

ORDINANCE NO. 61

AN ORDINANCE ESTABLISHING CERTAIN SUBDIVISION REGULATIONS AND REQUIREMENTS FOR THE PROMOTION OF THE ORDERLY GROWTH OF SUBDIVISIONS TO THE CITY OF EAST CAMDEN, ARKANSAS, AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF EAST CAMDEN, ARKANSAS, AS FOLLOWS:

SECTION ONE: PURPOSE AND INTENT

Land Subdivision is the first step in community growth. Platting fixes the pattern for building. Once streets and utilities are installed, they are almost impossible to change. These regulations are designed to encourage development that will be sound for many years. Such development insures:

1. safety, service, and stable property values for the home owner
2. economy of maintenance for the city and utility companies
3. uniform minimum standards for all developers
4. fair distribution of taxes.

SECTION TWO: PROCEDURES

1. STEP ONE

Letter of intent. Whenever a subdivider intends to develop land within the meaning of these regulations he shall file a "Letter of intent" with the Planning Commission indicating the type of development intended and a general description of the land to be developed.

Sketch plat. At the same time the subdivider shall present a sketch plat based on general knowledge of the property, so that the Planning Commission may determine general conformance to all official plans and regulations.

2. STEP TWO

Preliminary plat. At least 15 days before the regular meeting of the Planning Commission the subdivider shall file six copies of the preliminary plat with the Planning Commission. The original shall be drawn on tracing linen or tracing paper with India ink or soft pencil to a scale of 1 inch equals 100 feet.

Review. The Planning Commission shall submit copies of the plat to all affected agencies such as the City Council, the Sewer and Water Department, the Fire Department, the County Road Department, the State Highway Department, the Post Office, and the Public Utilities for review and criticism. After the plat has been checked against the "Design standards" as adopted by the Planning Commission, the "Plat requirements" of this ordinance, and the review of other agencies, the Planning Commission shall approve the plat or disapprove it with reasons in writing within 30 days of the first regular meeting after it is received.

Expiration of approval. Preliminary plat approval shall expire within one year if there is no performance of required improvements or if no bonds or money is deposited with the city in lieu of improvements. The Planning Commission may grant a six-month extension of approval if the subdivider can show that unusual circumstances prevented him from starting the subdivision within one year and that conditions in the area of development have not changed substantially.

Stage development. When a subdivision is to be developed in stages, the preliminary plat shall be submitted for the entire development. A final plat may be submitted for each stage.

3. STEP THREE

Final plat. After the subdivider has installed the required improvements to the satisfaction of all inspecting agencies or after he has posted bond or cash with the city to cover the cost of installing the required improvements, he may submit the final plat to the Planning Commission for approval. At least 15 days before the regular meeting of the Planning Commission, the subdivider shall file six copies of the final plat with the Planning Commission. The original shall be drawn in India ink on a sheet of tracing linen at a scale of 1 inch equals 100 feet.

Review and approval. After checking the final plat against the approved preliminary plat and the certificates of approval for installed improvements, the Planning Commission shall approve the plat for recording with the County Recorder or disapprove it with reasons in writing, within 30 days of the first regular meeting after it is received.

#### 4. EXCEPTIONS

Under the following conditions a subdivider may file a final plat for the review of the Planning Commission without filing a Preliminary Plat:

- a. The sale or exchange of property between owners of adjoining properties if additional lots are not created and if no lots or yards are reduced below minimum sizes required by this ordinance or the zoning ordinance.
- b. The division or sale of land by judicial decree.
- c. Development of lots where the necessary dedications and easements are recorded and the necessary public improvements are already installed.
- d. Acreage for agricultural use.

### SECTION THREE: PLAT REQUIREMENTS

#### 1. INFORMATION REQUIRED

Plat Acceptance-Before the Planning Commission may accept plats for review and approval, the subdivider shall submit the information indicated on the following schedule for the respective plats:

| REQUIREMENTS                                                                                       | Preliminary Plat | Final Plat |
|----------------------------------------------------------------------------------------------------|------------------|------------|
| A. Name and Address of Subdivision, Subdivider, Graphic Scale and North Point                      | X                | X          |
| B. Proposed Use of All Land                                                                        | X                | X          |
| C. Conformance to Master Street Plan                                                               | X                |            |
| D. Exact Boundary of Property with Legal Description                                               | X                | X          |
| E. Original Topography-5 ft. intervals on Grades Over 10%, 2 ft. intervals on Grades less than 10% | X                |            |
| F. Acreage                                                                                         | X                |            |
| G. Areas to Remain Unplatted                                                                       | X                | X          |
| H. Lands to be Dedicated to Public Use                                                             | X                | X          |
| I. Lot and Block Numbers                                                                           | X                | X          |
| J. All Proposed Planting or Other Additions Other than Building                                    | X                |            |
| K. Two copies-Letter of Transmittal                                                                | X                | X          |
| L. Location & Description of all Monuments and Stakes                                              |                  | X          |
| M. Location and Names of all Streets, Highways, Streams, etc., within 100 ft. of the Subdivision   | X                | X          |
| N. Location and Dimensions of all Easements and Right-of-way                                       | X                | X          |
| O. Lot Lines Showing Radii of Curves, Tangents, Bearings and Dimensions                            | X                | X          |
| P. Building Setback Lines                                                                          | X                | X          |

