

ORDINANCE NO. 2021-13**AN ORDINANCE ADOPTING DEVELOPMENT REGULATIONS FOR THE CITY OF MOUNTAIN HOME, ARKANSAS, AND FOR OTHER PURPOSES.**

WHEREAS, the City of Mountain Home, Arkansas, benefits from orderly development of properties within the City and is in need of regulation of areas such as parking lots, landscaping and drainage; and

WHEREAS, the City benefits from regulation of such areas.

THEREFORE, BE IT ORDAINED by the City of Mountain Home, Arkansas:

Section 1: The Development Regulations of the City of Mountain Home, Arkansas, shall be and are hereby adopted by reference. A copy of the Development Regulations are attached hereto as Exhibit "A" and are further adopted by reference.

Section 2: That a copy of the Development Regulations shall be kept on file with the City Clerk of Mountain Home and shall be available for inspection and review during regular business hours.

PASSED AND APPROVED THIS 15th DAY OF APRIL, 2021.

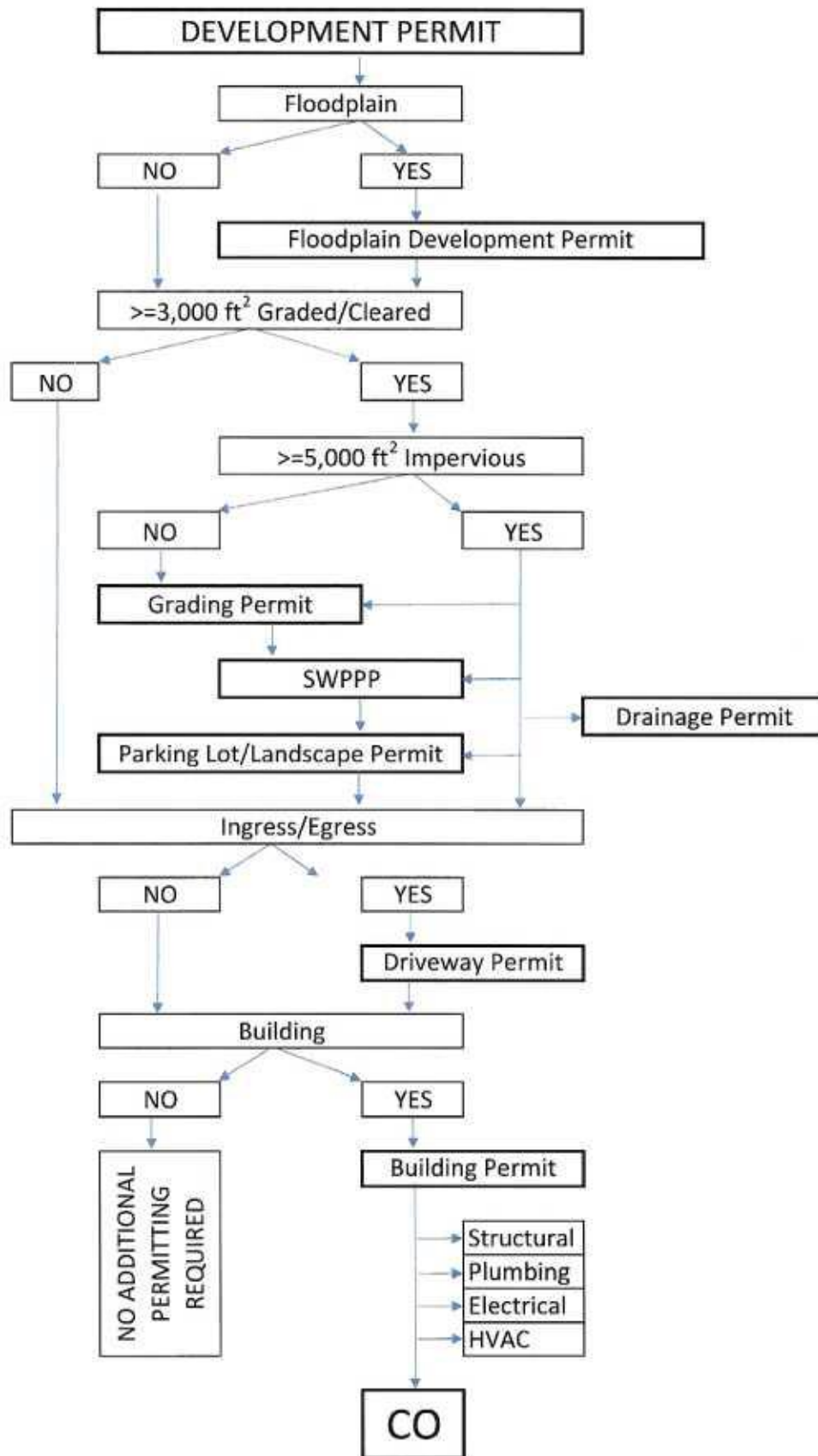


MAYOR HILLREY ADAMS

ATTEST:



CITY CLERK, BRIAN PLUMLEE



CITY OF MOUNTAIN HOME, ARKANSAS
DEVELOPMENT REGULATIONS

Section I. Introduction / Purpose - Development Regulations

A. Special Flood Hazard Areas (Floodplains) exist within the City of Mountain Home's corporate boundaries. These areas are subject to periodic flooding events that can result in loss of life and property, pose health and safety hazards, disrupt commerce and governmental services, and possibly cause extraordinary public expenditures for flood protection and relief. Periodic flooding events are exacerbated by the cumulative effect of floodplain developments which cause an increase in flood heights and velocities, and by the placement of inadequately elevated, inadequately flood proofed or otherwise unprotected structures or uses vulnerable to floods into the Special Flood Hazard Areas.

B. During construction and excavation processes, drainage patterns are often altered and most often, drainage amounts are increased. Soil is highly vulnerable to erosion by wind and water. Improper grading or excavation can concentrate or redirect drainage flow, negatively impacting neighboring landowners and increasing soil erosion. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair and cleaning of sewers, ditches, streams and ponds. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat.

C. Development of any kind may alter and/or increase runoff patterns and amounts. If not properly detained and directed to natural and historic runoff locations, increased runoff caused by permanent development could cause damage to surrounding property and property owners.

D. Therefore, this regulation is designed to safeguard persons, protect property, and prevent damage to the environment within the City of Mountain Home by the requirement of the associated Grading Permit and Building Permit. This regulation will also promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that results in new construction or alterations to existing construction, disturbs or breaks the topsoil, results in the movement of earth, or impacts drainage flow on land within the City of Mountain Home.

Section II. Definitions

Building Inspection Department - The Building Inspection Department or Building Department for the City of Mountain Home or its designated representative.

Building Permit - Permit required prior to beginning construction, alteration, substantial remodeling or repairs other than ordinary repairs on any building within the City of Mountain Home. The Building Permit ensures all Codes including the Building Code, Electrical Code, and Plumbing Code are adhered to. Furthermore, the Building Permit ensures all buildings are planned and constructed in accordance with the Municipal Zoning Ordinance and the Subdivision Regulations.

Clearing - Any activity that removes the vegetative surface cover.

Development Activities - Any activity that alters real property including, but not limited to, constructing a new building, adding to an existing building, clearing land, placing fill, grading land, mining, dredging, drilling, etc...

Development Permit- Required to conduct any development activities. Ensures all necessary permits have been obtained and design standards adhered to. Permits necessary to obtain Development Permit approval and conduct any development activities within the corporate boundaries of the City of Mountain Home include the Floodplain Development Permit, Grading Permit, and Building Permit, adhering to all Building Codes, the Municipal Zoning Ordinance, and Subdivision Regulations.

Drainage Permit - Permit requiring storm water control and detention facilities be designed and installed for certain developments within the corporate boundaries of the City of Mountain Home, especially those changing the permeable characteristics of the ground cover. Furthermore, the Development Regulations require the perpetual maintenance of all required, designed, and installed control works. Required to obtain a Grading Permit.

Floodplain Development Permit - Permit required prior to any development activity to be conducted in a Special Flood Hazard Area.

Grading - Excavation or fill of material, including the resulting conditions thereof.

