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## Section 20.050 RDO, River Design Overlays

### 20.050-A General

#### 1. Purpose and Intent

The RDO, River Design Overlay regulations of this section establish regulations governing form, function, design and use for properties located within the boundaries of the River Design Overlay district. The regulations are generally intended to maintain and promote the Arkansas River corridor as a valuable asset to the city and region in terms of economic development and quality of life. The regulations are also intended to:

- a. Support and enhance the river corridor as a lively people-oriented destination, connecting nodes of high-quality development with parks and open spaces;
- b. Protect the city's investment as well as the investments of property owners, developers and others who enjoy the benefits of the Arkansas River corridor;
- c. Encourage development that enhances the appearance of the Arkansas River corridor and the surrounding area;
- d. Ensure development and redevelopment that is sensitive to the area's natural resources and environmental qualities;
- e. Establish the area as an interconnected, pedestrian-oriented, cultural and recreational destination, attracting both residents and visitors to the Arkansas River; and
- f. Foster a sense of community and civic pride.

#### 2. Districts

Three RDO districts are established, as follows:

##### a. RDO-1

The RDO-1 district is primarily intended to apply to park, recreation and open space uses adjacent to the river. RDO-1 regulations help promote development that is compatible with public parks and green space and that complements park uses.

##### b. RDO-2

The RDO-2 district is primarily intended to apply other (non-RDO-1) properties with direct access to the river. RDO-2 regulations help to ensure safe, attractive and activated pedestrian areas by requiring that new development is oriented to the river and abutting streets. The regulations also promote integration with the River Parks trail system and avoidance of adverse environmental impacts.

##### c. RDO-3

The RDO-3 district is primarily intended to apply to properties that do not have direct access to the river but that are visible from riverfront areas. These areas benefit from proximity to the river and contribute to the overall visual environment of the riverfront area.

### 3. Applicability

Except as otherwise expressly stated, the RDO regulations of this section apply within the boundaries of the RDO overlay districts to all new uses and structures and all building alterations and site modifications that require a building permit.

### 4. Exemptions

- a. Existing detached houses and duplexes and additions to existing detached houses and duplexes are exempt from compliance with all of the RDO regulations of this section ([Section 20.050](#)).
- b. Uses and structures that are accessory to existing or new detached houses or duplexes are exempt from compliance with all of the RDO regulations of this section ([Section 20.050](#)).
- c. New detached houses and duplexes, where allowed, are exempt from compliance with all of the site and building design regulations of [§20.050-C](#).
- d. New or modified public utility and service uses, where allowed, are exempt from compliance with the:
  - (1) Build-to-zone regulations of [Table 20-2](#);
  - (2) Ground floor transparency regulations of [Table 20-3](#); and
  - (3) Building entrance requirements of [Table 20-3](#).
- e. Planned unit developments (PUDs) and CO-zoned properties or portions of PUDs and CO-zoned properties that have received site plan approval prior to [insert effective date of RDO] are exempt from compliance with all RDO regulations of this section ([Section 20.050](#)). Approved PUDs and CO-zoned properties or portions of PUDs and CO-zoned properties that have not received site plan approval prior to [insert effective date of RDO] are subject to compliance with all applicable RDO regulations of this section ([Section 20.050](#)).
- f. Minor revisions of previously approved site plans do not trigger a requirement that the site plan be brought into compliance with the RDO regulations of this section. Major and minor amendments to approved development plans do trigger a requirement that the entire development plan be brought into compliance with all applicable RDO regulations of this section ([Section 20.050](#)).

### 5. Restoration or Re-establishment of Nonconformities

- a. Nonconformities that exist within an RDO district are governed by the regulations of Chapter 80, except as expressly stated in this subsection.
- b. If a nonconforming structure in an RDO district is damaged or destroyed by an act of God or an action other than an intentional or reckless act of the owner or gross negligence of the owner, it may be restored without obtaining special exception approval, provided that such restoration:

- (1) Does not increase the extent of the nonconformity that existed prior to sustaining damages; and
- (2) Building permits for the restoration are obtained within 2 years of the date that the damage occurred. If required permits are not obtained within 2 years, the structure's nonconforming status is lost.

