number of points of ingress and egress along the surrounding arterial and collector streets.

The second scenario utilizes the proposed street connectivity standards. A grid street pattern is established utilizing local, residential, low-impact and alley cross-sections. There is a high degree of connectivity. Houses front onto the collector and local streets, and alleys provide access to minimize curb cuts along collector streets. Cul-de-sacs are utilized in situations that warrant them, such as proximity to the floodplain. This type of development pattern provides superb walkability and fits into the larger context of what

is required to make great neighborhoods. A traditional grid also allows for change over time and the ability to provide a mix of housing types and sizes.

The following is a breakdown of the buildable lot area and the square footage of the proposed streets and alleys within the development scenarios.

	Total Area	Buildable Area	Street Pavement S.F.	% Street Pavement in Project
Cul-De-Sac	5,809,202.7 Sq. Ft. / 133 Acres	5, 193,174 Sq. Ft. / 119 Acres	616, 028.7 Sq. Ft. / 14 Acres	11%
Traditional Grid	5,809,202.7 Sq. Ft. / 133 Acres	5, 194, 189 Sq. Ft. / 119 Acres	615, 013.5 Sq. Ft. / 14 Acres	11%

Conclusion:

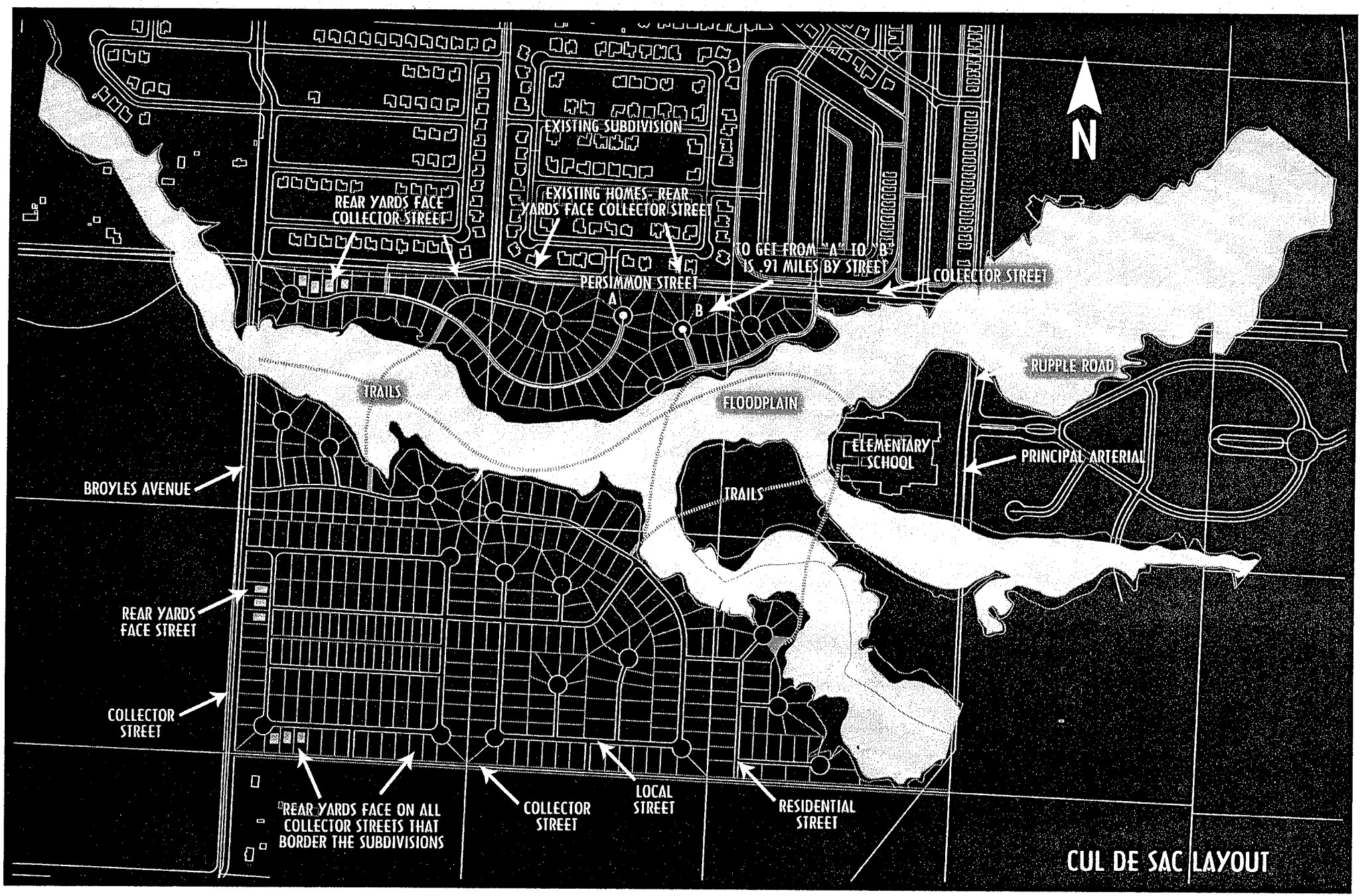
The benefits of a grid street network can be measured in both city infrastructure efficiencies and community cohesiveness. Benefits to city infrastructure include:

