



# CITY OF **REDFIELD**, ARKANSAS

## SUBDIVISION REGULATIONS



CITY OF REDFIELD  
SUBDIVISION ORDINANCE

June, 1984

Prepared by:  
Southeast Arkansas Regional Planning Commission

## TABLE OF CONTENTS

	<u>PAGE</u>
<u>CHAPTER I. PURPOSE, AUTHORITY AND JURISDICTION</u> -----	1
Section I. Purpose-----	1
Section II. Intent-----	1
Section III. Authority-----	1
Section IV. Jurisdiction-----	1
<u>CHAPTER II. PROCEDURE FOR PLAT APPROVAL</u> -----	3
Section I. Preliminary Consultation-----	3
Section II. Filing of Preliminary Plat-----	4
Section III. Final Plat-----	5
<u>CHAPTER III. PLATTING REQUIREMENTS</u> -----	7
Section I. Submission to the Planning Commission of Preliminary Plat-----	7
Section II. Application for Approval of Preliminary Plat and Plans-----	7
Section III. The Preliminary Plat-----	7
Section IV. The Preliminary Plat shall be Accompanied by the Following Documents, Plans and Specifications-----	9
Section V. Approval of the Preliminary Plat shall be Governored by the Following Qualifications-----	9
Section VI. Certification of Preliminary Plat and Plans-----	10
Section VII. Submission to the Planning Commission of Final Plat-----	11
Section VIII. Application for Approval of Final Plat and Plans-----	11
Section IX. The Plat-----	11
Section X.-----	13
Section XI. Recording of the Final Plat-----	14
<u>CHAPTER IV. LAYOUT, DESIGN, CONSTRUCTION PLANS AND CONSTRUCTION</u> -----	17
Section I. Conformance to Applicable Rules and Regulations-----	17
Section II. Streets and Alleys-----	17
Section III. Sewage Collection and Treatment System-----	24
Section IV. Storm Drainage System-----	25
Section V. Storm Drainage Criteria-----	27
Section VI. Monuments-----	27
Section VII. Plans and Specifications-----	27
<u>CHAPTER V. EXPENSE OF IMPROVEMENTS</u> -----	29
Section I. Cost of Improvement-----	29



CHAPTER VI. PROVISIONS FOR ACQUISITION OF LAND FOR PUBLIC USE-----30

Section I. Dedication, Condemnation, and Purchase-----30

Section II. Purchase of Historic Sites and Scenic Areas-----30

CHAPTER VII. GENERAL-----31

Section I. Modification of Design Requirements, Minimum  
Improvements and Subdivision Regulations-----31

Section II. Amendments-----32

Section III. Administration-----32

Section IV. Fees-----32

Section V. Interpretation and Separability-----33

Section VI. Definitions-----34



CHAPTER I  
PURPOSE, AUTHORITY AND JURISDICTION

SECTION I. PURPOSE

This Ordinance is adopted for the following purposes:

- 1.1 To promote the public health, safety and general welfare.
- 1.2 To further the orderly layout and uses of land.
- 1.3 To promote sound development to relate with existing anticipated public and private development.
- 1.4 To promote sound development through utilization of good design, principles and standards.
- 1.5 To avoid undue concentration of population and overcrowding.
- 1.6 To lessen congestion in the streets and highways.
- 1.7 To provide for adequate provisions for transportation, water, sewerage, schools, parks, playgrounds and other public requirements.
- 1.8 To facilitate the further resubdivision of large tracts into small parcels of land.
- 1.9 To insure proper legal description and proper monuments of subdivided land.
- 1.10 To secure safety from fire, panic and other dangers.
- 1.11 To provide for proper ingress and egress to properties and neighborhoods.

SECTION II. INTENT

These regulations are established with reasonable consideration for the existing character of the City of Redfield with a view toward conserving the value of buildings upon the land and providing the best possible environment for human habitation. It is intended that these regulations shall supplement and facilitate the enforcement of the provisions and development contained in the Comprehensive Plan and all elements thereon.

SECTION III. AUTHORITY

These subdivision regulations are adopted in accordance with the authority granted by Act 186 (as amended) of the 1957 General Assembly of the State of Arkansas.

#### SECTION IV. JURISDICTION

The territorial jurisdiction under these regulations shall include all that are designated on the Official Planning Area Map as adopted by the Redfield Planning Commission and City Council and filed with the Circuit Clerk-Recorder of Jefferson County and Grant County.

