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City

ORDINANCE NO. O-05-122

AN ORDINANCE AMENDING THE CONWAY SUBDIVISION ORDINANCE TO REQUIRE SIDEWALKS ALONG RESIDENTIAL AND MINOR RESIDENTIAL STREETS:

Whereas, the City of Conway wishes to encourage multi-modal transportation,

Whereas, the City of Conway wishes to promote a pedestrian friendly environment:

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

Section 1: That ARTICLE IV – GENERAL DESIGN PRINCIPLES, SECTION 5, TABLE 2 – STREET CLASSIFICATION & DESIGN STANDARDS of the Conway Subdivision Ordinance as adopted by Ordinance O-00-03 on March 25, 2000 is hereby amended to add the following language:

**TABLE 2
STREET CLASSIFICATION & DESIGN STANDARDS
CITY OF CONWAY**

DESIGN STANDARD(1)(6)(10)	MAJOR ARTERIAL	MINOR ARTERIAL	COLLECTOR	RESIDENTIAL COLLECTOR	RESIDENTIAL	MINOR RESIDENTIAL
Approximate Design Speed	50 mph	40 mph	30 mph	25 mph	25 mph	20 mph
Maximum Grade (%)	8%	9%	10%	10%	10% (8)	10% (8)
Minimum Right-of-Way(2)	100'	80'	60'	60'	50'	50'
Minimum Street Width(3) (back to back of curb)	60' (5)	48' (5)	36'	36'	27'	24' (9)
Minimum Sight Distance (at crest of vertical curve)	475'	325'	200'	200'	150'	110'
Minimum Horizontal Radius at Centerline (normal crown)	1,400'	900'	450'	200'	50'	50'
Minimum Horizontal Tangent Distance Between Reverse Curves	400'	300'	200'	50'	50'	—
Sidewalks (4)	both sides	both sides	both sides	both sides	none (7) both sides	none (7) both sides

SUPER ARTERIAL

The specific design standards for this classification are to be determined on a road-by-road basis, dependent upon the specific needs of the road. It is anticipated that the design standards will be of a higher standards than a major arterial, but of a lower standard than for an interstate or expressway.

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Official Records of

Faulkner County

SHARON RIMMER

FAULKNER COUNTY CIRCUIT CLERK

Fees \$23.00

by

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D. C.

- (1) Except for existing streets in the C-1 Central Business District, all streets within industrial, commercial and office zones must meet requirements for collector streets and above. Streets within commercial and office zones shall not utilize the reduced standards in footnote 3. (Ordinance O-00-124) In the C-1 Central Business District, no additional right-of-way dedication that would encompass any existing buildings is required during the replat or subdivision process. (Ordinance O-01-06)
- (2) For subdivisions and replats utilizing the street widths in footnote 3, an additional five (5) feet of drainage easement is required on each side of the street right-of-way to accommodate open ditches. (Ordinance No. O-01-35)
- (3) For subdivisions and replats where each lot is one hundred fifty (150) or more feet in width at the building line, and where each lot accommodates no more than one dwelling unit, the minimum street width is reduced four (4) feet, a three (3) foot compacted gravel shoulder is required on each side, no curbs or gutters are required and open ditches are allowed. No further subdivision creating lots less than the minimums in this footnote and no density greater than one dwelling unit per lot shall occur without improving the entire length of the streets to the minimum requirements for narrower lots. (Ordinance No. O-02-80) (O-04-37) **Sidewalks are required for this open ditch street design. (Ordinance No. O-05-7)**
- ~~(4) For subdivisions and replats utilizing the street widths in footnote 3, no sidewalks are required.~~
- (5) Developers are responsible for the cost of the first 36 feet of these streets. The City of Conway will be responsible for the cost of any additional width of streets should the City choose to have a wider street built. The City may choose to build or have built a lesser width than that shown in this table for major and minor arterial streets, but no less than 36 feet, except when the first phase of a four lane or greater roadway is being built.
- (6) For subdivisions and replats that abut collectors, minor arterials and major arterials, the lots shall be configured to reduce the potential number of curb cuts on those streets to the minimum reasonable number.
- ~~(7) While sidewalks are not required on residential and minor residential streets, they are encouraged. (Ordinance O-05-7)~~
- (8) Grades up to 12 % for residential and 15% for minor residential require approval by the Fire Chief and Planning Commission.
- (9) Minimum clearance of twenty-six (26) feet must be provided around a fire hydrant. See Figure B.
- (10) Minimum clearance of twenty (20) feet must be provided on each side of an island within street right of way. Right of way must extend ten (10) feet beyond outside curbs where islands are used.

