

**Sec. 11-100. Large-scale development standards.**

(a) *Large-scale developments* is hereby redefined as follows:

(1) The development of a lot or parcel larger than one (1) acre developed as a single improvement. The term "development" shall include but will not be limited the construction of a new improvement, construction of an addition to an existing improvement, or a parceling which results in the need for access and utilities; and,

(2) Shall include commercial land alteration by way of excavating, quarrying, mining, or similar activities; examples include but are not limited to dirt pits, gravel pits, quarries, asphalt plants, concrete and cement plants, and any other commercial operation that would generate heavy traffic such that affected roads would require improvements or increased maintenance or present a danger to the public safety on said roads but in no event shall include a farm or other agricultural facility, nor shall it include a single family residence.

(b) This section shall be applicable only to large-scale developments as set out in subsection (a)(2) above.

(c) Such large-scale developments shall be set back from the edge of any County or public road no less than two hundred fifty (250) feet.

(d) The approach to such large-scale developments from the edge of County or public road to the edge on the development shall be no less that forty (40) feet in width and paved in accordance with specifications to be promulgated by the County Road Superintendent so as to decrease dust, dirt, and mud from being deposited on and around County and public roads. This provision shall not apply to any large-scale development which is situated on an unpaved County or public road; however, in the event said road is later paved then this article will apply to said large-scale development three (3) years from the date of pavement.

(e) Every large-scale development shall develop and submit a dust abatement plan to prevent dust from causing a traffic hazard on County and public roads. Said plan shall include, in accordance with regulations to be promulgated by the County Road Superintendent, the applying of water or a dust palliative as needed.

(f) Every large-scale development shall maintain and clean the approaches as set out above on a regular basis and shall be responsible for removal of any foreign objects on a County or public road which have been deposited on said road as a result of activity generated by said development.

(g) All large-scale developments shall require any vehicle leaving its facility to be securely covered and/or sealed so as to prevent any load from dropping, sifting, leaking, or otherwise escaping therefrom regardless of the date of manufacture as set out in Ark. Code Ann. § 27-35-110.

(h) For reasons of public safety, this article shall have retrospective application to existing large-scale developments three (3) years from the enactment of this section. When there are unique, unnecessary, and unreasonable hardships in applying the strict

letter of this section, said large-scale development may apply to the Planning Board for a variance. Financial impact alone shall not be grounds for such variance.

(i) If any large-scale development desires to begin operations before complying with any provision of this section it shall post an acceptable surety bond, cash or irrevocable letter of credit to ensure said compliance in the amount of one hundred twenty-five (125) percent of the estimated cost of said improvements and in any event must be in compliance with this section no later than one (1) year from the date of final approval by the Planning Board.

(j) This section shall be immediately applicable to any existing large-scale development that expands its operation after the effective date herein; unless prior to the passage of this section there have been substantial steps taken towards implementation of the expansion, or there has been substantial investment made, or substantial obligation incurred on the part of the development in regard to such expansion.

(k) Road and right-of-way standards are hereby set as follows for large-scale developments that are wholly or partially residential in character:

TABLE INSET:

DWELLING UNIT		RIGHT-OF-WAY	ROAD
(A)	Single-Family		
	Number of units:		
	1 to 4	30 feet	Private: See subsection 11-90(11)(a)
	5 to 10	50 feet	Private: See subsection 11-90(11)(b)
	Over 10	Public: See minimum standards for roads to be dedicated to the county for maintenance	Public: See minimum standards for roads to be dedicated to the county for maintenance

(B)	Duplex/Triplex		
	Number of units:		
	1 to 4	30 feet	Private: See subsection 11-90(11)(a)
	5 to 10	50 feet	Private: See subsection 11-90(11)(a)
	Over 10	Public: See minimum standards for roads to be dedicated to the county for maintenance	Public: See minimum standards for roads to be dedicated to the county for maintenance
(C)	Other Multifamily (road/street leading to the parking lot parking lot/area must be private)		
	Number of units:		
	1 to 4	30 feet	Private: See subsection 11-90(11)(a)
	5 to 10	50 feet	Private: See subsection 11-90(11)(a)
	Over 10	Public: See minimum standards for roads to be dedicated to the county for maintenance	Public: See minimum standards for roads to be dedicated to the county for maintenance
(D)	Other Large-scale Developments (including, but not limited to, RV Parks and storage facilities)		20 feet minimum width driving surface; ability to withstand 75,000 pounds in all weather conditions; adherence to State Fire Code with regards to access*

\* Nothing herein shall be construed as allowing non-adherence to the State Fire Code where otherwise applicable.

All new private road large scale developments must have their proposed private roads named according to 9-1-1 procedure (submittal and approval of the proper paperwork through the 9-1-1 Addressing Office) prior to the final plat approval. The private road developer or applicant shall be responsible for erecting the street sign stating the name of the private road prior to final plat approval. The sign placement must be inspected by the 9-1-1 Addressing Office or the County Planning Office, and be in accordance with U. S. Department of Transportation Manual on Uniform Traffic Control Devices.

(l) The following public utility services and structures are hereby exempt from the Washington County Code provisions concerning large-scale developments:

- (1) Utility boxes;
- (2) Passenger stops for buses;
- (3) Police alarm boxes;
- (4) Historical markers, watershed improvement projects, water conservation projects, or flood control projects;
- (5) Utility mainline, local transformer and station, water pump stations, waterline flushing assembly, water storage facilities, PRV vaults, electric regulation stations, sewage lift station, manholes, natural gas pressure control stations, individual septic systems, other necessary structures and equipment for water, sewage, and other utility facilities. However, in residential areas, lift stations and pump stations may be required to insulate their station machinery, if the noise produced by such machinery would be an annoyance to the surrounding residential community.
- (6) Booster generators, not owned by a utility, which are utilized for homes, poultry houses and other agricultural facilities.

(m) The following public utility services and structures are hereby not exempt from the Washington County Code provisions concerning large-scale developments:

- (1) Other utility uses, such as power generation facilities, solid waste disposal facilities, water or sewage treatment plants not part of a specific land development, and natural gas compressor stations.
- (2) Nothing herein shall be construed to mean that any land development itself that utilizes any of the aforesaid is exempt from the land development process.

(Ord. No. 2004-38, Arts. 1–10, 7-8-04; Ord. No. 2005-25, Arts. 1–3, 6-9-05; Ord. No. 2006-78, Art. 1, 12-14-06; Ord. No. 2007-13, Art. 1, 3-8-07; Ord. No. 2008-19, Art. 1, 4-15-08)

**Editor's note:** Art. 1 of Ord. No. 2005-67, adopted Nov. 10, 2005, states "By way of clarification, all the provisions of Ordinance No. 2004-38 and Ordinance No. 2004-39 are applicable to all Large-scale Developments as defined in Washington County Code at sections 11-63(a)(2)".