## CHAPTER II

### PROCEDURE FOR PLAT APPROVAL

#### SECTION I. PRELIMINARY CONSULTATION

Whenever a developer intends to develop land within the meaning of these regulations and before he prepares a preliminary plat, he shall request a pre-platting conference with the Plats Officer and the Southeast Arkansas Regional Planning Commission staff for the purpose of reviewing a sketch plat and applicable planning requirements. Such pre-platting conference may be of assistance to the developer through prevention of unnecessary expense in plat preparation.

- 1.1 Sketch Plat - The developer shall prepare a sketch plat of all the property which is proposed for subdivision. The sketch plat may be free-hand drawing superimposed upon a print of a site map or aerial photograph which generally locates the following:
  - 1.1-1 Topography (Available USGS)
  - 1.1-2 Street pattern proposed
  - 1.1-3 Existing storm sewer, if any
  - 1.1-4 Existing sanitary sewer, if any
  - 1.1-5 Proposed land use designation
  - 1.1-6 Existing water course and flood plain
  - 1.1-7 Existing tree coverage
  - 1.1-8 Existing adjacent development
  - 1.1-9 Existing easement and covenants affecting land
  - 1.1-10 Any additional information the developer feels is pertinent
- 1.2 Tentative Proposals - The developer shall indicate what tentative plans have been made regarding water supply, sewerage disposal, surface drainage and street improvements.
- 1.3 Action by the Plats Officer - The Plats Officer shall discuss the proposed subdivision with the subdivider and advise him of procedural steps, design and improvements, standards and general plat requirements, after which, the Plat Officer shall proceed with the following investigation.
  - 1.3-1 Advise the developer of existing City and County plans which might affect the proposed subdivision.



- 1.3-2 Determine the adequacy of existing or proposed schools and other public facilities which affect the proposed subdivision.
- 1.3-3 Inspect the site or otherwise determine its relationship to major streets, utilities systems and adjacent land use and determine any unusual problems regarding topography, sewerage disposal, flooding, etc.
- 1.3-4 Upon receipt of the letter of intent and official acknowledgement of same, and upon certification by the Plat Officer that the discussions and investigation have been completed, the Plat Officer shall authorize the subdivider in writing to prepare and submit his tentative Plat within twelve (12) months from the date the letter was sent.

## SECTION II. FILING OF PRELIMINARY PLAT

The subdivider shall prepare a preliminary plat of the proposed subdivision in accordance with the requirements of this Ordinance, and shall file with the Plat Officer an application in writing for the Preliminary Plat approval of said plat, accompanied by seven (7) blue print drawings of said plat and three (3) copies of the documents, plans and specifications meeting the requirements of this Ordinance at least twenty (20) days prior to the meeting of the Planning Commission.

- 2.1 Action by the Plats Officer - The Plats Officer shall transmit copies of the preliminary documents, plans and specifications to the City officials and other agencies as deemed necessary by the Planning Commission for these recommendations. These recommendations in respect thereto shall be submitted to the Planning Commission not later than two (2) days before the meeting at which the preliminary will be reviewed.
- 2.2 Action by the Planning Commission
  - 2.2-1 A preliminary plat shall be reviewed by the Planning Commission to determine its conformity to this Ordinance, the Official Plan, all other Ordinances and regulations in force which affect subdivisions.
  - 2.2-2 The Planning Commission shall within forty-five (45) days of the receipt of an application for the approval of a preliminary plat, approve or disapprove the plat, or approve it with modifications, noting thereon any changes that will be required. If agreed to by the subdivider, the time may be extended for no more than sixty (60) days after which approval or disapproval, and the reason therefor, on will be stated by the Planning Commission.

2.2-3 If the preliminary plat as originally submitted, or as changed or modified as required by the Planning Commission, meets the requirements of this Ordinance, the Planning Commission shall give its approval. If the preliminary plat is disapproved, it shall be noted and it shall be returned to the subdivider within seven (7) days after the meeting. If it is approved, the Chairman, Secretary, and Plats Officer shall affix their signatures to it with the notation that it has received the Planning Commission's approval and then be returned within seven (7) days after the meeting to the subdivider for compliance with final approval requirements.

2.2-4 Preliminary approval by the Planning Commission shall give the applicant the following rights for a twenty-four (24) month period from the date of approval. If the preliminary plat approval expires, the subdivider may request an extension on his approved preliminary plat by submitting a letter to the Planning Commission stating why he should be granted an extension.

- (1) That the general terms and conditions under which the preliminary approval was granted will not be changed by the Planning Commission.
- (2) That the applicant may submit on or before the expiration date the whole or part of the preliminary plat for final plat approval.