Grading Permit - Permit required prior to any start of construction, clearing activity or any other activity that disturbs or breaks the topsoil, results in the movement of earth or otherwise impacts drainage flow on land in the City of Mountain Home. The Grading Permit includes the Stormwater Pollution Prevention Plan, the Drainage Permit, and the Parking Lot and Landscape Permit.

Parking Lot and Landscape Permit - Permit requiring all parking lot, ingress/egress and landscaping regulations be applied to new construction or substantial improvements of existing parking lots, especially those changing the permeable characteristics of the ground cover. Required to obtain a Grading Permit.

Preliminary Conference - Conference with Landowner and Department Representatives prior to any development activities. Discuss opportunities to use existing features, landscaping, or significant trees to meet City Development Regulations.

Site - A parcel of land or a contiguous combination thereof, where grading work is performed as a single unified operation or development project.

Special Flood Hazard Area - The land area covered by the floodwaters of the base flood on National Flood Insurance Program maps.

Start of Construction - The first land-disturbing activity associated with a development, including land preparation such as clearing, grading, and filling; installation of streets and walkways; excavation for basements, footings, piers, or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

Stormwater Pollution Prevention Plan (SWPPP) - A set of drawings indicating the specific measures and sequencing to be used to control sediment and erosion on a development site during and after construction. Required prior to any grading or development activities. Clearing and grading activities necessary to install erosion control measures may commence once the SWPPP plan is approved and prior to final approval of the

Grading Permit, if necessary. Please see the SWPPP. Approval required to obtain a Grading Permit.

Subdivision Regulations - Regulations setting forth the procedures and requirements, and minimum standards governing the development of land within the boundaries of the Planning Area as indicated on the "Planning Area Map" of the City of Mountain Home.

Watercourse - Any body of water, including, but not limited to lakes, ponds, rivers, streams, and bodies of water delineated by the City of Mountain Home.

Waterway - A channel that directs surface runoff to a watercourse or to the public storm drain.

Zoning Ordinance - An ordinance proposed to preserve the attractiveness and protect the environment of residential areas and to safeguard the business and industrial locations, which are important to the economic welfare of the inhabitants of the City of Mountain Home.

Section III. Permits

- A. Please see the attached Development Permit Flowchart
- B. Each Development Permit shall require the application for and approval of a Floodplain Development Permit, Grading Permit, and a Building Permit, as related to the development site.
 1. Floodplain Development Permit required for any development activities in any Special Flood Hazard Areas in the City of Mountain Home as identified by FEMA.
 2. Grading Permit required for any clearing activity, grading, or other development activity that disturbs or breaks the topsoil, results in movement of earth or otherwise impacts the drainage flow on any site 3,000 square feet or greater.
 - Stormwater Pollution Prevention Plan (SWPPP)
 - Parking Lot/Landscape Permit
 - Drainage Permit
 3. Building Permit required prior to beginning construction, alteration, substantial remodeling or repairs other than ordinary repairs on any building within the City of Mountain Home. The Building Permit includes the following codes as they adhere to the Municipal Zoning Ordinance and Subdivision Regulations,
 - Building Code
 - Plumbing Code
 - Electrical Code,
 - HVAC
 4. Driveway Permit if required apart from the Building Permit.
- C. A Development Permit is required in association with all Building Permits for new construction or substantial remodeling.
- D. No person shall conduct clearing or grading activity without first obtaining a Development Permit from the City of Mountain Home.
- E. Clearing and grading activities can commence for the SWPPP prior to Grading Permit approval, but after SWPPP approval. SWPPP BMPs can then be installed once SWPPP

is approved.

- F. No Development Permit is required for the following activities:
 - 1. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
 - 2. Existing landscape nurseries and agricultural operations.
- G. Each application for a Development Permit shall bear the name(s) and address of the owner or developer of the site, and the name and contact information of the applicant's authorized representative.
- H. It is recommended that each applicant attend a Preliminary Conference with the appropriate Department Representatives prior to the start of construction.
- I. The requirements of this Development Permit may be waived for certain residential construction.

Section IV. Review and Approval

- A. The Building Inspection Department will receive and review each application for a Development Permit to determine its conformance with the provisions of this regulation. A representative of the Building Department or other appropriate City of Mountain Home staff member will be available for consultation concerning the Development Permit prior to application submittal.
- B. The Floodplain Development Permit, Grading Permit, Building Permit and Driveway Permit may all be submitted concurrently or separately.
- C. No other permits may be approved prior to the Floodplain Development Permit if the project is in a SFHA as determined by FEMA.
- D. No development activities may commence until the SWPPP is approved and then only those activities necessary to install erosion and sediment control devices.
- E. No other development activities may commence until the Grading Permit is approved. The SWPPP and the Grading Permit may be approved concurrently.
- F. Within 7 working days after receiving each application, Building Inspection Department shall, in writing:
 - 1. Approve the permit application.
 - 2. Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the permit subject to these conditions; or
 - 3. Disapprove the permit application, indicating the reason(s) and procedure for submitting a revised application and/or submission.
- G. Failure of the Building Inspection Department to act on an original or revised application within 30 days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the applicant and Building Department.

Section V. Inspection

- A. City officials or staff shall have full access to the site for inspections to ensure compliance with the approved Permits.
- B. Project owner or their representative has ultimate responsibility to ensure all grading and building activities are done in accordance with the design plans submitted with the Development Permit.

- C. A copy of the site Development Permit and associated Permits shall be maintained at the site throughout site development.
- D. The project owner or his/her representative shall make regular inspections of all SWPPP control measures to ensure compliance with the approved Permits. The purpose of such inspections will be to determine the overall effectiveness of the control plan and the need for additional control measures.

Section VI. Enforcement

- A. Stop-Work Order; Revocation of Permit
In the event that any person holding a site Development Permit pursuant to this ordinance violates the terms of the permit or this ordinance the Building Department may suspend or revoke the site Development Permit and any associated Permits.
- B. Violation and Penalties
No person shall construct, enlarge, alter, repair, or maintain any grading, excavation, or fill, or cause the same to be done, contrary to or in violation of any terms of this ordinance. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and each day during which any violation of any of the provisions of this ordinance is committed, continued, or permitted, shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine of not more than \$250.00 for each offense. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of this ordinance shall be required to bear the expense of such restoration.

Section VII. Separability

- C. The provisions and sections of this ordinance shall be deemed to be separable, and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

CITY OF MOUNTAIN HOME, ARKANSAS
DRAINAGE REGULATIONS

Section I. Introduction / Purpose

Any development, as defined in the Development Regulations, including substantial improvements to existing impervious areas, resulting in a change from pre-development runoff conditions to post-development runoff conditions for 5,000 square feet or greater will be designed to accommodate the 25-year storm, including previous impervious areas that did not have retention provided.

For the purposes of this regulations, “substantial improvement” shall mean any reconstruction, rehabilitation, addition, or other improvement, the cost of which equals or exceeds 50 percent of the market value before the “start of construction” of the improvement. “Impervious” shall mean any Rational Method Runoff C-Coefficient of 0.50 or greater, or TR-55 Curve Number resulting in equivalent imperviousness.

Section II. Design Storm Water Control

- A. The standards set forth hereinafter shall govern the design of drainage and storm water control facilities and structures.
- B. Any development that includes removing existing impervious surfaces, such as structures and parking lots, and replacing them with other impervious surfaces will provide for detention as per these regulations if detention is not already present on the site. Detention volume calculations will be conducted for post runoff vs original pre-development or “natural” runoff.
- C. System drainage and storm water control facilities accommodating the 25-year storm event shall be designed for any development resulting in 5,000 square feet, or greater, of impervious surfaces, including roof tops, paved and gravel parking lots, driveways, sidewalks, walkways, etc...
- D. Site plans, drainage control structures and drainage design computations shall be prepared by a professional engineer.
- E. These Drainage Regulations do not supersede Ordinance 93-021 or Chapter 9.16 of the Municipal Code.