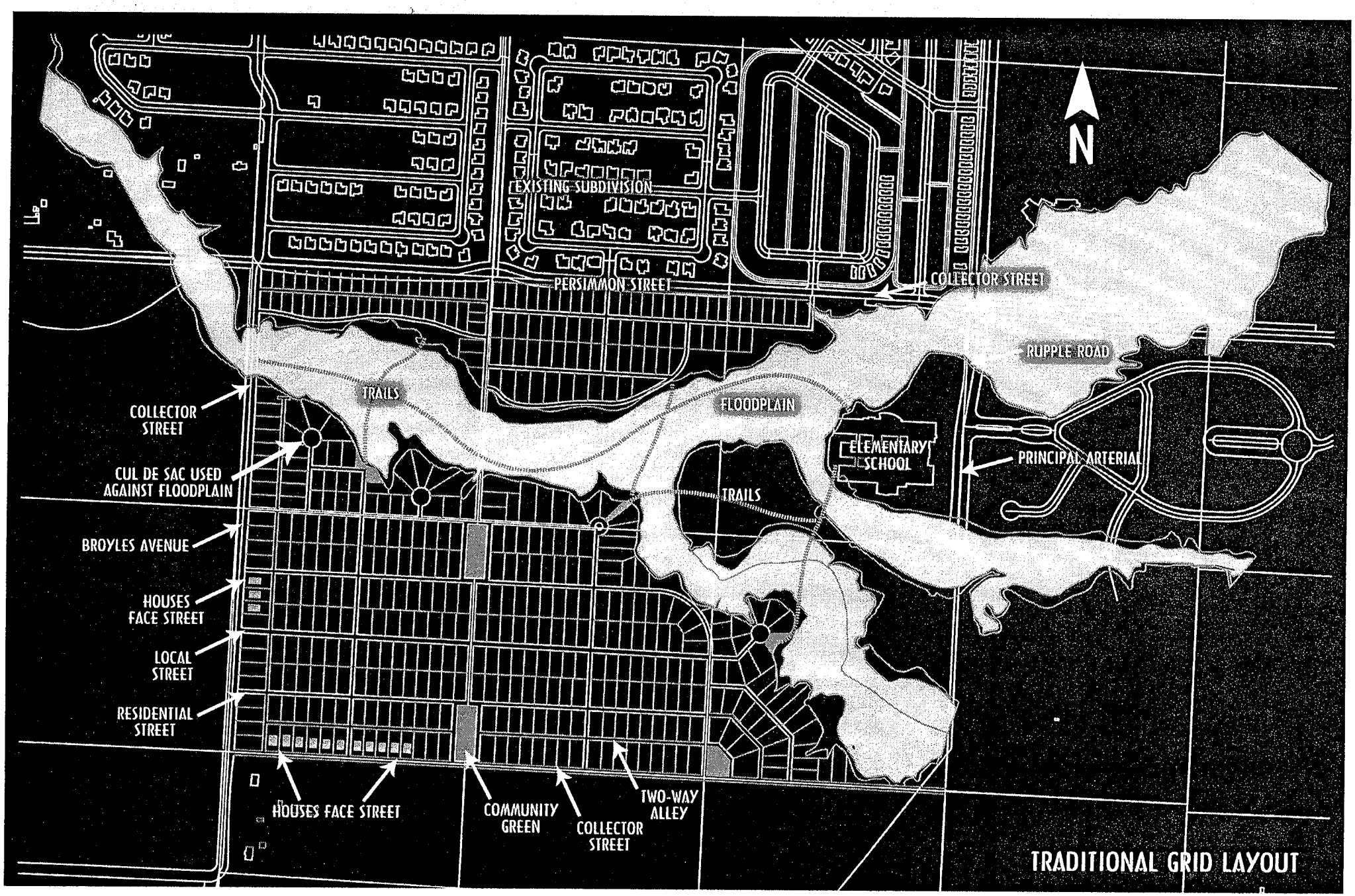
- Efficient dispersal of vehicular traffic in the context of the larger neighborhood,
- "Looping" of water and sewer services is preferable,
- Emergency services have multiple points of neighborhood entry,
- Solid waste, school buses and delivery services gain efficiency,
- Increased alternative transportation opportunities reduce automobile dependence and lead to less traffic congestion.

Benefits to the greater community and neighborhood include:

- Superbly walkable neighborhoods,
- Promotes active lifestyles for people of all ages,
- Reduces automobile dependency for all ages,
- Encourages a mixture of housing types, sizes and densities,
- Promotes mixed use neighborhoods – residentially as well as commercially.

Planning Staff recommends that the Street Committee forward the proposed Street Design, Block Layout/Connectivity and Access Management ordinance to the full City Council for discussion and adoption.


N
EXISTING SUBDIVISION
REAR YARDS FACE COLLECTOR STREET
EXISTING HOMES- REAR YARDS FACE COLLECTOR STREET
TO GET FROM "A" TO "B" IS .91 MILES BY STREET
PERSIMMON STREET
A
B
COLLECTOR STREET
RUPPLE ROAD
TRAILS
FLOODPLAIN
ELEMENTARY SCHOOL
PRINCIPAL ARTERIAL
TRAILS
BROYLES AVENUE
REAR YARDS FACE STREET
COLLECTOR STREET
REAR YARDS FACE ON ALL COLLECTOR STREETS THAT BORDER THE SUBDIVISIONS
COLLECTOR STREET
LOCAL STREET
RESIDENTIAL STREET
CUL DE SAC LAYOUT