Section 2: That ARTICLE II – PLAT REQUIREMENTS, SECTION 4, FINAL PLAT, (8) of the Conway Subdivision Ordinance as adopted by Ordinance O-00-03 on March 25, 2000 is hereby amended to add the following language:

Location of lots, streets, alleys, ***sidewalks***, easements, building setback lines (both front and side streets) and other features shall be shown with dimensions. The purpose of the easements shall be shown on the plat, i.e., all easements are for utilities and storm drainage. ***A note(s) shall also be shown indicating the responsibility of sidewalk construction (Developer and/or Homeowner/Builder).***

Section 3: That ARTICLE IV – GENERAL DESIGN PRINCIPLES, SECTION 5, C. EASEMENTS of the Conway Subdivision Ordinance as adopted by Ordinance O-00-03 on March 25, 2000 is hereby amended to add the following language:

Major utility, drainage and other easements traversing the urban area shall be considered an opportunity for an open space linkage and an extension of the open space system for adjoining developing subdivisions. Where possible, and particularly as shown on the Conway Pedestrian Bicycle Pathway/Trail Master Plan, pathway systems ***should shall*** link other open space corridors by these easements and another easement for pedestrian and bicycle pathways ***should shall*** be established within that easement.

Section 4: That ARTICLE V – IMPROVEMENTS, SECTION 9 SIDEWALKS, of the Conway Subdivision Ordinance as adopted by Ordinance O-00-03 on March 25, 2000 is hereby readopted to add and amend the following language:

SECTION 9. SIDEWALKS

Sidewalks shall be constructed within any subdivision in accord with these Regulations. The minimum construction requirements for sidewalks are as follows:

- (1) Sidewalks shall be constructed on both sides of all streets within all districts.
- (2) Aside from the required sidewalks along collectors and arterials, an internalized pedestrian circulation system in the form of pathways, either along streets or not, may be constructed within subdivisions upon the request of the applicant and the approval of the Planning Commission. With concurrence of the City Council, the system may be allowed to deviate from the construction requirements set out otherwise in this section, as long as the minimum dimensional requirements are met.
- (3) All sidewalks shall be handicapped accessible to public streets at street corners and at designated mid-block public service drives/alleyways. Sidewalks shall meet American Disability Act standards.
- (4) The City of Conway shall be responsible for the maintenance of all sidewalks constructed within dedicated public right-of-way.
- (5) Sidewalks along streets classified as a collector or above shall be constructed by the subdivision developer concurrently with construction of the other subdivision infrastructure. Such construction shall be completed or assurance of construction equal to that required for other infrastructure improvements provided prior to the filing of the final plat. Such sidewalk construction, location, and responsibility shall be clearly identified and be a requirement of the final plat.
- (6) Sidewalks along streets classified as residential shall be constructed by the homeowner/builder. The sidewalk shall be installed prior to the final inspection and issuance of a certificate of occupancy. Sidewalks on lots that are not built out within three (3) years of final platting shall be the responsibility of the developer. A separate assurance for this completion shall be required prior to the filing of the final plat. This assurance shall be equal to the amount necessary to complete all sidewalks required within the subdivision. These funds shall be in the form of a letter of credit, performance bond, or cash deposit. The amount of sidewalk build out will be reviewed on an annual basis and this assurance shall be adjusted according to the percent of sidewalk completion.
- (7) When a developer utilizes double frontage lots, the developer shall provide, as a condition of plat approval, sidewalks along the back lot line of double frontage lots if sidewalks are required by any other condition cited herein. In situations where the street along the rear of double frontage lots is not constructed or is in need of significant repair work and where there is a reasonable anticipation that the street will be built or repaired within the next five (5) years, the developer may, in lieu of building sidewalk(s) and with the approval of the Planning Commission, submit to the City funds adequate (as determined by the City Engineer) to build the sidewalk(s) in their entirety. These funds shall be in the form of cash or a check for immediate deposit. These funds shall be accounted for separately. If the sidewalk(s) are not built within five (5) years of the date of submission of the funds, the funds will be placed in the general sidewalk fund.
- (8) Sidewalks shall link sidewalks of adjoining lots so as to provide a continuous "ribbon" of pedestrian access throughout the community.
- (9) Sidewalks shall be a requirement for all new and pending subdivisions and replats submitted to the City of Conway for formal review.