Section III. Plans

- A. At a minimum, site plans show the location, size, flow line elevations and details of all drainage facilities and structures, including, but not limited to, swales, ditches, culverts, drop inlets, storm sewers, and detention/retention ponds and outlets.
- B. Plans should also include pre- and post- contours, with 1-foot contours required for sites of 5,000 square feet or greater, flow arrows, building site elevations, description of each groundcover (pervious, impervious, etc...) curbing if required, curb cut-outs if utilized for collection systems and any other information as needed to build site as designed.
- C. Plan details, for sites 5,000 square feet or greater as described in D below, shall include typical cross-sections and profiles for all components of the designed runoff/drainage conveyance system.
- D. Drainage design computations shall be provided for any development resulting in a change from pre-development runoff conditions to post-development runoff conditions for 5,000 square feet or greater, including any substantial improvements to existing impervious surfaces. Drainage design computations shall, at a minimum, include:

1. The Runoff Area in Acres (A)
2. Pre- and Post-Development Rational Method Runoff C-Coefficients or SCS Runoff Curve Numbers
3. Pre- and Post-Development Runoff (Q)
4. 25-Year Design Storm
5. Intensity (i)
6. Detention Volume Required and Provided (ft³)
7. Pond Release Rate by Release Structure (cfs)
8. Pipe Diameter, Slope and Design Flow Rate
9. The computations shall include a map at an appropriate scale showing the drainage basin upstream of the development which would contribute storm water to the development.
10. Outlet works specifications.
11. Drainage report appreciated but not required.

Section IV. Design Standards

- A. Storm water flows shall be determined by generally accepted engineering practices.
- B. The design flows shall be correlated with previous or adjoining drainage analysis when applicable and available.
- C. Storm water from upstream watersheds shall be transmitted through the proposed development by means of ditches and/or storm sewers. In determining the runoff, consideration shall be given to the potential for development in the upstream watershed; the designer shall confer with and obtain approval of the City of Mountain Home (City) in this regard. Flow from upstream watersheds shall be intercepted at the entrance to the proposed development by means of ditches or storm drains unless it will bypass the development naturally.
- D. Detention/retention facilities shall be used so that runoff discharge after development shall not exceed the discharge prior to development. This shall include the entire area of the drainage basin where the development is located.
 1. Any detention facility dedicated to the City, shall be a finished surface with an 8' wide, 6" thick reinforced concrete strip from inlet to outlet.
 2. The walls or banks of any detention/retention facility dedicated to the City, shall have a maximum 4:1 slope, unless steeper slope is approved by City staff prior to plan submittal.
 3. All detention/retention facilities shall also have an established ground cover ready to maintain at time of dedication. If detention/retention facility is not to be dedicated, established ground cover is required within 21 days of end of construction.
 4. The engineer shall confer and obtain approval with the City in the design and location of these facilities. (Amended Ord. # 98-034)
- E. Ditches and swales which have flow velocity of 10 feet per second (10fps) or greater during a 5-year design storm shall be paved. At a minimum, the ditch paving will be with 3000 psi concrete, a minimum 4" deep with pronounced flow line and two #4 reinforced bars running longitudinally.
- F. Creeks, open channels, ditches, and culverts shall be designed to carry (contain) the major design storm frequency.
- G. The major design storm (25-year) shall be contained such that the ground is not inundated at the building setback line, or a safe building line or lowest floor elevation, which shall be shown on the drainage plan. The lowest floor elevation shall be as

defined in the Federal Emergency Management Agency (FEMA) Flood Damage Prevention Ordinance.

- H. Development within a FEMA designated floodplain area, or other Special Flood Hazard Area, shall meet the requirements of the Flood Damage Prevention Ordinance and only commence after the Floodplain Development Permit is approved.
- I. Storm water easements or drainage right-of-way shall be provided along all watercourses, channels, or streams. Such easements or right-of-way shall conform substantially to the lines of the watercourse as it enters or leaves the property and shall be of sufficient width and construction to provide adequate storm water drainage and access for maintenance thereof, but not less than twenty (20) feet in width.
- J. Detention pond outlets must release runoff at the natural ground elevation and/or be dispersed over riprap to spread the flow, on the property on which they are built. The release must, within reason, be directed to the pre-development location. The release shall be slowed to pre-development velocities prior to running off the development property.
- K. Storm water may not be diverted from one watershed to another within the development boundaries without a complete and thorough drainage analysis of the effects of such diversion and shall require the passage of a City Ordinance allowing the diversion.
- L. Culvert and storm sewer pipe shall conform to the applicable requirements of the AHTD Standard Specifications or as required by the City.
- M. The plans shall set forth the gauge of corrugated steel pipe to be used. Corrugated steel pipe less than 14 gauge shall not be permitted under public streets. HDPE, PVC and RCP pipe may be used on private property where appropriate as determined by the design engineer.
- N. Flared end sections complying with AHTD Standard Drawing FES-1 (Rev. 10-2-72) and (Rev. 7-14-78) shall be installed at each end of all culverts and at the outfall end of all storm sewers. Exceptions may be approved by the City. Exceptions could include bevel cut pipes where warranted.
- O. Curb turnouts, drop inlets and other such drainage devices, shall be designed by the Engineer and shall be subject to review by the City Street Superintendent.

Section V. Plan Approval

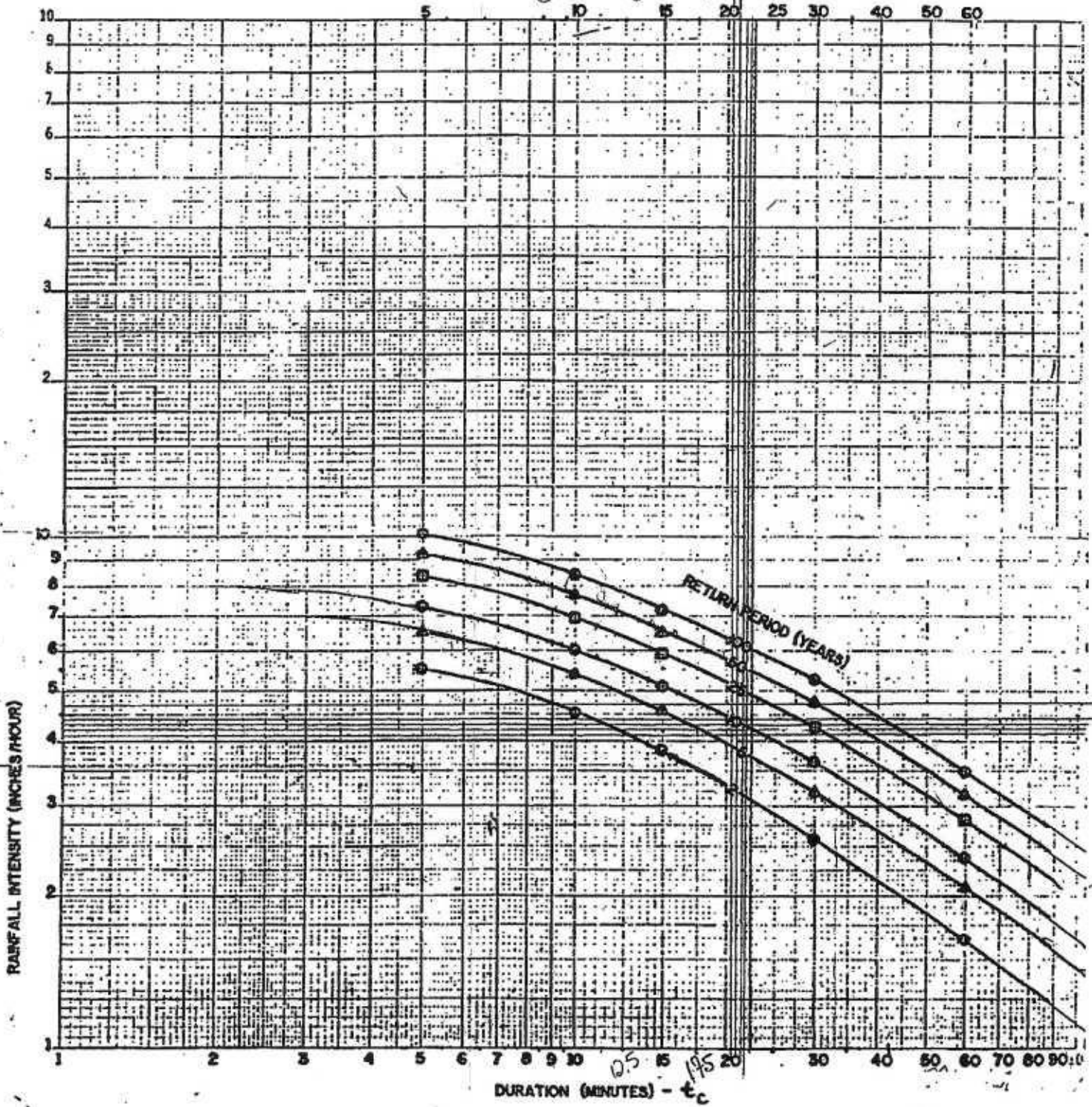
- A. Drainage Plans, as required by Section III above, must be submitted as part of the Development Permit process and approved by City Staff.
- B. Drainage Plans and/or site plans may be required by City staff for other development projects as deemed necessary.
- C. Drainage infrastructure construction can commence as soon as SWPPP controls are in place.
- D. If possible, it is recommended that SWPPP controls be constructed in such a manner as to be easily converted to permanent detention if required.
- E. Drainage infrastructure and improvements must be complete, and the design engineer must submit certification to the City that all planned improvements were built as designed before the Certificate of Occupancy for the structure is granted.