#### **6. Alterations and Expansions of Nonconforming Structures and Uses**

- a. The land use administrator is authorized to approve an administrative adjustment allowing alterations or expansions that increase the total floor area or lot coverage of a nonconforming structure or nonconforming use by less than 50% of the structure's or use's existing floor area or lot coverage. Alterations and expansions allowed under this provision are not required to comply with the site and building design regulations of [§20.050-C](#).
- b. In order to approve the administrative adjustment authorized under [20.050-A6.a](#), the land use administrator must determine that the application meets the general administrative adjustment approval criteria of Sec. 70.100-G. If a structure or use is proposed to be altered or expanded to increase the structure's or use's existing total floor area by 50% or more, the existing structure and all additions must be brought into compliance with the RDO regulations of this section.
- c. For purposes of administering these alteration and expansion regulations, the extent of alteration and expansion must be calculated to include the sum of all alterations and expansions for the immediately preceding 5-year period.

#### **7. Conflicting Regulations**

All applicable regulations of the underlying base zoning district apply to property in the RDO district unless otherwise expressly stated in the RDO regulations. For properties with PUD or CO zoning, the approved development plan or development standards governing the subject PUD or CO district apply unless otherwise expressly stated in the RDO regulations. If the regulations of the RDO district conflict with the regulations of the subject property's underlying zoning, approved development plan or development standards or any other overlay zoning district that applies to the property, the RDO regulations of [Section 20.050](#) govern, unless otherwise expressly stated,

#### **8. Effect of PUD, MPD or CO Zoning**

The regulations of an RDO district may not be varied or modified through approval of or amendment of a Planned Unit Development (PUD), Master Planned Development (MPD) district or Corridor (CO) district.

#### **9. Administration**

No building permit for proposed use or development in an RDO district may be approved until a site plan for such use or development has been submitted and reviewed by the land use administrator and found to be in compliance with all applicable RDO regulations.

**20.050-B Uses**

**1. Intent**

The RDO regulations are intended to allow for a mix of uses to promote a pedestrian environment, while prohibiting uses that will hinder the long-term viability of an attractive, vibrant and active riverfront area.

**2. Regulations**

**a. Allowed Uses**

Except as expressly identified in [Table 20-1](#), principal uses are allowed in RDO districts in accordance with the use regulations of the underlying (base) zoning district or, in the case of PUD or CO zoning, in accordance with the approved development plan or development standards governing the subject PUD or CO district. Uses identified with a “□” symbol are allowed in the respective RDO district: (1) if allowed by the subject property’s underlying (base) zoning district or (2) if the subject property has PUD or CO zoning, if the use is allowed by the approved development plan or development standards governing the subject PUD or CO district.

**b. Prohibited Uses**

Uses identified with an “X” [Table 20-1](#) are expressly prohibited in the respective RDO district.

*Table 20-1: RDO District Use Regulations*

USE CATEGORY	RDO-1	RDO-2	RDO-3
<b>Subcategory</b>			
Specific use			
X = expressly prohibited use   □ and unlisted uses = underlying zoning governs			
<b>RESIDENTIAL</b>			
<b>Household Living</b>			
Detached house	X	X [1]	□
Cottage house development	X	X	□
Duplex	X	X [1]	□
Manufactured housing unit	X	X	X
Manufactured housing subdivision	X	X	X
Mobile home	X	X	X
Mobile home park	X	X	X
<b>PUBLIC, CIVIC AND INSTITUTIONAL</b>			
<b>Cemetery</b>	X	X	X
<b>Utilities and Public Service Facility</b>			
Major	X	X	X
<b>Wireless Communication Facility</b>			
Freestanding tower	X	X	X
<b>COMMERCIAL</b>			
<b>Assembly and Entertainment</b>			
Indoor gun club	X	X	X
Outdoor gun club	X	X	X
<b>Commercial Service</b>			
Building service	X	X	X
Business support service	X	X	X
Consumer maintenance/repair service	X	X	X
Research service	X	X [2]	□