N
EXISTING SUBDIVISION
PERSIMMON STREET
COLLECTOR STREET
RUPPLE ROAD
TRAILS
FLOODPLAIN
ELEMENTARY SCHOOL
PRINCIPAL ARTERIAL
TRAILS
COLLECTOR STREET
CUL DE SAC USED AGAINST FLOODPLAIN
BROYLES AVENUE
HOUSES FACE STREET
LOCAL STREET
RESIDENTIAL STREET
HOUSES FACE STREET
COMMUNITY GREEN
COLLECTOR STREET
TWO-WAY ALLEY
TRADITIONAL GRID LAYOUT

THE CITY OF FAYETTEVILLE, ARKANSAS

STREET COMMITTEE MEMO

To: Street Committee Members

Through: Tim Conklin, Planning and Development Management Director
Ron Petrie, City Engineer

From: Leif Olson, Long Range Planner

Date: November 27, 2007

Subject: Access Management Ordinance

Background:
Access Management is generally defined as: a means of ingress or egress between a public street and abutting property or the intersection of public streets. In lay terms, access is also defined as entrances or driveways from properties to a public street system.

Access management is needed because the City's street system serves to move through traffic while also enabling access to adjacent properties. The efficiency and safety of the street system is impacted by the frequency and character of traffic interruptions and vehicular turning movements. Conflicts are created by vehicular movements to and from businesses, residences, streets and other developments.

The goal of an Access Management Policy is to preserve roadway capacity and create a safer environment for the entire transportation network by:

- Reducing the number of conflicts
- Separating potential conflict points
- Removing or minimizing turning vehicles and queues from through traffic movements
- Protecting the City's investment in the current and future capacity of the roadway
- Ensuring that access to future development is planned in the safest and most effective manner

The benefit of adopting a strict and enforceable Access Management Ordinance is to provide a safe street system and decreasing the number of severe crashes and congestion. The public receives operational benefits when conflicts points are minimized or separated, street capacity is increased, delays are reduced and the free flow of traffic is

expedited. Environmental benefits are also gained because vehicle emissions are reduced, fuel economy is increased, and travel time is reduced.

The Unified Development Ordinance currently regulates street design, connectivity and access management in Chapter 166: Development, Section 166.08 Design Standards. Currently curb cuts are allowed no closer than 50 feet from an intersection for local streets and 60 feet for collector and arterial streets. The distance between curb cuts is a minimum of 25 feet for local streets and 30 feet for collector and residential streets. While these standards are straight forward and enforceable, they are not necessarily appropriate for all development generally. Streets with high traffic volumes or travel speeds such as collectors and arterials need a much larger spacing between such conflict points.

Access Management Ordinance Intent:
The Planning Staff was directed by the elected officials to develop an access management plan that would ensure that development is designed to be inherently safe, walkable and efficient for the facilitation of traffic and pedestrian movements. The regulations currently in place are not as specific or as binding as what is desired in order to achieve safe and accessible development patterns.

Planning and Engineering staff have worked to develop a policy that will be unambiguous and enforceable. The Access Management Ordinance that is proposed was modeled after the policies that have been adopted in Bentonville and Rogers. The City Attorney has raised issues with some of the "shall" statements that are included in the proposed regulations. For instance Section 166.08(E) (1) (c) *Locals* reads: "Intersections shall occur at a minimum of one every 800 feet". The City Attorney would prefer to make all "shall" statements into "should" statements. Staff feels that to make these changes per the City Attorney's advice would make the ordinance non-binding and difficult for staff to enforce.

Resources:
The following links are access management policies and ordinances that have been developed and adopted by other regional municipalities:

Bentonville's Access Management Requirements
See Page 11 of 20 - SEC. 1100.9 ACCESS REQUIREMENTS
http://www.bentonvillear.com/docs/planning/subdivision_regulations/art1100_design_standards.pdf

Rogers's Access Management Requirements
http://www.rogersarkansas.com/planning/Access_management_doc_%20(4).pdf

Recommendation:
Staff recommends that the Street Committee forward the Draft Access Management Policy to the City Council for adoption with no amendments to the current language.

FAYETTEVILLE
THE CITY OF FAYETTEVILLE, ARKANSAS

KIT WILLIAMS, CITY ATTORNEY
DAVID WHITAKER, ASST. CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE

LEGAL DEPARTMENT

TO: **City Council Street Committee**

FROM: **Kit Williams**, City Attorney

DATE: **May 10, 2008**

RE: **Street Design Standards**

At least as far back as 1976 and probably much earlier, Dead-end or cul-de-sac streets have been authorized and regulated by the Fayetteville Code of Ordinances. **These regulations have not prohibited or discouraged dead-end streets**, but tried to limit their length to 500′ in ordinary terrain and 1,000′ in hilly terrain. (Ordinance No. 1801 of 6-21-71; Ordinance No. 2196 of 2-17-76; Appendix IV §D of the 1965 Code of Fayetteville).

The 1991 Code of Fayetteville as supplemented through January 1998 had somewhat more detailed requirements for street construction, but continued to allow and **not discourage** dead-end streets. (See §159.49 **Street design principles** of the 1991 Code of Fayetteville) Three of these street design principles probably encourage dead-end streets. First, subsection (G) "*Through traffic*. Local Street systems should be designed to minimize through traffic movements." Disallowing dead-end streets so that every street is on a grid system encourages through traffic on this grid system of local streets. Through traffic is discouraged by dead-end streets.

Second, subsection "(J) *Economy*. A minimum amount of space should be devoted to street uses." Use of dead-end or cul-de-sac streets in new subdivisions often reduces the amount of street surface needed to access housing lots.

Finally, "(L) *Street pattern.* The arrangement of local streets should permit economical and practical patterns, shapes and sizes of development parcels." Requiring all streets to connect (grid pattern) necessarily prevents the design option of cul-de-sacs to efficiently and practically use different shapes and sizes of development parcels.