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TP40
Rainfall Frequency
Atlas of U.S.

SOURCE: NOAA TECHNICAL MEMORANDUM NWS HYDRO-35,
JUNE 1977, NOAA, NATIONAL WEATHER SERVICE, SILVER
SPRING, MD.

Mountain Home - yr. minor drainage
25 yr major system



RAINFALL INTENSITY-DURATION-FREQUENCY CURVES

MOUNTAIN HOME, ARKANSAS

CITY OF MOUNTAIN HOME, ARKANSAS
GRADING PERMIT

Section I. Introduction / Purpose - Grading Permit

- A. The City of Mountain Home has experienced an increase in sustained growth and development since 2015. As development activities increase, so does the need to define regulations to direct that development in a manner ensuring it will not adversely affect neighboring property owners and uses.
- B. Therefore, in concordance with the Development Permit, submittal and approval of the Grading Permit is required prior to the start of any construction, clearing activity, grading, or any other development activity that disturbs or breaks the topsoil, results in the movement of earth or otherwise impacts the drainage flow on any site 3,000 square feet or greater in the City of Mountain Home.
- C. The Grading Permit includes the Stormwater Pollution Prevention Plan (SWPPP), Drainage Permit, and Parking Lot and Landscape Permit.
- D. Not every permit will be applicable to each site, however, they must be attended to and completed where appropriate.
- E. The permits listed in C above, must all be approved prior to receiving approval of the Grading Permit and conducting development activities, except what is required for the SWPPP.
- F. After submitting the permits for review, and approval of the SWPPP, clearing activities and grading necessary for the installation of the SWPPP erosion and sediment control measures can commence while the remaining permits are being reviewed and prior to final Grading Permit approval.
- G. SWPPP erosion and sediment control measures must be installed prior to overall site grading activities.
- H. Once the Grading Permit is approved, all other development activities, as identified in B above, may commence.
- I. The Grading Permit shall include a sequence of clearing and grading activities anticipated for construction of the development if greater than 5 acres.

Section II. Definitions

Development Activities - Any activity that alters real property including, but not limited to, constructing a new building, adding to an existing building, clearing land, placing fill, grading land, mining, dredging, drilling, etc...

Drainage Permit - Permit requiring storm water control facilities be designed and installed for certain developments within the corporate boundaries of the City of Mountain Home. Furthermore, the Development Regulations require the perpetual maintenance of all required, designed, and installed control works. Approval required to obtain a Grading Permit.

Erosion Control - A measure that prevents erosion.

Grading - Excavation or fill of material, including the resulting conditions thereof.

Parking Lot and Landscape Permit - Permit requiring all parking lot, ingress/egress and landscaping regulations be applied to new construction or substantial improvements of existing parking lots, especially those changing the permeable characteristics of the

ground cover. Approval required to obtain a Grading Permit.

Phasing - Clearing a parcel of land in distinct phases, with the stabilization of each phase completed before the clearing of the next.

Sediment Control - Measures that prevent eroded sediment from leaving the site.

Site - A parcel of land or a contiguous combination thereof, where grading work is performed as a single unified operation or development project.

Stabilization - The use of practices that prevent exposed soil from eroding.

Storm Water Pollution Prevention Plan (SWPPP) - A set of drawings indicating the specific measures and sequencing to be used to control sediment and erosion on a development site during and after construction. Required prior to any grading or development activities. Clearing and grading activities necessary to install erosion control measures may commence once the SWPPP plan is approved and prior to final approval of the Grading Permit, if necessary. Please see the SWPPP. Approval required to obtain a Grading Permit.

Section III. Plans and Design Requirements

- A. Grading and waterway crossings shall meet the Best Management Practices (BMP) identified by the U.S. Environmental Protection Agency (EPA) and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the Building Department.
- B. As per the Drainage Regulations, stormwater detention shall be required for any development resulting in a change from pre-development runoff conditions to post-development runoff conditions for 5,000 square feet or greater.
- C. Clearing and grading of natural resources, such as forests and wetlands, shall not be permitted, except when in compliance with this ordinance, state, and federal law.
- D. Phasing shall be required on all sites disturbing greater than 5 acres, with the size of each phase to be established at plan review and as approved by the Building Department.
- E. Plans should show the following permanent site grading requirements:
 1. The site must drain away from all buildings and toward the city's street or a dedicated drainage ditch.
 2. The site should be graded to provide a minimum positive drainage away from building or structure foundations.
 3. Drainage should be directed away from adjacent lots to the maximum extent possible.
 4. Cut and fill slopes shall be 4:1 where possible and no greater than 3:1 unless approved by the City. Steeper slopes up to 2:1, may be approved by City Staff to meet other community or environmental objectives.
 5. Graded areas are to be re-vegetated for erosion control with suitable plant material.
 6. In the rare occasion that exceptionally steep slopes are approved, landscape fabric/erosion blankets shall be installed on +50% slopes while groundcover is being established.
 7. The site should be graded to direct runoff into detention if required.

- F. Permanent Erosion control requirements shall include the following:
1. If seeding or other vegetative erosion control method is used, it shall become established within three weeks or the Building Department may require that the site to be reseeded and/or mulched to stabilize the site.
 2. Special techniques that meet EPA BMPs on steep slopes or in drainage ways shall be used to ensure stabilization.
 3. The entire site must be stabilized by seeding and mulching when site grading is complete. The Building Department may require stabilization of any part of the site that will remain inactive for longer than three weeks or when an erosion problem is identified.
 4. Techniques that divert upland runoff past disturbed slopes shall be employed.
- G. Waterway and watercourse protection requirements shall include:
1. Stabilization of the watercourse channel after any in-channel work
 2. All on-site storm water conveyance channels must be designed in accordance with the City of Mountain Home Drainage Regulations.
 3. Stabilization adequate to prevent erosion located at the outlets of all pipes and paved channels.
 4. Designed in accordance with Arkansas Department of Environmental Quality and permitted by said Department if necessary.