USE CATEGORY	RDO-1	RDO-2	RDO-3
<b>Subcategory</b>			
Specific use			
<b>Financial Services</b> (except as below)	X	X [2]	□
Personal credit establishment	X	X	X
<b>Funeral or Mortuary Service</b>	X	X	X
<b>Office</b>			
Business or professional office	X	X [2]	□
Medical, dental or health practitioner office	X	X [2]	□
Plasma center	X	X	X
<b>Retail Sales</b>			
Building supplies and equipment	X	X	X
<b>Self-service Storage Facility</b>	X	X	X
<b>Sexually Oriented Business Establishment</b>	X	X	X
<b>Vehicle Sales and Service</b>			
Commercial vehicle repair/maintenance	X	X	X
Commercial vehicle sales and rentals	X	X	X
Fueling station	X	X	X
Personal vehicle repair and maintenance	X	X	X
Personal vehicle sales and rentals	X	X	X
Vehicle part and supply sales	X	X	X
Vehicle body and paint finishing shop	X	X	X
<b>WHOLESALE, DISTRIBUTION AND STORAGE</b>			
<b>Equipment and Materials Storage, Outdoor</b>	X	X	X
<b>Trucking and Transportation Terminal</b>	X	X	X
<b>Warehouse</b>	X	X	X
<b>Wholesale Sales and Distribution</b>	X	X	X
<b>INDUSTRIAL</b>			
<b>Moderate-impact Manufacturing &amp; Industry</b>	X	X	X
<b>High-impact Manufacturing &amp; Industry</b>	X	X	X
<b>Mining or Mineral Processing</b>	X	X	X
<b>Junk or Salvage Yard</b>	X	X	X
<b>RECYCLING</b>			
<b>Construction or Demolition Debris</b>	X	X	X
<b>Consumer Material Drop-off Station</b>	X	X	X
<b>Consumer Material Processing</b>	X	X	X
<b>AGRICULTURAL</b>			
<b>Animal Husbandry</b>	X	X	X
<b>Horticulture Nursery</b>	X	X	X
<b>OTHER</b>			
<b>Drive-in or Drive-through Facility</b> (as a component of an allowed use)	X	X	X
<b>Off-premise Outdoor Advertising Sign</b>	X	X	X

[1] Detached houses and duplexes are allowed when part of a planned unit development that was approved before January 1, 2016.

[2] Use allowed above the ground-floor level only.

## 20.050-C Site and Building Design

### 1. Building Placement, Building Design and Site Features

#### a. Intent

The building placement, building design and site design regulations of this section are intended to:

- (1) Ensure that buildings are oriented to face pedestrian areas along the river and abutting streets;
- (2) Create and frame usable outdoor spaces;
- (3) Encourage pedestrian activity by creating compact and well-connected development;
- (4) Ensure that new development is constructed of durable, long-lasting materials;
- (5) Enhance pedestrian interaction with the natural and built environment by providing building articulation and transparency of building façades at pedestrian levels; and
- (6) Promote incorporation of design features that encourage outdoor activity and emphasize the presence of the river and parkland.

**b. Siting of Buildings, Parking and Service Areas**

Buildings, parking and service/equipment areas are subject to the regulations of [Table 20-2](#).

*Table 20-2: RDO Building, Parking and Service Area Siting [1]*

	RDO-1	RDO-2	RDO-3
<b>Build-to-Zones (BTZ) (minimum/maximum setback in feet)</b>			
<b>River BTZ (See <a href="#">Figure 20-1</a>)</b>			
From dual river trail [2]	10/25[3]	10/25[3]	NA
From top of river bank [4]	50/75[5]	50/75[5]	NA
<b>Street BTZ (See <a href="#">Figure 20-2</a>)</b>			
From major street	10/25	10/25[6]	10/25
<b>Building Façade in BTZ</b>			
River BTZ (See <a href="#">Figure 20-3</a> )	At least 60% of river-facing façade must be located in BTZ	River-facing façade must occupy at least 70% of the BTZ length [6][7]	NA
Street BTZ (See <a href="#">Figure 20-4</a> )	At least 60% of street-facing façade must be located in BTZ [6]		
<b>Minimum Side Setback</b>	None required		
<b>Minimum Rear Setback</b>	Per underlying zoning		
<b>Minimum Parking Area Setback (feet)</b>			
From dual river trail [8]	20	20	NA
From top of river bank [4][8]	70	70	NA
From any street	30	30	30
<b>Minimum Service Area/Equipment Setback (feet)</b> (service areas, mechanical equipment, refuse collection areas, storage areas and loading docks)			
From Dual River Trail	50	50	NA
From Top of River Bank [4]	70	70	NA
From any Street	50	50	50

[1] General rules for measuring compliance and exceptions to these regulations and can be found in [Chapter 90](#).