So, ten years ago (and for at least 20 years before then) the Fayetteville Code's development section's street design principles favored at least the occasional use of dead-end or cul-de-sac streets to discourage through traffic and promote efficiency and practicality.

The development code went through two major reviews and codification (1998 Unified Development Ordinance and 2003 Unified Development Code). The street design principles in code have remained exactly the same as to dead-end streets. §166.08 **Design Standards** (C) *Street design principles.* Subsection (7) *Through traffic* still states: "Local street systems should be designed to minimize through traffic movements."

Subsections (10) *Economy* and (12) *Street pattern* also remain unchanged and thus supportive of the availability of dead-end streets in the developer's tool box.

There is a new subsection (15) *Dead-end streets* which now require a 50′ radius cul-de-sac. There is even a one-third of a page chart on dead-end street design criteria (Chapter 166, page 31).

Dead-end streets that would not connect over Mount Sequoyah were **mandated** by a unanimously supported 1996 City Council Resolution which was reaffirmed a few years ago by this City Council.

In the face of unanimous and clear City Council intent to allow dead-end streets and cul-de-sacs, Planning Staff has presented a revised §166.08 **Street Design Standards** that basically would outlaw future dead-end streets unless a developer can prove a dead-end street is "**dictated by difficult topography or existing barriers to connecting adjoining properties.**" Even short cul-de-sacs designed to most efficiently use a developer's land or avoid having to build a bridge over a creek would now be denied by the Planning Commission.

It is probably within the City Council's lawful power to reverse the decades old policy of at least allowing, if not promoting, the occasional use of dead-end streets or cul-de-sacs. The policy question for the City Council is: **Do you want to remove a new home buyer's choice to live on a cul-de-sac because you "know better" than the citizens where they should live**?

Our General Land Use Plans (2010, 2020 and 2025) have long generally promoted connectivity. I believe these general guidelines have been enough to prevent any real problems with new developments and new cul-de-sacs. **What development approved in the past decade has had so many dead-end or cul-de-sac streets that our Planning Department thinks it should not have been approved?** There should be a major problem, not just an academic or theoretical concern, before an established principle is reversed. This is especially true when the government seeks to restrict one of its citizens' most important rights ... where to live.

I was on the City Council in the 90's when we approved Mayor Coody's well designed, attractive and desirable development at the end of a long dead-end street, Rogers Drive. Should the City have forced Mayor Coody to build a street "to connecting adjoining properties" such as the Methodist Assembly land or down to Happy Hollow? Such a policy would serve only to destroy land and trees and to waste money, thereby driving up the costs for home owners. Instead Mayor Coody wisely preserved most of his land. The development ordinances worked well allowing an efficient, ecologically beneficial design, even though it extended a dead-end street.

The current Unified Development Code's restrictions on the length of a dead-end street coupled with our General Land Use Plan's encouragement of connectivity have served Fayetteville well. Planning's suggested change appears to be a solution in search of a problem that does not really exist.

The City Council needs to realize the significance of the amendment proposed by the Planning Department. This would, in effect, ban virtually any new cul-de-sac or dead-end street in Fayetteville.

166.08 Street Design, Block Layout / Connectivity and Access Management Standards

(A) *Intent.* These standards are intended to ensure that development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movements.

(B) *Fitness for development.* Based on topographic maps, soil surveys prepared by the Department of Agriculture and drainage information from the Future Land Use Plan and the Hillside Overlay District, the Planning Commission may require that steep grades, unstable soil and flood plains be set aside and not subdivided until corrections are made to protect life, health, and property.

(C) *Applicability.* The standards set forth herein shall apply to land which is proposed to be developed or redeveloped in which the creation of public streets are required or proposed or in which new or existing access is created or modified. Developments which create private streets shall utilize these standards as guidelines.

(D) *Street design principles.*

(1) *Extensions.* All street extensions shall be constructed to Minimum Street Standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such.

(2) *Substandard widths.* Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the minimum widths listed.

(3) *Street names.* Names of streets shall be consistent with natural alignment and extensions of existing streets, and new street names shall not duplicate or be similar to existing street names. Developers shall coordinate the naming of new streets through the GIS Office during the plat review process.

(4) *Tangents.* A straight tangent at least 100 feet long shall separate reverse curves for Collector and Arterial streets.

(5) *Pedestrian.* Pedestrian-vehicular conflict points should be controlled through signalized intersections and proven traffic calming design principles.

(6) *Street standards.* All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted Minimum Street Standards.

(E) *Block Layout / Connectivity.*

(1) *Block Length.* Block lengths and street intersections are directly tied to the functional hierarchy of the street pattern that exists or is proposed. Waivers from the following maximum block length standards may be granted by the Planning Commission, when justifiable.

(a) *Principal and Minor Arterials.* Signalized intersections should be located at a minimum of one every 2,640 feet (half a mile) along principal and minor arterials and should be based on traffic warrants.

(b) *Collectors.* Intersections should be located at a minimum of one every 1,320 feet (quarter of a mile) along collector streets.

(c) *Locals.* Intersections shall occur at a minimum of one every 800 feet.

(d) *Residential.* Intersections shall occur at a minimum of one every 600 feet.

(2) *Topography.* Local streets should be designed to relate to the existing topography and minimize the disturbance zone.