- (10) If, during the construction of a building or any other improvements upon a lot or by any other actions, the sidewalk(s) are damaged, the party responsible for the construction or other actions shall repair the sidewalk(s) to the satisfaction of the City.
- (11) The property owner/developer may request a waiver from the required sidewalk construction. The Planning Commission shall review the following factors to determine whether or not to grant this waiver:
- Pedestrian traffic generators such as parks and schools in the area.
 - The existence of a sidewalk network in the area.
 - The density of current and future development in the area.
 - The amount of pedestrian traffic likely to be generated by the proposed development.
 - Whether the terrain is such that a sidewalk is physically practical and feasible, and the extent to which trees, ground cover, and natural areas would be adversely impacted by the construction of the sidewalk.
 - The overall need for a sidewalk to be constructed on the lot.

If a waiver is granted, the owner/developer shall contribute an amount of money in lieu of construction equal to \$20 per linear foot of the required sidewalk. This money shall be deposited into a general sidewalk fund to be used solely for the addition of new sidewalks and maintenance of the existing sidewalk network. The dispersal of money from this sidewalk fund shall be at the discretion of the Conway City Council. Contributions to this fund are to be expended within two (2) years to serve a sidewalk project.

The Planning Commission may also grant a waiver to construct an internal pedestrian trail system in lieu of the required sidewalks. The pedestrian trail right of way shall be clearly noted on the final plat. Specifications for the right of way width, trail pavement, and other specifications shall be determined by the City Engineer and Planning Director.

- (12) Sidewalks are to be constructed as required within the Conway city limits and within the Conway Territorial Jurisdiction. Subdivisions developed with open ditch design standards as addressed in Table 2, "Street Classifications and Design Standards", are also required to construct sidewalks.

(13) Sidewalk Specifications

- (A) *Size.* Sidewalks shall be a minimum of five (5) feet wide and four (4) inches thick with the cross section approved by the City Engineer.
- (B) *Grades; establishment of property lines.* All sidewalks, streets curbing and guttering, and driveway approaches shall be constructed in grades as established by the city official. It shall be the responsibility of the owner to establish property lines by competent survey at his/her own expense.
- (C) *Sidewalk distances from the curb.* The sidewalk shall be installed in the dedicated public right of way. The edge closest to the street shall generally be a minimum of five and one-half (5.5) feet from the back of the curb line unless specifically approved otherwise.
- (D) *Cement-concrete requirements.* All sidewalks shall be constructed of a portland cement concrete mixture which will produce a concrete of a compressive strength of three thousand (3,000) pounds per square inch after 28 days set under standard laboratory methods.
- (E) *ADA guidelines.* Sidewalks shall conform to the latest ADA guidelines.
- (F) *Sidewalk grade continuous through driveways.* Driveways shall be constructed to conform to the slope and grade required to accommodate the sidewalk.

- (G) *Sidewalk elevation.* The sidewalk elevation shall be two (2) percent above the top of the curb, sloping two percent towards the curb (one-fourth inch in each foot). This elevation shall be continuous through the driveway approach.
- (H) *Driveway approach.* The area remaining between the sidewalk and the flow-line of the gutter, called the approach to the driveway, shall slope up to the elevation of the sidewalk.
- (I) *Joint material.* Wood shall not be acceptable in sidewalks for expansion joints. The joint material shall be the same as approved for AHTD sidewalk construction (AASHTO M 213).
- (J) *Expansion joint.* Full depth expansion joints (four inches) shall be provided at intervals not greater than 50 feet. One-quarter depth (one inch) weakened plane joints, or saw-cut joints, shall be placed in sidewalk at regular intervals not greater than 5 feet apart.
- (K) *Edges.* All sidewalks shall have one-half (½) inch rolled edges.
- (L) *Removal/replacement.* Removal and replacement of broken sidewalks require vertical saw-cuts on both ends of the sidewalk being replaced.
- (M) *Design Variance.* A variance from these design standards may be granted for topographical difficulties, tree preservation, aesthetics, etc. The Planning Commission must approve these variances. Field variances, for location only, may be granted upon agreement of the City Engineer and Planning Director, if special situations justify such variances. Special conditions may be required in order to grant the variances.

Section 5: That any ordinances or parts of ordinances in effect at the time of the passage of this ordinance that are in conflict with this ordinance are repealed to the extent of the conflict.

PASSED this 27th day of September, 2005.

APPROVED:


Mayor Tab Townsell

ATTEST:


City Clerk Michael O. Garrett