|    |                                                                                                                                                                                                         |   |   |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| Q. | Space for Approval of Planning Commission                                                                                                                                                               |   | X |
| R. | Two Copies of Protective Covenants or Bill of Assurance                                                                                                                                                 | X | X |
| S. | Two copies of location, size and profile of Sewer and Water Lines with Elevations of Connections to Existing Lines, Location of Existing and Proposed Hydrants (Where sewer & water lines are required) | X | X |
| T. | Two copies of Typical Street Cross-Section with Improvements                                                                                                                                            | X | X |
| U. | Certificates of Approval of Required Improvements from City Representative, Gas Co., Water Co., & Power Co.                                                                                             |   | X |

2. RIGHT OF PLANNING COMMISSION TO HAVE SURVEY MADE

The Planning Commission may have a survey made of the subdivision to determine if said description is correct. In the event there is an error in said description, the subdivider shall pay for said survey and correct the description to the satisfaction of the Planning Commission.

SECTION FOUR: REQUIRED IMPROVEMENTS, GUARANTEES, AND RESERVATIONS

1. REQUIRED IMPROVEMENTS

No final plat shall be approved by the Planning Commission until the following improvements have been installed and approved by a representative appointed by the Planning Commission.

- A. Monuments and Stakes.
- B. Water supply system approved by State Health Department, the Arkansas Inspection and Rating Bureau, and the East Camden Water and Sewer Department.
- C. Water carried sewage disposal approved by State Health Department and in accordance with City Ordinance pertaining thereto.
- D. Roadway base
- E. Storm Drainage
- F. Culverts and bridges
- G. Street name signs

2. RECOMMENDED IMPROVEMENTS

The Planning Commission recommends that the following improvements be installed so that the streets may be accepted by the City or County for maintenance:

- A. Curb and gutter or stabilized shoulder drainage swale
- B. Paving
- C. Sidewalks

3. GUARANTEES IN LIEU OF IMPROVEMENTS

If the subdivider wishes to post bond in lieu of installing required improvements, he shall post the following bonds:

- A. One surety bond for 100 % of the estimate approved by the Planning Commission or their designated engineer for the cost of all required improvements for faithful performance of the work.
- B. The individual bonds submitted by the various sub-contractors to the subdivider for the faithful performance of the work may be substituted for the one bond of the 100 % provided that the individual bonds are sufficient to cover the estimate approved by the Planning

Commission or thier designated engineer and provided that the individual bonds are made out so that the city can cause the work to be completed in case of default. Such bonds shall be approved by the City Attorney before acceptance.

- C. In lieu of the above bonds and improvements, the subdivider may deposit with the City a sum of money not less than an estimate approved by the Planning Commission or their designated engineer for the total cost of improvements.

#### 4. RESERVATIONS

The Planning Commission may require the subdivider to reserve sites for public use indicated on an officially adopted plan for a period of six months after filing of the Letter of Intent by the subdivider, to permit the public board, commission or body having jurisdiction or financial responsibility the opportunity to acquire said site either through purchase, taking of option, or the filing of condemnation proceedings under the power of eminent domain.

#### 5. SUITABILITY OF LAND FOR DEVELOPMENT

The Planning Commission shall not approve the subdivision of land if it is evident from the investigations and recommendations of the agencies concerned that the site is not suitable for the development of the type proposed.

### SECTION FIVE: AUTHORITY, JURISDICTION, AND ENFORCEMENT

#### 1. AUTHORITY

These regulations are adopted under the authority granted by Act 186 of the Acts of Arkansas.

#### 2. JURISDICTION

These regulations shall govern all subdivision of land within the corporate limits of East Camden, Arkansas, as now or hereafter set. They shall also govern all subdivision of land within the Planning Area shown on Master Street Plan Map of East Camden, Arkansas.

#### 3. ZONING AND OTHER REGULATIONS

No final plat of land within the jurisdiction of other official regulations shall be approved unless it conforms to such regulations. If there is a discrepancy between these regulations and others in force, the highest standard shall apply.

#### 4. ENFORCEMENT

Violations of any provisions of the ordinance shall be considered a misdemeanor and each day's violation shall be considered a separate offense. No utility service shall be extended and no building permits shall be issued for lots in any subdivision recorded after the effective date of this Ordinance until that subdivision has received the final approval of the Planning Commission.

#### 5. SEPARABILITY

The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, sentence, or clause of this Ordinance shall be held unconstitutional or invalid, the invalidity of such section, paragraph, sentence or clause, shall not affect the validity of the remainder of the Ordinance.

### SECTION SIX: RESERVATION

1. The City Council reserve the right at any time to adjust or change any provision of this ordinance at any time where such adjustment or change would appear to be to the best interest of the City of East Camden, Ark.

Dated: April 20, 1981

Cecil Smith  
Mayor

ATTESTED:

Virginia H. Hays  
City Clerk