(3) *Dead-end streets.* Dead end streets are discouraged and should only be used in situations dictated by difficult topography or existing barriers to connecting adjoining properties. All dead end streets shall end in a cul-de-sac with a radius of 50 feet, or an alternative design approved by the City and the Fire Department. The maximum length of a dead end street (without a street stub-out) shall be 500 feet.

(F) *Access Management.* Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Local streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto two public streets shall place a higher priority on accessing the street with the lower functional classification, ex. Local and Collector.

(1) *Curb cut minimum distance from intersection.*

(a) *Principal and Minor Arterial.* Where a street with a lower functional classification exists that can be

FAYETTEVILLE
THE CITY OF FAYETTEVILLE, ARKANSAS

KIT WILLIAMS, CITY ATTORNEY
DAVID WHITAKER, ASST. CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE

LEGAL DEPARTMENT

TO: **City Council**

CC: **Tim Conklin**, Planning & Development Planning Director
Leif Olson, City Planner

FROM: **Kit Williams**, City Attorney

DATE: **December 12, 2007**

RE: **Proposed Amendments to §166.08 Design Standards**

When the proposed changes to §166.08 **Design Standards** (for streets) of the UDC was considered by the Street Committee on Monday (December 10th), it had been about three months since I had reviewed the Planning Department's proposal and suggested numerous changes. I had not been provided a copy of the Planning Department's memo before the meeting and so was pretty rusty about their proposal. I probably did not explain my concerns very well to the Street Committee. Therefore, I have prepared this memo to explain some of the significant changes to current City policy as enacted in the Unified Development Code that will occur if this proposal is adopted.

You might want to compare our current §166.08 **Design Standards** of the Unified Development Code (attached) to the proposed new §166.08 **Street Design, Block Layout/Connectivity and Access Management Standards** to ensure you are aware of all of the changes being proposed.

INTENT

The changes begin in the first subsection (A) *Intent* that would in the future state that these "standards are intended to ensure that development is designed to be inherently **safe**, **walkable** and **efficient** ...." Currently these "standards are intended to help the developer achieve development that is **safe**, **efficient, pleasant, economical to build and easy to maintain.**"

CONNECTIVITY

In the proposed standards, "Street extension stub-outs to adjacent properties are **required** to meet block layout/connectivity standards ...." No such requirement exists in the current subsection. This requirement works in tandem with the new virtual ban on dead-end streets found in §166.08 (E)(3), and discussed below.

DEAD-END STREETS

Although dead-end streets now require a cul-de-sac with a radius of 50 feet, they may extend up to 1,000 feet in "Hilly" areas (where several now already probably extend that far – Lovers Lane, 28th Street, Rogers Drive). Our current standards do not "**discourage**" dead-end streets, nor state they "**should only be used** in situations dictated by difficult topography or existing barriers to connecting adjoining properties." This newly proposed language seems to run counter to City Council's previous unanimous rejection of forced connectivity over Mt. Sequoyah (which had also been proposed by the Planning Department in the 90's).

Although planning theorists dislike dead-end streets, many citizens all over our nation and within Fayetteville have chosen to buy a home on a dead-end street where available. Should government remove that choice from new home buyers because government "knows better" than its citizens? Our current regulations in §166.08 place restrictions as to length for dead-end streets, but otherwise allow our citizens the opportunity to choose whether to live on a grid street or cul-de-sac.

The "should **only** be used in situations dictated by difficult topography or existing barriers" language would probably be interpreted and used by the Planning Commission to ban virtually any new cul-de-sacs. So if the City Council wants to ban dead-end streets, this is the appropriate language to adopt. If you wish to continue the current UDC's regulations that allow developers and new home buyers the freedom to have homes on cul-de-sacs, then the above restrictive language should not be adopted.

TANDEM LOTS

I recommend against using "shall" in subsection (E) *Access Management* which would require pedestrian access "to all parcels." A tandem lot is a parcel without sufficient street frontage and is allowed only by a conditional use granted

by the Planning Commission to be behind a parcel with adequate street frontage. There are many tandem lots throughout Fayetteville (some predating our regulations). Requiring sidewalk access back behind the house on the street for a house without street frontage seems illogical. Changing "shall" to "should" would alleviate those situations where sidewalks make no sense. I would also remove "bicycle" from "vehicular, bicycle and pedestrian access" since bicycles are vehicles and share the same access rights in most cases.

CURB CUTS

The primary reason for this ordinance should be to lengthen the distance between allowed curb cuts (as our neighbors to the north have already done). However, we cannot legally **prohibit** curb cuts on arterials or collectors simply because a lot also has frontage on a lower classified street (**unless we want to pay the owner for taking his access easement**). Therefore the proposed new (F)(1)(a) needs to be redrafted to remove the language that "curb cuts shall access only those (lower functional classification) streets." I also recommend my other proposed changes to F (1) which will give Planning Staff and developers more flexibility, but still result in fewer curb cuts and more shared driveways.

CONCLUSION

This is important legislation that proposes numerous far-reaching changes in our current Unified Development Code policy and regulations. Thus, **it should be examined and considered very carefully, sentence-by-sentence**. Examples of current application and proposed application (including possible unintended consequences) should be considered for each new subsection. The City Council Street Committee or Ordinance Review Committee may wish to forward the current and newly proposed §166.08 to local developers for their input. The developers might note unanticipated consequences or technical issues that we could have missed.