### SECTION III. FINAL PLAT

After approval of the preliminary plat, the improvements shall be installed or a bond to cover the cost of the improvements shall be established. The subdivider who wishes final plat approval shall file with the Plats Officer an application in writing for final plat approval of said plat, accompanied with one (1) mylar and three (3) copies thereof which shall conform to the requirements of this Ordinance. Also three (3) copies of documents, specifications and building plans shall be submitted to the Plats Officer. Said plats, documents, specifications and plans shall be submitted to the Plats Officer at least twenty (20) days prior to the Planning Commission meeting.

3.1 Filing of Final Plat - After he completes all improvements, or guarantees by a bond to provide utilities and improvements to the satisfaction of the City designated engineer and Planning Commission, the subdivider shall file with the Plats Officer for final plat approval within twenty-four (24) months of the date of approval or conditional approval of the preliminary plat, unless such period is extended by the Planning Commission.

### 3.2 Action by the Planning Commission

3.2-1 Upon receipt thereof, the Planning Commission shall examine the final plat and all necessary certificates to determine its conformance to the preliminary plat and the requirements established in this Ordinance, and shall within thirty (30)



days of its submission by the Plats Officer, unless the time is extended by the Planning Commission in agreement with the developer, either approve or disapprove said plat. If the final plat is disapproved it shall be noted and it shall be returned to the subdivider.

3.2-2 If the Planning Commission approves the final plat, such approval and the date thereof shall be noted on the plat over the signature of the Chairman of the Commission and the Plats Officer and the plat shall be transmitted to the City Council for the necessary action on the final plat in the acceptance of public dedication of land.

3.3 Action by the City Council

3.3-1 The City Council shall approve or disapprove the public dedication of land in the final plat within thirty (30) days of its submission to the City Council. If the public dedication is not accepted, it shall be noted and returned to the subdivider.

3.3-2 After the final plat has been approved by the City Council, Mayor and City Clerk shall sign the plat and the City Clerk shall submit a copy of the resolution approving the plat to the Chairman of the Planning Commission.

3.4 Action by the Subdivider - Upon receipt of the final plat approval by the City Council, the subdivider or his agent shall record the plat with the Jefferson County Clerk's Office within sixty (60) days of the date of the City Council action.



CHAPTER III  
PLATTING REQUIREMENTS

SECTION I. SUBMISSION TO THE PLANNING COMMISSION OF PRELIMINARY PLAT

Every proposed subdivision shall be submitted to the Planning Commission by the Plats Officer for preliminary or conditional approval in the form of a preliminary plat prior to the submission of a final plat for recording. The preliminary plat is not intended to be a final plat and must be prepared in such form as not to be confused with a final plat. Its purpose is to show graphically all facts needed to enable the Planning Commission and other public agencies to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public interest. The preliminary plat shall be prepared by a qualified engineer, surveyor or land use planner. A registered professional engineer of the State of Arkansas must be responsible for the design of all public improvements.

SECTION II. APPLICATION FOR APPROVAL OF PRELIMINARY PLAT AND PLANS

The owner or his agent shall file a letter declaring his intent to subdivide, and this shall be accompanied by preliminary plat, documents, plans and specifications.

SECTION III. THE PRELIMINARY PLAT

Seven (7) prints of the preliminary plat shall be submitted to the Plats Officer. These may be blue lines or blue line prints at a scale of not more than one hundred (100) feet to the inch, and shall show correctly on its face the following information:

- 3.1 Date, scale and north point.
- 3.2 The proposed subdivision name (including city, county and state).
- 3.3 The name and address of the owner, the subdivider and surveyor responsible for surveys.
- 3.4 The actual boundary survey and legal description, the acreage to be subdivided, and the location of the subdivision by quarter section, township and range.
- 3.5 A detailed vicinity sketch or small scale drawing of the area within which the subdivision lies, with the location of the subdivision indicated thereon.
- 3.6 The exact length and bearing of the exterior boundaries of the subdivision. Dimensions shall be expressed in feet and decimal of a foot.
- 3.7 Location and names of adjacent subdivisions and the owners of adjacent parcels of unsubdivided land.