MUNICIPAL CODE
CHAPTER 9.12
STREET ACCESS

Sections:

- 9.12.01 Title
- 9.12.02 Definitions
- 9.12.03 Procedure for obtaining permit
- 9.12.04 Construction and location of access
- 9.12.05 City prerogatives and procedure for appeal therefrom
- 9.12.06 Penalty

9.12.01 Title. This chapter shall be known as the "Street Access Chapter". (Ord. No. 88- 018, Sec. 1)

9.12.02 Definitions.

- A. The term "City" as used herein, refers to the Street Superintendent.
- B. For the purposes of this chapter, "driveway approach" shall be defined as follows:
 - 1. Residential (Class I) - A residential driveway approach is one providing access to a single family residence, a duplex or an apartment building with four (4) or fewer units. Driveways within this classification are generally limited to a maximum of twenty (20) feet in width. However, the maximum width of such a driveway may be increased upon approval of the City but, in no event, shall the maximum width exceed forty (40) feet.
 - 2. Small Commercial and Industrial (Class II) - A small commercial and industrial driveway approach is one providing access to property not used for one of the residential uses as defined above and which has less than two hundred (200) vehicular movements per day.
 - 3. Large Commercial and Industrial (Class III) - A large commercial and industrial driveway approach is one providing access to property not used for one of the residential uses as defined above and which has more than two hundred (200) vehicular movements per day. (Ord. No. 90-014, Sec. 2)

9.12.03 Procedure for obtaining permit.

- A. It shall be unlawful for any person, firm or corporation to construct, reconstruct, alter, remove and/or replace any curb, curb and gutter, drainage structure or driveway approach on public property within the city of Mountain Home, Arkansas, without first having obtained a permit from the Building Inspection Department. All such construction, alteration, removal or replacement shall be under the supervision of the City and in accordance with the specifications hereinafter provided; except:
 - 1. Any addition or resurfacing of a residential driveway approach existing at the time of adoption of this chapter shall only be required to conform to the standards of the existing driveway.
- B. Before a permit required by subsection A shall be issued, the property owner or his duly authorized agent shall submit an application therefore in writing with a plan made a part of such application showing the location, design and layout of the proposed improvement and its relationship to the property lines. For residential and commercial driveway approaches, the application may be part of the plot plan required for a building permit.

C. When such written application and plan conforming to such subsection B and the other provisions of this chapter have been duly submitted and the fee hereinafter required is paid, the Building Inspection Department shall issue a permit for such improvement.

D. A fee of Ten Dollars (\$10.00) shall be charged by the Building Inspection Department at the time of application for a permit and such sum shall be paid into the General Fund of the city of Mountain Home, Arkansas. Provided, however, where a general contractor constructs his own driveway approaches as part of new building construction, there will be no additional fee for the driveway approach permit. (Ord. No. 88-018, Sec. 3)

9.12.04 Construction and location of access.

A. The design, layout and plans for the construction, reconstruction, alteration and/or replacement of all curbs, gutters, drainage structures and driveway approaches of all classes shall conform to and be constructed according to the design and layout as prescribed in Exhibit "A" attached hereto and made a part hereof as if set out in full, hereat, verbatim, and shall be approved by the city.

B. On those streets which have side ditches without curb and gutter, the driveway approaches shall be constructed as prescribed in Exhibit "A" and in a manner that does not alter or impede the drainage in the side ditch. When a drainage structure 263 is required, the opening size shall be determined by the Street Superintendent. All culverts shall be approved and installed according to the requirements of the city. Driveways constructed with swale type ditches for drainage will not be permitted without special review and approval from the Street Superintendent.

C. Along streets having curb and gutter, all residential driveway approaches shall be constructed to a thickness of not less than four (4) inches of concrete and commercial driveway approaches shall have a minimum of six (6) inches concrete with six inch by six inch (6" x 6") six (6) gauge welded wire fabric. Concrete shall conform to the specifications of the Arkansas Highway and Transportation Department. Other materials for driveway approach construction may be used to conform with driveway and street standards as to base and surface specified in the City Subdivision Regulations. (Title 15)

D. Along streets which have side ditches without curb and gutter, driveway approaches shall have, as a minimum, a thickness and surface course compatible with the existing street quality and type at the time of driveway construction; concrete driveway approaches shall be constructed in accordance with Section 9.12.04(C). Those items pertaining to drainage shall be in accordance with Section 9.12.04(B).

E. 1. Location of driveway approaches shall be approved to provide maximum safety for street traffic and users of the driveway approach. Property frontages of seventy-five (75) feet or less shall be limited to one (1) driveway approach. A second driveway approach may be allowed on property frontages in excess of seventy-five (75) feet. On properties with frontages in excess of six hundred sixty (660) feet, more than two (2) driveway approaches may be permitted upon written application to the city establishing that the additional driveway approaches will not adversely affect traffic flow on the streets. No more than two (2) additional driveway approaches shall be allowed for each six hundred sixty (660) feet of additional frontage. Each side of a property adjacent to a street shall be considered a separate frontage. Each separate frontage will be used in determining the number of driveway approaches.

2. Where a residential property fronts on both a residential street and a collector or arterial street, access shall be granted from the residential street. Driveway approaches on arterial or collector streets shall be avoided whenever possible.
3. On high volume driveway approaches, such as from shopping centers, special requirements ranging from turning lanes to control of access to the driveway within the property to signalization may be required where deemed necessary by the city. (Ord. No. 88-018, Sec. 4)

9.12.05 City prerogatives and procedure for appeal therefrom.

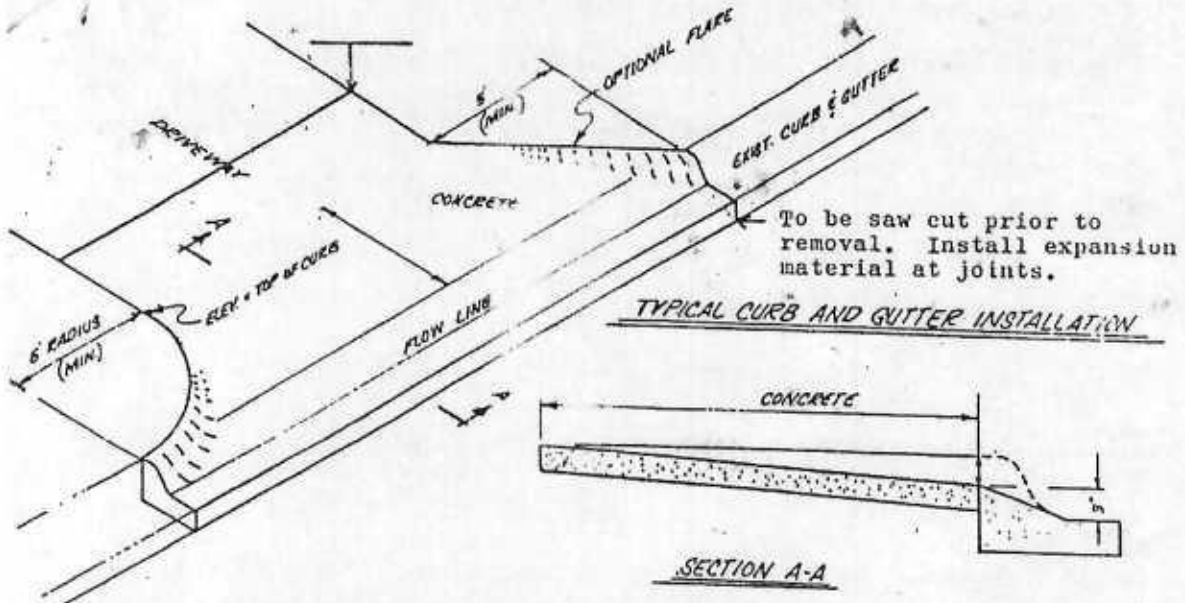
- A. The city may order removal and/or replacement of any work and/or materials found to be in noncompliance with the permit or provisions of this chapter and may order completion of permitted work within a specified time.
- B. The city may suspend work on any job whenever such suspension shall be deemed necessary to ensure good work or when the public interest otherwise requires such suspension.
- C. The city is authorized to give all notices and instructions with reference to the work either to the permittee, any agent of the permittee or to any person in charge of the permitted job.
- D. After all work is completed, the permittee shall remove all rubbish, waste and excess materials from the construction area.
- E. Upon completion and clean-up of the permitted job, the permittee shall notify the designated agent of the city of completion and readiness for final inspection. The agent must sign the inspection card as job complete.
- F. Any applicant for permit may appeal any decision to the City Council by filing a written Notice of Appeal within ten (10) calendar days following the decision of the Street Superintendent with the City Clerk, to be placed on the Agenda of the next regularly scheduled Council meeting. Written notice of said decision shall be given to the applicant within ten (10) calendar days. (Ord. No. 88-018, Sec. 5)

9.12.06 Penalty.

- A. No certificate of occupancy shall be issued or granted or permitted unless and until such person obtains the permit required hereunder.
- B. Misdemeanor. Upon conviction hereunder, such person shall pay a fine of not less than Five Hundred Dollars (\$500.00) and each day such violation of this chapter shall exist, shall constitute a separate offense. (Ord. No. 88-018, Sec. 6)