FAYETTEVILLE
THE CITY OF FAYETTEVILLE, ARKANSAS

KIT WILLIAMS, CITY ATTORNEY
DAVID WHITAKER, ASST. CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE

LEGAL DEPARTMENT

TO: **Dan Coody**, Mayor
Jeremy Pate, Director of Current Planning
Tim Conklin, Planning & Development Management Director

FROM: **Kit Williams**, City Attorney

DATE: **September 6, 2007**

RE: **Access Management, Curb Cuts**

I have reviewed the proposed changes to the City's access management code sections of the UDC and have written suggested changes in red (attached). My changes in the Block Layout section merely states what I believe is more clear language than what Planning is recommending. I also used the "should" language of arterials and collectors for locals and residentials rather than their "shall" wording.

In (F) *Access Management*, the first sentence uses mandatory "shall" language that could have unanticipated problems (such as with tandem lots: should we require public sidewalk to access all rear tandem lots?)

The biggest legal problem is in (F)(1)(a) which attempts to prohibit access to arterials or collectors if a lot also fronts on a lower classification street. This has clearly been rejected in every case I have found. Just as with the rest of this paragraph, replacing "shall" with "should" removes the illegal mandatory prohibition while expressing the City's preference and goals of better and safer traffic management. The "should" also makes our development ordinance more flexible so that unusual land or lot configurations can be more sensibly addressed. The mandatory "shall" could force us to reject a proposal that actually makes sense in the context proposed.

166.08 Street Design, Block Layout / Connectivity and Access Management Standards

(A) *Intent.* These standards are intended to ensure that development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movements.

(B) *Fitness for development.* Based on topographic maps, soil surveys prepared by the Department of Agriculture and drainage information from the Future Land Use Plan and the Hillside Overlay District, the Planning Commission may require that steep grades, unstable soil and flood plains be set aside and not subdivided until corrections are made to protect life, health, and property.

(C) *Applicability.* The standards set forth herein shall apply to land which is proposed to be developed or redeveloped in which the creation of public streets are required or proposed or in which new or existing access is created or modified. Developments which create private streets shall utilize these standards as guidelines.

(D) *Street design principles.*

(1) *Extensions.* All street extensions shall be constructed to Minimum Street Standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such.

(2) *Substandard widths.* Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the minimum widths listed.

(3) *Street names.* Names of streets shall be consistent with natural alignment and extensions of existing streets, and new street names shall not duplicate or be similar to existing street names. Developers shall coordinate the naming of new streets through the GIS Office during the plat review process.

(4) *Tangents.* A straight tangent at least 100 feet long shall separate reverse curves for Collector and Arterial streets.

(5) *Pedestrian.* Pedestrian-vehicular conflict points should be controlled through signalized intersections and proven traffic calming design principles.

(6) *Street standards.* All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted Minimum Street Standards.

(E) *Block Layout / Connectivity.*

(1) *Block Length.* Block lengths and street intersections are directly tied to the functional hierarchy of the street pattern that exists or is proposed. Waivers from the following maximum block length standards may be granted by the Planning Commission, when justifiable.

(a) *Principal and Minor Arterials.* Signalized intersections should be located at a minimum of one every 2,640 feet (half a mile) along principal and minor arterials and should be based on traffic warrants.

(b) *Collectors.* Intersections should be located at a minimum of one every 1,320 feet (quarter of a mile) along collector streets.

(c) *Locals.* Intersections shall occur at a minimum of one every 800 feet.

(d) *Residential.* Intersections shall occur at a minimum of one every 600 feet.

(2) *Topography.* Local streets should be designed to relate to the existing topography and minimize the disturbance zone.

(3) *Dead-end streets.* Dead end streets are discouraged and should only be used in situations dictated by difficult topography or existing barriers to connecting adjoining properties. All dead end streets shall end in a cul-de-sac with a radius of 50 feet, or an alternative design approved by the City and the Fire Department. The maximum length of a dead end street (without a street stub-out) shall be 500 feet.

(F) *Access Management.* Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Local streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto two public streets shall place a higher priority on accessing the street with the lower functional classification, ex. Local and Collector.

(1) *Curb cut minimum distance from intersection.*

(a) *Principal and Minor Arterial.* Where a street with a lower functional classification exists that can be

accessed, curb cuts shall access onto those streets. When necessary, curb cuts along arterial and collector streets shall be shared between two or more lots. Where a curb cut must access the arterial street, it shall be located a minimum of 250 feet from the center line of an intersection or driveway.

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-500 ft.	1
501-1000 ft.	2
1001-1500 ft.	3
More than 1500 ft.	4

(b) *Collector Streets.* Curb cuts shall be located a minimum of 100 feet from the center line of an intersection or driveway. When necessary, curb cuts along arterial and collector streets shall be shared between two or more lots.

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-100 ft.	1
101-250 ft.	2
251-500 ft.	3
More than 500 ft.	4

(c) *Local and Residential Streets.* Curb cuts shall be located a minimum of 50 feet from the center line of an intersection or driveway. In no case shall a curb cut be located within the radius return of an adjacent curb cut or intersection. Curb cuts shall be a minimum of fifteen (15') feet from the adjoining property line.

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-50 ft.	1
51-125 ft.	2
126-250 ft.	3
More than 250 ft.	4

(d) *Residential Subdivisions.* In the case of residential subdivisions, curb cuts shall be discouraged along arterial and collector streets. When necessary, curb cuts along arterial and collector streets shall be shared between two or more lots. Curb cuts along all streets shall be located a minimum of five feet (5') from the adjoining property line.

(2) *Speed.* All streets should be designed to discourage excessive speeds.

(G) *Nonconforming Access Features.*

(1) *Existing.* Permitted access connections in place at the date of the adoption of this ordinance that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with the applicable standards under the following conditions:

(a) When new access connection permits are requested;

(b) Upon expansion or improvements greater than 50% of the assessed property value or gross floor area or volume;

(c) As roadway improvements allow.