- [2] “Dual river trail” refers to the split or divided public trail that runs generally parallel to the river and that provides separate hard-surfaced areas for cyclists and pedestrians. [Note: Not all portions of the dual river trail are designed as separate/divided trails]. BTZ measurements are taken from the edge of the dual river trail surface located furthest from the river.
- [3] Maximum may be increased to 150 feet if occupied by a pedestrian activity area or outdoor dining/entertainment venue.
- [4] Top of river bank BTZ and setback requirements apply only if dual river trail is not in place. Buildings that project beyond the top of the river bank are exempt from BTZ requirements. The geographic “river bank” refers generally to the land alongside the bed of the river. The top of the river bank must be dimensionally defined on the site plan that is submitted to and approved by the land use administrator during the development/permit review process. The top of bank will generally be interpreted as the highest point where the steepest slope of the bank intersects with the flattest surface further away from the river. The 100-year flood elevation is typically below the top of the bank.
- [5] Maximum may be increased to 200 feet if occupied by a pedestrian activity area or outdoor dining/entertainment venue.
- [6] All buildings must a façade located in a BTZ. Buildings are not required to meet both river and major street BTZ requirements. Buildings must first comply with river BTZ requirements. Once buildings occupy at least 70% of the length of the river BTZ, additional buildings may be constructed in the major street BTZ. These additional buildings are subject to major street BTZ requirements. For purposes administering and interpreting these regulations, a “façade” is an exterior wall of a building.
- [7] Pedestrian activity areas and outdoor dining/entertainment venues may be counted to meet up to 30% of the river BTZ requirement, provided that if multiple buildings on a lot are located within the river BTZ, the cumulative total of all pedestrian activity and outdoor dining/entertainment areas may not exceed 30%.
- [8] Drive aisles that are parallel or generally parallel to the river must be lined by a parking aisle on the river side of the property.

**c. Façades**

Façades are subject to the regulations of [Table 20-3](#).

*Table 20-3: RDO Façade Regulations*

	RDO-1	RDO-2	RDO-3
<b>Minimum Ground Floor Transparency (%)<sup>[1]</sup></b>			
Building façade facing the river	40	40	—
Building façade facing a major street	40	40	40
Building façade facing parking- or common open space area	20	20	—
<b>Required Building Entrances</b>			
Building façade facing the river	At least one building entrance required with direct connection to dual river trail [2]		—
Building façade facing a major street	At least one building entrance required with direct connection to public sidewalk		
Building façade facing parking- or common open space area	At least one building entrance required with direct connection to parking or open space		—

[1] Residential buildings are exempt from ground-floor transparency requirements.

[2] Buildings entrance requirements do not apply to river-facing façades if the building projects beyond the top of the river bank. The land use administrator is authorized to waive the trail direct connection requirement when the subject portion of the trail is in different ownership and an access rights cannot be obtained.