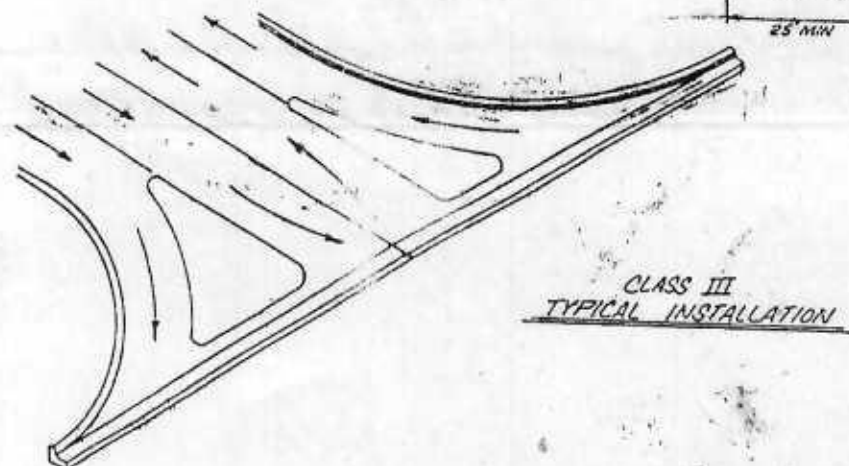
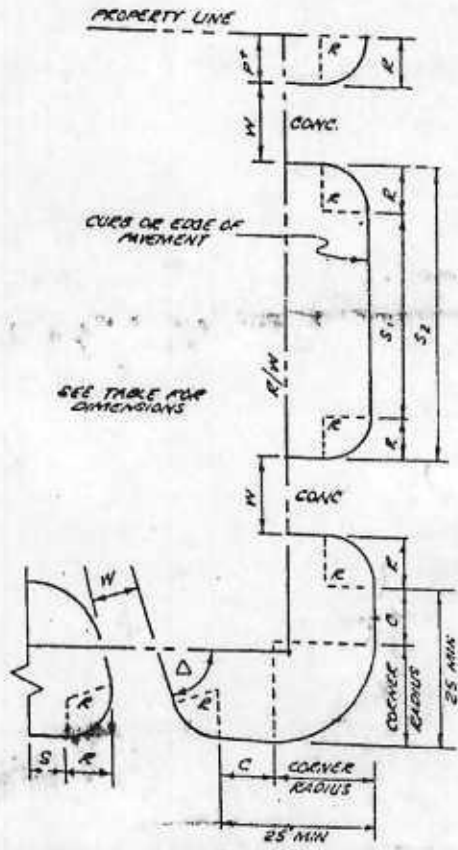
CAPITOL A - DRIVEWAY ORDINANCE

SHEET 1 OF 2



	W		R**		P#	Δ		C	S ₁	S ₂
	MIN.	MAX.	MIN.	MAX.	MIN.	MIN.	MAX.	MIN.	MIN.	MIN.
CLASS I	12'	20'	5'	15'	5'	60°	120°	10'	10'	25'
CLASS II	20'	40'	5'	30'	5'	60°	120°	10'	10'	25'
CLASS III	24'	50'	20'	50'	20'	75°	105°	10'	10'	50'

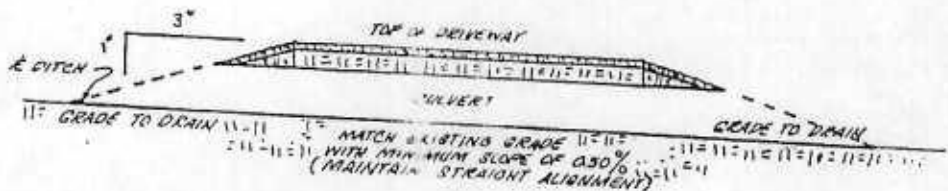
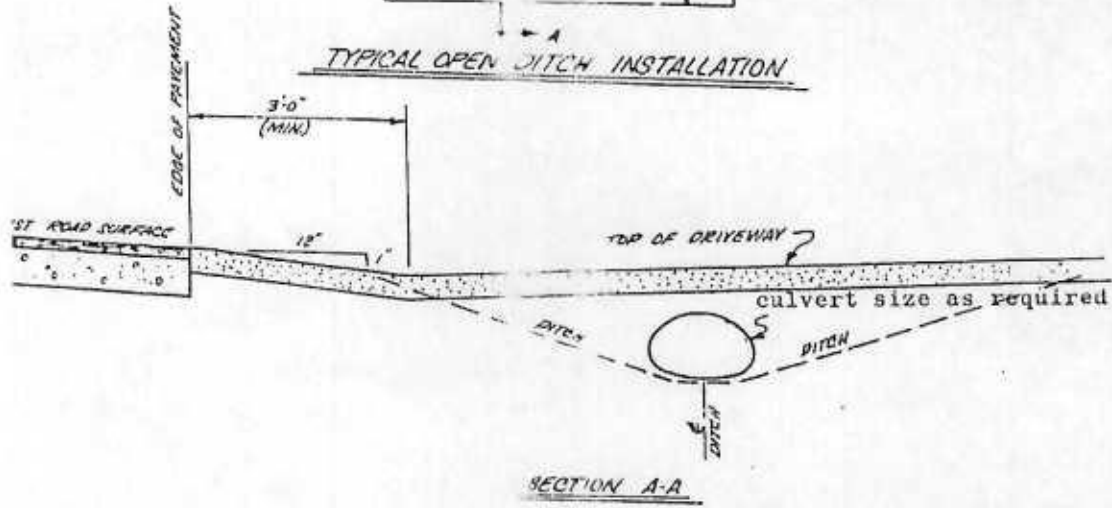
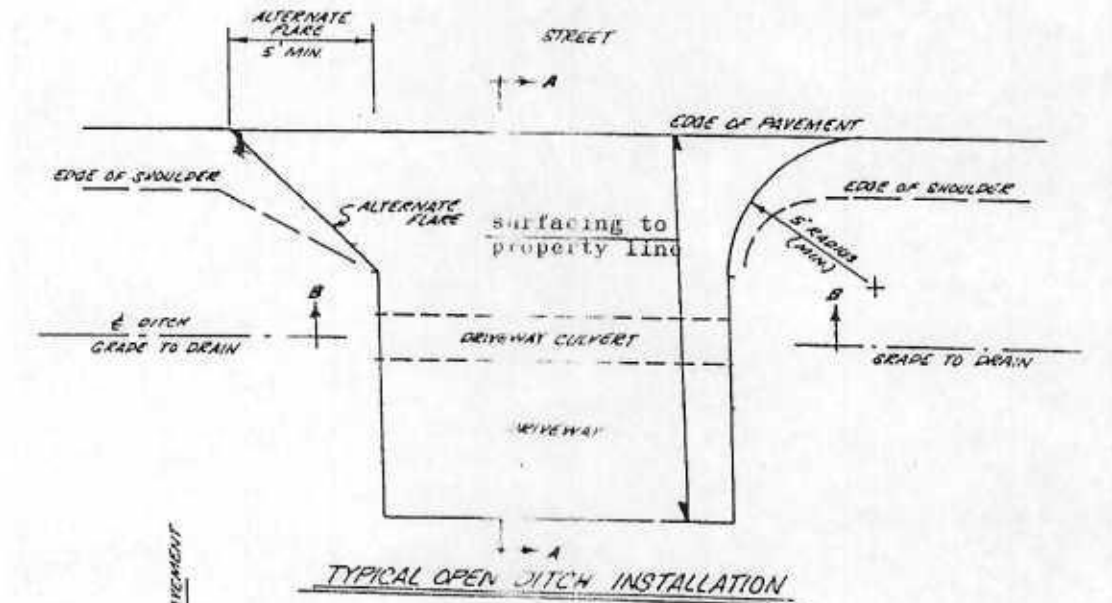
- x REQUIRES TURNING ISLANDS
- # P SHALL NOT BE LESS THAN R.
- ** WHERE R IS 5', A FLARE MAY BE SUBSTITUTED FOR A RADIUS.
- + WHERE A PROPERTY HAS A FRONTAGE OF LESS THAN 26' ONE DRIVEWAY NOT TO EXCEED 16' IS PERMITTED



DRAWN BY: T. ALEXANDER

EXHIBIT A - DRIVEWAY ORDINANCE

SHEET 2 OF 2



Note: Flared end sections of approved slope paving with toe walls and aprons is required on ends of all culverts to provide erosion control and pipe end protection.