(G) *Easements.* Utility and drainage easements shall be located along lot lines and/or street right-of-way where necessary to provide for utility lines and drainage. The Planning Commission may require larger easements for major utility lines, unusual terrain or drainage problems.

(H) *Residential lots.* The use and design of lots shall conform to the provisions of zoning where City zoning is in effect. When no City zoning applies, the following standards shall govern unless in conflict with more stringent city, county or state regulations:

(1) *Bulk and area regulations:*

	Planning Area
Lot area minimum	10,000 sq. ft.
Lot width minimum	75 ft.
Side setback	10 ft.
Rear setback	20 ft.
Frontage on improved street	75 ft.

(2) *Size.* The size and shape of the lots shall not be required to conform to any stipulated pattern, but insofar as practicable, side lot lines should be at right angles to straight street lines or radial to curved street lines. When a tract of land is subdivided into larger than normal lots, such lots shall be so arranged as to permit the logical location and opening of future streets and appropriate

Handed out at Agenda Session
7-29-08

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Gary Dumas, Director of Operations
Karen Minkel, Interim Long Range Planning Director

From: Leif Olson, Long Range Planner

Date: July 25, 2008

Subject: UDC Amendment to Chapter 166.08 - Street Design and Access Management Standards (ADM 07-2711)

RECOMMENDATION

Staff recommends approval of an ordinance amending Chapter 166 – Development to adopt Street Design and Access Management Standards.

BACKGROUND

The City Attorney and Planning Staff worked on some additional changes to the language of the ordinance in order to clarify the variance process and remove inconsistencies. With these additional changes both the City Attorney and Staff can support the legality and the effectiveness of this ordinance. The major changes were to: add variance language to the block layout/connectivity section, clarify situations where cul-de-sacs are warranted, and add variance language to the access management section. The attached ordinance shows the new language in a bold font.

BUDGET IMPACT

None.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE XV: UNIFIED DEVELOPMENT CODE OF THE CODE OF FAYETTEVILLE TO AMEND CHAPTER 166: DEVELOPMENT IN ORDER TO ADOPT STREET DESIGN AND ACCESS MANAGEMENT DESIGN STANDARDS.

WHEREAS, the City of Fayetteville has adopted City Plan 2025 as its future land use plan; and

WHEREAS, three of the six primary goals of City Plan 2025 are to: discourage suburban sprawl, make traditional town form the standard, and to grow a livable transportation network; and

WHEREAS, the City of Fayetteville recognizes that street design and access management standards will encourage the development of complete, compact and connected neighborhoods; and

WHEREAS, the City of Fayetteville recognizes that development that does not conform to the desired standards may request variances or waivers from the adopted standards from the Planning Commission at a public hearing,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That Chapter 166: Development is amended by repealing and replacing all of section §166.08 – Design Standards, a copy of which marked Exhibit "A" is attached hereto and made a part hereof.

PASSED and **APPROVED** this the ____ day of ____, 2008.

APPROVED:

By: _____
DAN COODY, Mayor

ATTEST:

By: _____
SONDRA SMITH, City Clerk

EXHIBIT "A"

Chapter 166: Development is amended by replacing §166.08 Design Standards with the following language.

166.08 Street Design and Access Management Standards

(A) *Intent.* These standards are intended to ensure that development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movements.

(B) *Fitness for development.* Based on topographic maps, soil surveys prepared by the Department of Agriculture and drainage information from the Future Land Use Plan and the Hillside/Hilltop Overlay District, the Planning Commission may require that steep grades, unstable soil and flood plains be set aside and not subdivided until corrections are made to protect life, health, and property.

(C) *Applicability.* The standards set forth herein shall apply to land which is proposed to be developed or redeveloped where the creation of public streets are required, or proposed, or in which new or existing access is created or modified. Developments that create private streets shall utilize these standards as guidelines.

(D) *Street design principles.*

(1) *Extensions.* All street extensions shall be constructed to Minimum Street Standards. Street extension stub-outs to adjacent properties are required to meet block layout/connectivity standards unless existing development or physical barriers prohibit such.

(2) *Substandard widths.* Developments that adjoin existing streets shall dedicate additional right-of-way to meet the Master Street Plan.

(3) *Street names.* Names of streets shall be consistent with natural alignment and extensions of existing streets, and new street names shall not duplicate or be similar to existing street names. Developers shall coordinate the naming of new streets through the GIS Office during the plat review process.

(4) *Tangents.* A straight tangent at least 100 feet long shall separate reverse curves for Collector and Arterial streets.

(5) *Pedestrian.* Pedestrian-vehicular conflict points should be controlled through signalized intersections and proven traffic calming design principles.

(6) *Street standards.* All street requirements shall be met as set forth in the City of Fayetteville Master Street Plan and adopted Minimum Street Standards.

(E) *Block Layout / Connectivity.*

(1) *Block Length.* Block lengths and street intersections are directly tied to the functional hierarchy of the street pattern that exists or is proposed.

(a) *Principal and Minor Arterial Streets.* Signalized intersections should be located at a minimum of one every 2,640 feet (half a mile) along principal and minor arterials and should be based on traffic warrants.

(b) *Collectors.* Intersections should be located at a minimum of one every 1,320 feet (quarter of a mile) along collector streets.

(c) *Locals.* Intersections shall occur at a minimum of one every 800 feet.

(d) *Residential.* Intersections shall occur at a minimum of one every 600 feet.