Figure 20-1: River BTZ, Setback and Façade Regulations

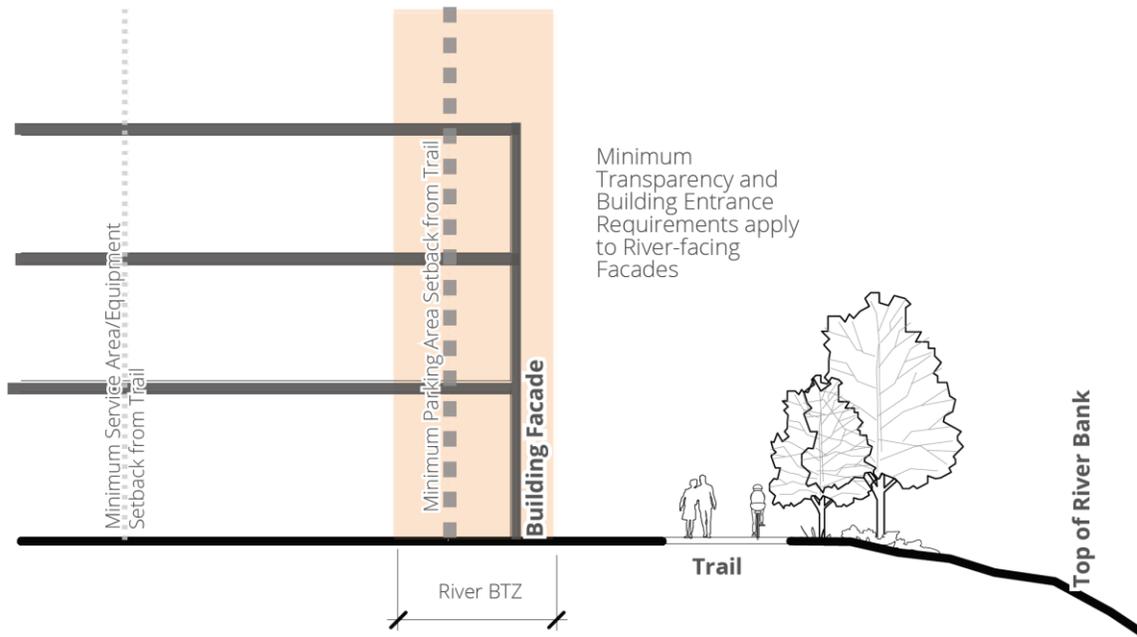


Figure 20-2 Street BTZ, Setback and Façade Regulations

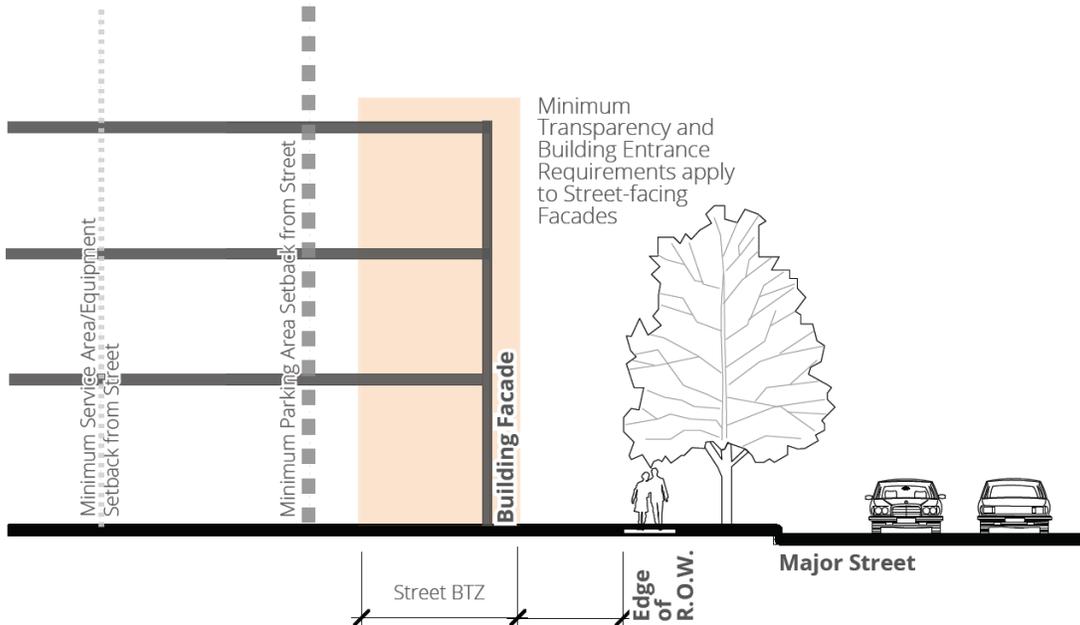


Figure 20-3: Building and Parking Placement (1)