Section B.B

Note: Property line setbacks, minimum and maximum radii at edge of driveway, spacing, driveway widths and minimum distances from street intersections as shown on sheet "1" of Exhibit "A"

CITY OF MOUNTAIN HOME, ARKANSAS
PARKING LOT AND
LANDSCAPE REGULATIONS

Section I. Permit Required

- A. From and after the passage of this ordinance any contractor, business or person who desires to construct, reconstruct, make addition to, or surface a parking lot or parking area shall apply to the city of Mountain Home, Arkansas, for a permit. (Ord. No. 97-030, Sec. 1.)

Section II. Definitions

- A. Parking Lot/Area - Any area that can be traversed by a vehicle and is free of obstacles where cars or other vehicles may be stopped, parked, or left temporarily.
- B. Landscape Feature - Any shrub, boulder, berm or other natural feature used to enhance the aesthetic appeal of the area and add elevation variation above the ground level.
- C. Canopy Tree - Shade trees that grow to a height of 20' or more.
- D. Decorative Tree - Trees that grow to a maximum height of 20' and may be flowering.
- E. Shrubs - Small to medium sized perennial woody plants.

Section III. Landscaped Area

- A. Every parking area shall have a landscaped area following the requirements outlined below:
1. General Requirements
 - a. All areas not covered by structures, service yards, walkways, driveways, and parking shall be landscaped.
 - b. The use of invasive species is prohibited.
 - i. No invasive species as identified by the University of Arkansas Division of Agriculture, and listed herein, shall be used to meet these landscape requirements.
 1. Mimosa, Bamboo, English Ivy, Running Monkey Grass, Large Leaf Vinca, Wisteria (Chinese), Chinese Privet, Japanese Honeysuckle, Tall Fescue, Bradford Pear, Non-Native Lespedeza, Chinese Tallow Tree, Cogongrass
 - ii. The plants listed below have been invasive in some landscape situations and should be used with caution.
 1. Nandina (Heavenly Bamboo), Garlic Chives, Devil's Walking Stick, Artemesia, Trumpet Creeper, Obedient Plant, Sweet Autumn Clematis, Mexican Hydrangea, Queen Ann's Lace, Wintercreeper Euonymus, Chameleon Plant, Cypress Vine
 - c. Landscape must provide soil stability and suitable drainage.
 - i. Trees, shrubs, groundcover, grass, and other landscape features shall be placed or retained to reduce runoff and/or erosion.
 - ii. Graded areas are to be re-vegetated as per the Grading Permit Design Requirements.
 - d. The Stormwater Pollution Prevention Plan and the Erosion Control Ordinance 93-022 shall be adhered to during construction.
 - e. Property owner to maintain all required landscaping.

- i. Landscape must be kept in a healthy and orderly appearance.
 - ii. Unhealthy and dead plant material to be replaced within the ensuing year.
- 2. Preservation
 - a. Attempt to incorporate existing on-site trees, landscape features and vegetation.
 - b. Preservation to be first, best, and standard approach.
 - i. All existing trees, landscape features and vegetation to be displayed on site plan.
 - ii. Methods and opportunities to preserve these features discussed at Preliminary Conference.
 - c. Where possible and reasonable, existing mature “significant” trees, boulders, rock outcroppings, and riparian corridors shall be preserved and incorporated into landscape plans.
 - d. Where healthy plant material exists prior to site development, if it is retained, preserved, and utilized, it will be credited towards landscape requirements if it meets the purpose and intent of these requirements.
- 3. Structure Landscaping Requirements
 - a. Landscaping a minimum of 3’ wide along the front of each building and on the two sides.
 - i. Not required along the back of the building.
 - ii. Not required on sides that accommodate drive through facilities.
 - iii. Can be installed a short distance (<5’) away from the building after positive drainage is provided.
 - iv. Landscaping along side of the building where the ADA entrance is provided can meet necessary ADA design parameters.
 - v. Exclusive of perpendicular sidewalks and driveways.
 - b. Landscape area to include landscape features in addition to grass and other groundcovers, sufficient to provide varying elevations.
- 4. Sign Landscaping Requirements
 - a. Landscaped area around the base of ground-mounted signs.
 - b. Minimum width of 2’.
 - c. Landscaped area to include landscape features in addition to grass or other groundcovers, sufficient to provide varying elevations.
- 5. Site Perimeter Requirement
 - a. Landscape required along the perimeter of each site to provide a buffer for adjacent uses and screened to provide an attractive view from the street.
 - b. Screening measures such as hedgerows, trees, or other landscape features will ensure parking areas and cars are not the dominant visual element and prevent light trespass or glare into surrounding residential property or rights-of-way (ROW).
 - c. This area shall be required along the full length of all site setbacks.
 - d. No parking or paving shall be permitted within this area except sidewalks and driveways. Any driveways must cross the buffer at a generally perpendicular angle.
 - e. Street Frontages
 - i. A perimeter strip a minimum of 3’, on lots less than 1 acre, and a minimum of 5’, on lots of 1 acre or more, in width shall be provided along all street frontages.
 - ii. The buffer is outside of, or in addition to, any road ROW.

- iii. Screening measures will be installed outside of the street ROW and be a minimum of 30" above the highest average final finish elevation of the adjacent street, parking lot or ground floor. Screening measures can include any combination of the following:
 - 1. Trees
 - a. Planted at the ratio of no less than 1 tree for every 20' of property line abutting any street.
 - b. Up to 25% of these plantings may be grouped where desired.
 - c. In the event overhead obstructions exists which would prohibit the use of canopy trees, understory or decorative trees shall be encouraged.
 - 2. Landscape Features
 - a. Varying types can be used.
 - b. Placed close enough to form a continuous row of hedging along the property line abutting any street.
 - c. Shrubs are to be evergreen and at least 20" tall at time of planting.
 - d. Earth berms should have a max slope of 2:1, at least 3:1 recommended, and be a minimum of 12" above highest adjacent grade.
 - 3. Fences and Walls
 - a. Constructed of durable material.
 - b. Compliment the project architecture.
 - c. Generous vegetation encouraged to soften the appearance and prevent graffiti.
 - d. Aesthetically and functionally enhanced with columns and piers and random variation in plane and direction at least 5' for every 50' in length.
 - e. All retaining walls greater than 3' in height must be designed by a professional engineer licensed in the state of Arkansas and design calculations available for review if requested.
 - 4. Lights, if used, installed closer to the parking lot than the property line and directed toward the parking lot or building and away from neighboring property.
 - 5. Screening shall not impair sight lines of drivers or be built into the site triangle as defined in the Subdivision Regulations, Article 8.2.L - Intersections.
- f. Interior Property Lines
 - i. A perimeter landscape strip at least 5' in width shall be provided along all property lines adjoining nonresidential areas. This provision is waived where neighboring structures adjoin, such as with strip centers.
 - ii. A perimeter landscape strip at least 10' in width shall be provided along all property lines adjoining residential areas. This requirement can be reduced to 5' wide if used in conjunction with privacy fencing.
 - iii. Screening measures will adhere to Section 5.e.3.

6. Parking Lot Landscaping and Design
 - a. Parking lot street frontages shall be curbed.
 - b. Trees should be planted within the lot so that each parking space is within 60' of a tree. Perimeter trees may satisfy this requirement.
 - c. Parking lots of +24 spaces, no more than 12 interior continuous side-by-side spaces without a landscape island.
 - i. Islands will be utilized at the end of each aisle.
 - ii. Every island shall be sodded, seeded, mulched, rocked or otherwise finished with a groundcover other than exposed soil.
 - iii. Islands to include trees or other landscape features sufficient to provide varying elevations but with maximum shrub height of 30".
 - iv. Any tree planted on an island must have minimum 8' clearance to the ground.
 - v. Every island shall be minimum of 150 square feet.
 - vi. Islands must be curbed in paved parking lots.
 - d. Parking lots of +200 spaces must have interior buffer areas, in addition to islands.
 - i. One buffer per 200 spaces required.
 - ii. Buffers should extend the width or depth of the parking lot and be curbed in paved parking lots.
 - iii. Buffers shall be a minimum of 8' wide with a 5' wide sidewalk bisecting it.
 - iv. Screening measures such as a hedgerow of shrubs shall be planted along any sidewalks, if constructed, to protect pedestrians.
 - e. Unpaved parking areas shall utilize internal landscaping and "green edges" to define access, circulation, and parking areas.