(e) *Variances.* Block length standards may be varied by the Planning Commission when terrain, topographical features, existing barriers or streets, size or shape of

the lot, or other unusual conditions justify a departure.

(2) *Topography.* Local streets should be designed to relate to the existing topography and minimize the disturbance zone.

(3) *Dead-end streets.* Dead end streets are discouraged and should only be used in situations **where they are needed for design and development efficiency, reduction of necessary street paving, or where proximity to floodplains, creeks, difficult topography or existing barriers warrant their use.** All dead end streets shall end in a cul-de-sac with a radius of 50 feet, or an alternative design approved by the City and the Fire Department. The maximum length of a dead end street (without a street stub-out) shall be 500 feet.

(F) *Access Management.* Safe and adequate vehicular, bicycle, and pedestrian access shall be provided to all parcels. Local streets and driveways shall not detract from the safety and efficiency of bordering arterial routes. Property that fronts onto two public streets shall place a higher priority on accessing the street with the lower functional classification, ex. Local and Collector.

(1) *Curb cut minimum distance from intersection.*

(a) *Principal and Minor Arterial Streets.* Where a street with a lower functional classification exists that can be accessed, curb cuts shall access onto those streets. When necessary, curb cuts along arterial streets shall be shared between two or more lots. Where a curb cut must access the arterial street, it shall be located a minimum of 250 feet from the center line of an intersection or driveway.

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-500 ft.	1
501-1000 ft.	2
1001-1500 ft.	3
More than 1500 ft.	4

(b) *Collector Streets.* Curb cuts shall be located a minimum of 100 feet from the center line of an intersection or driveway. When necessary, curb cuts along collector streets shall be shared between two or more lots.

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-100 ft.	1
101-250 ft.	2
251-500 ft.	3
More than 500 ft.	4

(c) *Local and Residential Streets.* Curb cuts shall be located a minimum of 50 feet from the center line of an intersection or driveway. In no case shall a curb cut be located within the radius return of an adjacent curb cut or intersection. Curb cuts shall be a minimum of fifteen (15') feet from the adjoining property line, **unless shared.**

Number of Curb Cuts Permitted	
Length of Street Frontage	Maximum Number of Curb Cuts
0-50 ft.	1
51-125 ft.	2
126-250 ft.	3
More than 250 ft.	4

(d) *Residential Subdivisions.* In the case of residential subdivisions, curb cuts shall be discouraged along arterial and collector streets. When necessary, curb cuts along arterial and collector streets shall be shared between two or more lots. Curb cuts along all streets shall be located a minimum of five feet (5') from the adjoining property line, **unless shared.**

(e) ***Variance.*** **In order to protect the ingress and egress access rights to a street of an abutting property owner, a variance to the curb cut minimums shall be granted by the Planning Commission to allow an ingress/egress curb cut at the safest functional location along the property. Such a curb cut may be required to be shared with an adjoining parcel if feasible. If a parcel**

on the corner of an arterial or collector street provides such short frontage along a major street that there is no safe ingress/egress functional location on that street, the Planning Commission may deny the curb cut or may limit such curb cut to ingress or egress only.

(2) *Speed.* All streets should be designed to discourage excessive speeds.

(G) *Non-conforming Access Features.*

(1) *Existing.* Permitted access connections in place on the date of the adoption of this ordinance that do not conform with the standards herein shall be designated as nonconforming features and shall be brought into compliance with the applicable standards under the following conditions:

(a) When new access connection permits are requested;

(b) Upon expansion or improvements greater than 50% of the assessed property value or gross floor area or volume;

(c) As roadway improvements allow.

(H) *Easements.* Utility and drainage easements shall be located along lot lines and/or street right-of-way where necessary to provide for utility lines and drainage. The Planning Commission may require larger easements for major utility lines, unusual terrain or drainage problems.

(I) *Residential lots.* The use and design of lots shall conform to the provisions of zoning where City zoning is in effect. When no City zoning applies, the following standards shall govern unless in conflict with more stringent city, county or state regulations:

(1) *Bulk and area regulations:*

	Planning Area
Lot area minimum	10,000 sq. ft.
Lot width minimum	75 ft.
Side setback	10 ft.
Front Setback	25 ft.
Rear setback	20 ft.
Frontage on improved street	75 ft.

(2) *Size.* The size and shape of the lots shall not be required to conform to any stipulated pattern, but insofar as practicable, side lot lines should be at right angles to straight street lines or radial to curved street lines. When a tract of land is subdivided into larger than normal lots, such lots shall be so arranged as to permit the logical location and opening of future streets and appropriate resubdivision of the lots, with provisions for adequate utility connections for such resubdivision.

(3) *Developments outside city developed to all inside the city standards.* If the City Council grants access to the City's sewer system pursuant to § 51.113 (C) and the owner/developer agrees to petition for annexation as soon as legally possible and develop the subdivision in accordance with all city development requirements including payment of all impact fees, the bulk and area requirements for this subdivision shall conform to those within the RSF-4 Zoning District rather than those within the planning area.

(Code 1965, App. C., Art. IV, §§C, D, F--H; Ord. No. 1750, 7-6-70; Ord. No. 1801, 6-21-71; Ord. No. 2196, 2-17-76; Ord. No. 2353, 7-5-77; Code 1991, §§159.45, 159.58, 159.51--159.53; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. 4757, 9-6-05; Ord. 4919, 9-05-06)

Cross reference(s)--Bonds and Guarantees, Ch. 158; Variances. Ch. 156; Notification and Public Hearings, Ch. 157.