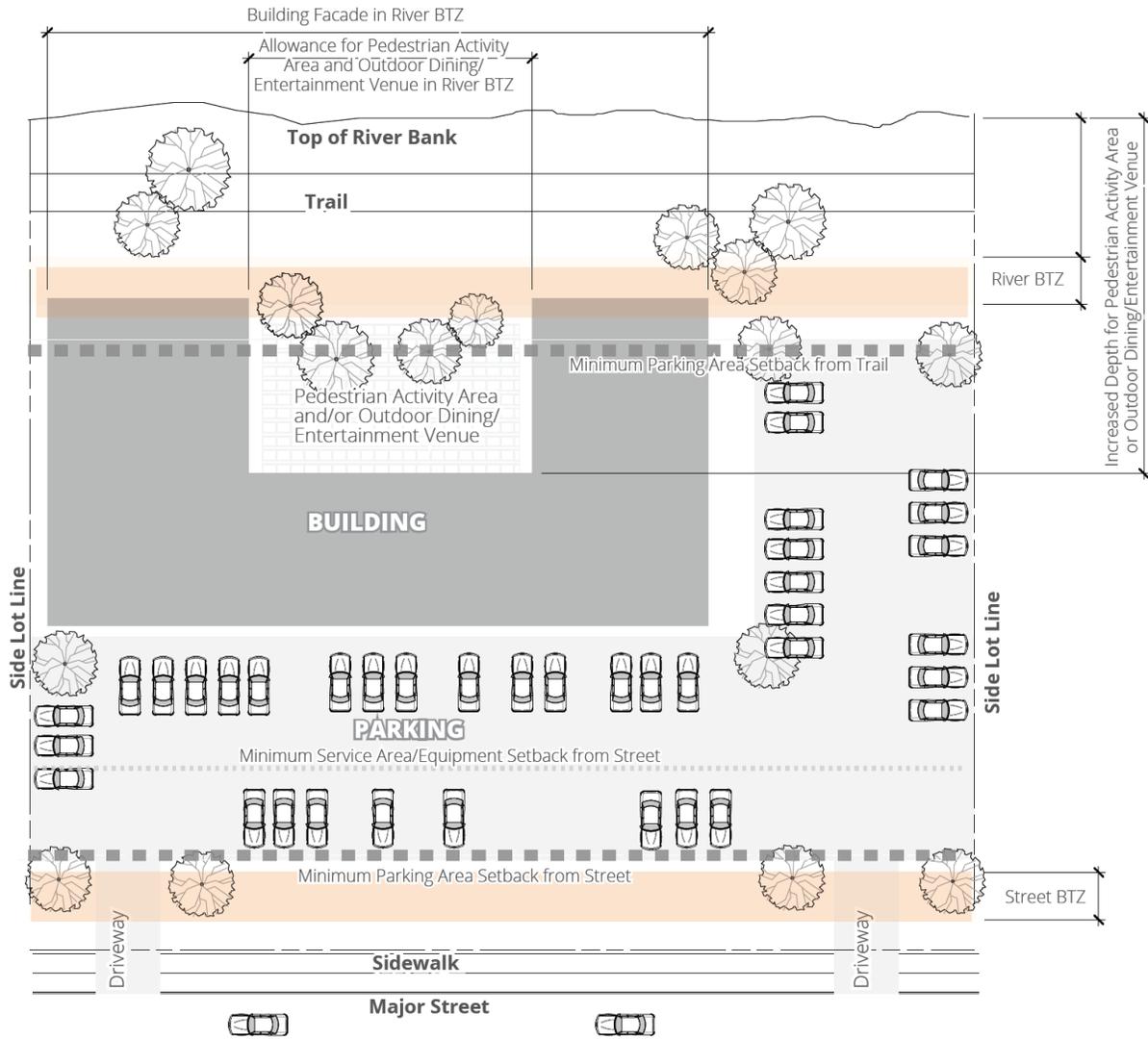
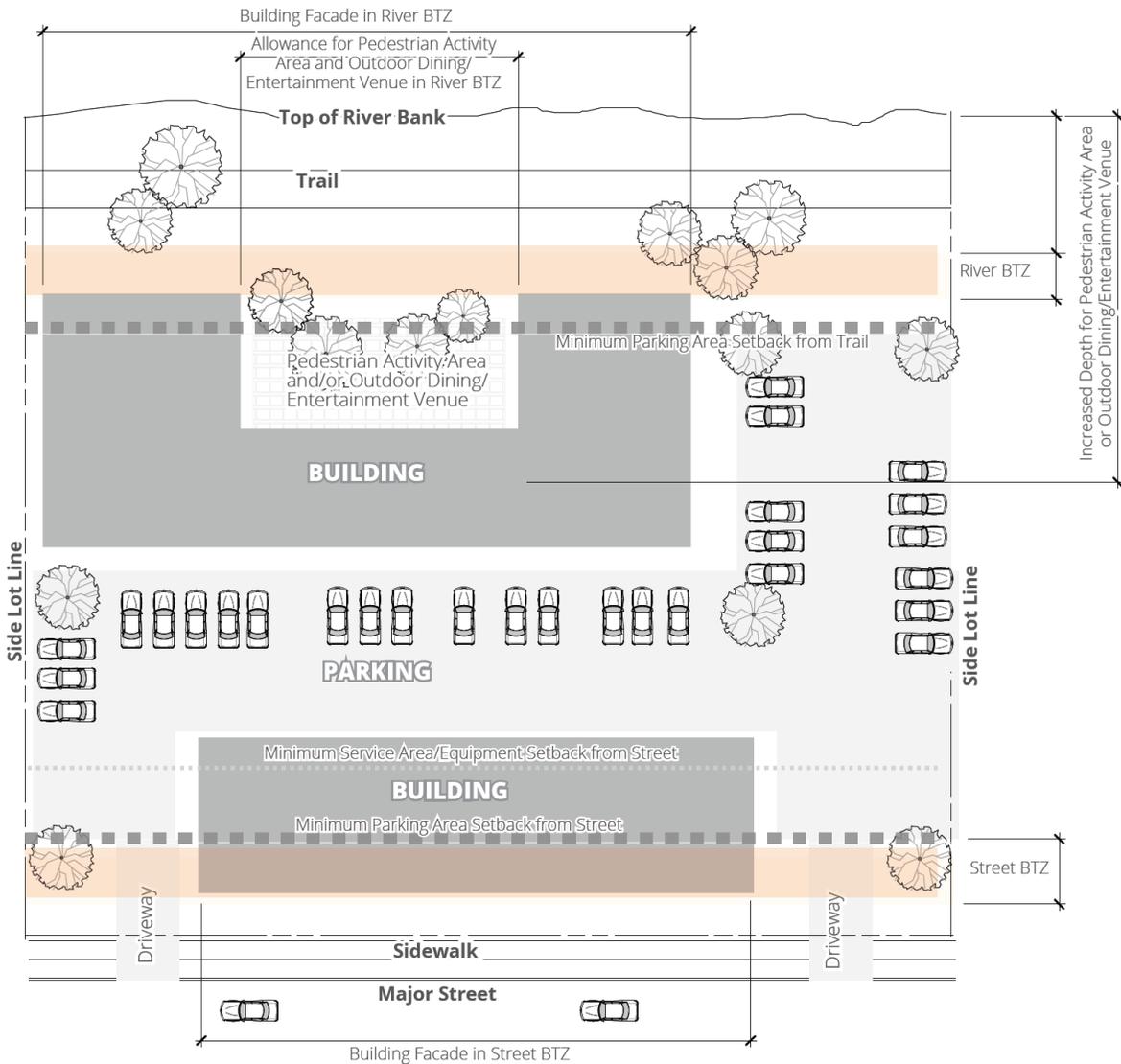