Section IV. Site Plan

- A. Proposed parking lots and additions/improvements to an existing parking lot that will, in addition to any other impervious surfaces on the parcel, result in a total of five thousand (5,000) square feet or larger shall be accompanied by a "Site Plan" prepared by a professional engineer.
 1. The Site Plan shall include:
 - a. Existing conditions,
 - b. Existing trees, landscape features and vegetation to be retained,
 - c. Existing grades on 1' contours,
 - d. Landscape Areas as defined in this regulation,
 - e. Proposed grades on 1' contours,
 - f. Ingress and Egress conforming to Ordinances 88-018 and 90-014 and specifications,
 - g. Curbing,
 - h. Any on-site areas within a Special Flood Hazard Area,
 - i. Drainage control conforming to the Drainage Regulation and Permit,
 - j. Erosion and sediment control conforming to the Stormwater Pollution Prevention Plan, Grading Permit and Ordinance 93-022.
 - k. Bumper blocks to ensure safety on all sides with greater than 2' difference in grade.
 - l. Guardrails to ensure safety on all sides with greater than 3' difference in grade.

2. Parking lots of less than five thousand (5,000) square feet shall be investigated prior to issuance of a permit and may be required to submit a Site Plan or various components thereof.

Section IV. Fees

- A. All permits shall be one (1) cent per square foot for the first five thousand (5,000) square feet and one-eighth (1/8) of one (1) cent per each additional square foot, with a minimum of Ten Dollars (\$10.00). Provided, however, where a general contractor constructs a parking lot as part of a new building and the construction is part of the estimated cost of the project, there will be no additional permit fees for the parking lot. (Ord. No. 97-030, Sec. 4).

Section V. Penalty

- A. Violation of this ordinance shall be deemed a misdemeanor punishable by not less than a Fifty Dollar (\$50.00) fine nor more than a Two Hundred Fifty Dollar (\$250.00) fine. Each day shall be deemed a separate violation. (Ord. No. 97-030., Sec. 5).

CITY OF MOUNTAIN HOME, ARKANSAS
INDIVIDUAL SITE STORMWATER POLLUTION PREVENTION PLAN

Section I. Introduction / Purpose

- A. The City of Mountain Home has experienced an increase in sustained growth and development since 2015. As development activities increase, so does the need to define regulations to direct that development in a manner ensuring it will not adversely affect neighboring property owners and uses.
- B. As per Municipal Code 9.16.04 Erosion control - Temporary erosion control devices shall be provided during construction projects within the city of Mountain Home, Arkansas, to inhibit erosion on the construction site and subsequent siltation in lands and streets off the construction site. As used herein, the term "construction project" shall mean any type of construction for which a building permit is required by the city of Mountain Home, Arkansas. Such devices shall be as detailed on Arkansas Highway and Transportation Department (AHTD) standard drawing TEC-1 or as approved by the Mayor of the city of Mountain Home, Arkansas. (Ord. No. 93-022, Sec. 1)
- C. It shall be the responsibility of the person holding the building permit on each particular construction project to ensure that all streets surrounding the construction site are kept free from mud tracking and other siltation. (Ord. No. 93-022, Sec. 2)
- D. Any person, firm, corporation, or agent who violates any provision of this chapter shall be fined not less than Fifty Dollars (\$50.00) nor more than Seventy-Five Dollars (\$75.00) and each day such violation shall exist shall be deemed a separate offense. (Ord. No. 93-022, Sec. 3)
- E. To ensure sediment is not allowed to leave construction sites, get into roadways and waterways, or become a nuisance in any other fashion, a Stormwater Pollution Prevention Plan (SWPPP) outlining the specific measures and sequencing that will be used to control sediment and erosion on a development site during and after construction is required as part of the overall Grading Permit.
- F. SWPPP approval is required prior to any grading, clearing or development activities.
- G. After the SWPPP is approved, clearing and grading activities necessary for the installation of the erosion and sediment control measures can commence while the other permits required for a Grading Permit are being reviewed and prior to their approval.
- H. SWPPP erosion and sediment control measures must be installed prior to overall sight grading activities.

Section II. Definitions

Development Activities - Any activity that alters real property including, but not limited to, constructing a new building, adding to an existing building, clearing land, placing fill, grading land, mining, dredging, drilling, etc...

Erosion Control - A measure that prevents erosion.

Grading - Excavation or fill of material, including the resulting conditions thereof.

Phasing - Clearing a parcel of land in distinct phases, with the stabilization of each phase completed before the clearing of the next.

Sediment Control - Measures that prevent eroded sediment from leaving the site.

Site - A parcel of land or a contiguous combination thereof, where grading work is performed as a single unified operation or development project.

Stabilization - The use of practices that prevent exposed soil from eroding.

Section III. Plans and Design Requirements

- A. Erosion and Sediment Control Plans shall include the following:
 - 1. A site map at a scale no smaller than 1"=100' showing erosion and sediment control proposed for the site.
 - 2. Erosion and sediment control measures, necessary to meet the objectives of this ordinance, that will remain installed and functioning throughout all phases of construction and after completion of development of the site until soil stabilization with permanent vegetation.
 - 3. Provisions for maintenance of control facilities until the site soils are stabilized with permanent vegetation.
 - 4. Any necessary SWPPP detention basins installed in such a way that they could be converted to final detention/retention for the site if possible and/or practical.
 - 5. Phasing as necessary on all sites disturbing greater than 5 acres with the size of each phase to be established at plan review and approved by City Staff.
- B. Grading, erosion control practices, sediment control practices, and waterway crossings shall meet the Best Management Practices (BMP) identified by the U.S. Environmental Protection Agency (EPA) and or as detailed on AHTD/ARDOT TEC-1, and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the Building Department.
- C. Clearing and grading of natural resources, such as forests and wetlands, shall not be permitted, except when in compliance with this ordinance, state, and federal law.
- D. Temporary Erosion control requirements shall include the following:
 - 1. Soil stabilization shall be completed within three weeks of clearing or inactivity in construction.
 - 2. If seeding or other vegetative erosion control method is used, it shall become established within three weeks or the Building Department may require that the site to be reseeded and/or mulched to stabilize the site.
 - 3. Special techniques that meet the BMP on steep slopes or in drainage ways shall be used to ensure stabilization.
 - 4. Soil stockpiles must be stabilized when inactive for periods longer than three weeks.
 - 5. Techniques that divert upland runoff past disturbed slopes shall be employed.
- E. Temporary Sediment control requirements shall include:
 - 1. Settling basins, sediment traps, and perimeter controls shall be employed.
 - 2. Settling basins designed in a manner that allows adaptation to provide long-term storm water management, as required by the Building Department, if possible and/or practical.
 - 3. Protection for adjacent properties using a vegetated buffer strip in combination with perimeter controls.

- F. Waterway and watercourse protection requirements shall include:
 - 1. A temporary stream crossing if a wet watercourse will be crossed regularly during construction.
 - 2. Stabilization of the watercourse channel after any in-channel work
 - 3. Stabilization adequate to prevent erosion located at the outlets of all pipes and paved channels.
 - 4. Designed in accordance with Arkansas Department of Environmental Quality and permitted by said Department if necessary.
- G. Construction site access requirements shall include:
 - 1. A temporary access road provided at all sites.
 - 2. Other measures required by Building Department to ensure that sediment is not washed into storm drains and construction vehicles do not track sediment onto public streets.
 - 3. Additional requirements as identified in the City of Mountain Home MS4 - Storm Water Pollution Prevention Plan.