Figure 20-4: Building and Parking Placement (2)



**d. Building Design**

- (1) Exterior insulation and finish systems (EIFS) or simulated stucco may not be used on more than 15% of any building façade and may not be used on the ground-floor level façade.
- (2) Vinyl siding and aluminum siding are prohibited building materials.
- (3) Blank walls without architectural detailing/articulation may not exceed 35 feet in height or width. Articulation must be provided as a means of breaking the building face into separate visually distinct but attached or adjoining pieces by using a different building materials, transparency, openings or by recesses or projections in facades.

**e. Parking Structures**

- (1) Parking structures must be designed to visually conceal ground-floor level parking through the use of architectural detailing or liner buildings.
- (2) Ramped and sloping interior floors must be concealed from view of the public street and the river.
- (3) Stairwells must be built and located on the exterior corners of parking garages and constructed so that at least one wall of the stairwell be visually open to the outdoors. Additional interior stairs may be allowed adjacent to elevators, but one side must remain visually open.
- (4) Screening walls to conceal ramps, slopes and vehicles absent architectural detailing/articulation at expanses greater than 35 feet are prohibited.

**f. Site Features**

- (1) All new utility services, such as telephone, electrical and cable services, must be installed underground.
- (2) Utility components required to be above ground, such as transformers and meters, must either be screened by landscaping or decorative wall or concealed from view of the public street and the river.

**2. Parking**

**a. Intent**

The parking-related provisions of this subsection are intended:

- (1) To minimize the visual prominence of parking, promoting increased pedestrian activity and enhancing the overall appearance of development; and
- (2) To support more urban development intensities through reduced parking minimums and other flexible parking regulations.

**b. Regulations**

- (1) The minimum parking ratios established in Table 55-1 are reduced by 50% for uses in the RDO district.
- (2) Bicycle parking must be provided at a rate of at least 150% of the ratios established in Table 55-3.
- (3) Surface parking lots must be organized as a series of smaller parking areas, each not exceeding 50 spaces. These parking areas must be separated by landscaped areas with a minimum width of 12 feet. Pedestrian walkways may be integrated into these areas but may not be counted toward satisfying the required minimum landscaped area width of 12 feet.
- (4) Off-street surface parking lots must be screened in accordance with the RDO district landscaping and screening regulations of [§20.050-C3](#).

- (5) If an existing off-street parking lot is modified to increase the paved area by more than 15% or 6 parking spaces, whichever is greater, the entire parking lot must be brought into compliance with the parking and landscaping and screening regulations of the RDO district.

### **3. Landscaping and Screening**

#### **a. Intent**

To establish a distinctive landscape character along the river corridor through preservation of existing trees/vegetation, enhanced landscape standards and promotion of native, drought-tolerant and non-invasive landscaping.

#### **b. Regulations**

- (1) The applicant must submit a landscape plan illustrating plant size within a 3-year growing cycle.
- (2) The total landscaped area must equal at least 20% of the lot. Areas beyond the top of the river bank (river side) and existing dual river trails (including the paved trail or trail bed and a 5-foot buffer on each side) may not be counted toward satisfying the minimum 20% landscaped area requirement.
- (3) Dumpsters must be screened by masonry walls with a minimum height of 6 feet and a metal frame gate that is at least 80% opaque.
- (4) Fences and walls that prohibit physical or visual access to the river and those exceeding 3 feet in height are prohibited. The maximum fence and wall height limitation does not apply to screening of service areas, mechanical equipment, refuse collection areas, storage areas and loading docks.
- (5) The perimeter of parking lots must be screened from public streets and the dual river trail by one of the following methods:
  - (a) A berm with a minimum height of 3 feet and a maximum slope of one vertical foot for every 4 horizontal feet. The berm must be planted with coniferous and deciduous trees at a rate of at least one tree per 20 linear feet of berm; or
  - (b) A masonry wall with a minimum height of 2 feet and maximum height of 3 feet, with a minimum 5-foot landscaped buffer containing at least one tree per 20 linear feet located on the outside of the wall.
- (6) Lots adjacent to the dual river trail must provide at least one tree for every 20 feet of trail or river frontage, as follows:
  - (a) All trees required by this provision must be placed within 20 feet of the edge of the trail, trail easement, reserve area or trail right of way, as measured from the outer edge of the tree's trunk; and

- (b) Trees placed within 20 feet of the river trail may not be counted towards meeting the requirements of any other minimum landscape or tree planting requirement of Chapter 65.
- (7) Trees provided to meet the landscaping and screening requirements of this subsection may be regularly spaced or grouped. When grouped, the distance between required trees may not exceed 60 feet.

#### 4. Lighting

##### a. Intent

The lighting provisions of this subsection are intended to:

- (1) Ensure lighting is of pedestrian scale;
- (2) Minimize the negative effects of lighting on adjacent uses; and
- (3) Ensure unified lighting standards along the dual river trail and in parks.

##### b. Regulations

- (1) Floodlights are prohibited.
- (2) Building-mounted neon lighting is only allowed when recessed or contained in a cap or architectural reveal.

#### 5. Signs

##### a. Intent

The sign regulations of this subsection are intended to:

- (1) Ensure that signs contribute to the visual continuity and quality of development in the river corridor;
- (2) Minimize visual clutter; and
- (3) Ensure that signs are primarily of pedestrian scale.

##### b. Regulations

- (1) Off-premise outdoor advertising signs, dynamic display signs and internally illuminated signs enclosed in frames or cabinets (aka "cabinet signs" or "box signs") are prohibited.
- (2) All new or replacement freestanding signs must be monument-style signs with a maximum height of 6 feet.
- (3) Freestanding signs must be consistent with the architectural character of the buildings on the site, incorporating a minimum of one of the primary materials, colors or design elements of the associated structures.
- (4) The sign face area of a monument sign may not exceed 50 square feet.
- (5) Wall signs may not exceed an aggregate sign face area of 1.5 square feet per linear foot of building wall to which they are attached.
- (6) Projecting signs may not project more than 3 feet from the face of the building. The sign area of a projecting sign may not exceed 24 square

feet if located within a street build-to-zone or 12 square feet in any other location.

## **6. Circulation and Access**

### **a. Intent**

The circulation and access provisions of this subsection are intended to:

- (1) Establish a safe and efficient network of vehicular and pedestrian linkages throughout the river corridor;
- (2) Integrate access management design features;
- (3) Accommodate multiple modes of transportation (motor vehicles, transit, bicycles, pedestrians, etc.); and
- (4) Provide connectivity to the parks within and adjacent to the river corridor, dual river trail and the river.

### **b. Regulations**

- (1) No more than one driveway is allowed per 300 linear feet of public right-of-way in RDO-1 and RDO-2 districts.
- (2) All access points to a public street must be shared by multiple tenants and park users.
- (3) All parcels must provide vehicular and pedestrian connectivity (cross-access) with adjacent parcels.
- (4) Internal pedestrian circulation systems must coordinate and connect with public spaces, sidewalks, dual river trail, transit stops and other transportation systems.
- (5) Building and site improvements that obstruct the continuity of or public access to the dual river trail are prohibited.
- (6) All new dual river trails and re-positioned existing dual river trails must be located to avoid vehicular crossings.
- (7) Public sidewalks with a minimum width of 5 feet must be installed along the entire street frontage on any lot abutting a major street.