- 3.8 Location, width, and names of all existing and platted streets, alleys, and other publicways and easements, railroad and utility right-of-way, parks, cemeteries, watercourses, drainage ditches, permanent buildings, bridges, and other pertinent information as determined by the Planning Commission.
- 3.9 The water elevation of adjoining lakes or streams at the date of the survey and approximate high and low water elevations of such lakes and streams.
- 3.10 If a major watercourse lies adjacent to or crosses the property it shall be necessary for the registered engineer to submit cross-sections drainage easements, building setback lines and supporting calculations based upon the one hundred (100) year flood history.
- 3.11 Layout, width, grades, and proposed names of all new streets and right-of-ways, including alleys, highways, easements for sewer and water mains, and other public utilities.
- 3.12 Existing sewer, water mains, culverts, and other underground structures within the tract or immediately adjacent thereto.
- 3.13 Plans of proposed utility layout (water, sewer and stormwater) showing connections to any existing or proposed utilities system.
- 3.14 Approximate location and area of all property proposed to be dedicated or reserved for public use or to be reserved by deed covenant for use of all property owners in the subdivision, with conditions, if any, of such dedication or reservations.
- 3.15 Approximate dimensions of areas of lots. All lots over one (1) acre in size shall have the area marked on them within the lot.
- 3.16 Proposed setback lines.
- 3.17 Approximate radii of all curves, length of tangents, central angles of all streets.
- 3.18 Contours at vertical intervals of not more than two (2) feet. In cases where the land has less than two (2) percent slope, spot elevation shall be required.
- 3.19 Location and dimensions of all proposed water line and fire hydrants.
- 3.20 Street sign locations.
- 3.21 Street light locations.
- 3.22 If the proposed subdivision is a portion of a tract which is later to be subdivided in its entirety, then a tentative Master Plan of the entire subdivision shall be submitted with the preliminary plat of the portion first to be subdivided. The Master Plan shall conform in all respects to the requirements of the sketch plat described.



- 3.23 Location and description of all section line corners and government survey monuments in or near the subdivision to at least one (1) of which the proposed subdivision shall be referenced.

SECTION IV. THE PRELIMINARY PLAT SHALL BE ACCOMPANIED BY THE FOLLOWING DOCUMENTS, PLANS AND SPECIFICATIONS

- 4.1 A summary of the proposal giving information as to the overall development plan giving type of structure, number of dwelling units, types of business and industry so that the effects of the development can be determined by the board and the staff.
- 4.2 Existing and proposed covenants and restrictions.
- 4.3 Source of water supply.
- 4.4 Provisions for sewage disposal, drainage, and flood control.
- 4.5 Detailed sanitary sewer, storm sewer and water supply plans as deemed appropriate by the Planning Commission. Three (3) sets of plans shall be submitted.
- 4.6 Letters or certificates of approval or disapproval from the County or State agencies, as well as from the utility companies that are applicable. Such material should be obtained and submitted by the subdivider.
- 4.7 Typical cross-sections of all streets; centerline profiles of approximate street grades derived from office computations may be required by the staff if deemed advisable. Three (3) sets of cross-sections and profile plans shall be submitted.
- 4.8 Where no sewers are available and the use of individual disposal systems are required such systems shall be planned and installed in accordance with the Arkansas State Department of Health Bureau of Environmental Engineering Bulletin No. 9 (Revised 1969) or such regulations as may supplant same, and copies of percolation tests, required by it, furnished to the board. (see Addendum No. 1)
- 4.9 Such other information as the subdivider wishes to bring to the attention of the Planning Commission.

SECTION V. APPROVAL OF THE PRELIMINARY PLAT SHALL BE GOVERNORED BY THE FOLLOWING QUALIFICATIONS

- 5.1 Approval of a preliminary plat is only tentative, pending submission of the final plat.



- 5.2 Approval of the preliminary plat does not constitute approval of sewer, storm sewer water, or utility plans. The developer shall be responsible for obtaining approval of these systems from the appropriate agencies as follows:
1. Streets and Drainage - Planning Commission
  2. Extension of Sanitary Sewer Lines - Planning Commission
  3. Private Utilities - Utility Companies.
- 5.3 Receipt by the developer of the executed Certificate of Preliminary Plat Approval is authorization to proceed with:
- a. The installation of any improvements required as approved by agencies having authority, or the posting of a performance bond in accordance with this Ordinance.
  - b. The preparation of the final plat or part thereof as specified in accordance with this Ordinance.

#### SECTION VI. CERTIFICATION OF PRELIMINARY PLAT AND PLANS

##### 6.1 Preliminary Surveyor's Certificate

I hereby certify that this proposed Preliminary Plat correctly represents a survey completed by me, or under my supervision, on \_\_\_\_\_, 19\_\_; that the boundary lines shown hereon corresponds with the description in the deeds cited in the above Source of Title; and that all monuments found or placed on the property are correctly described and located.

\_\_\_\_\_  
Date of Execution

\_\_\_\_\_  
Name  
Registered Land Surveyor  
No. \_\_\_\_\_ State of Arkansas

##### 6.2 Preliminary Engineering Certificate

These proposed plans and specifications were completed by me, or under my supervision on \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Date of Execution

\_\_\_\_\_  
Name  
Registered Professional Engineer  
No. \_\_\_\_\_ State of Arkansas

##### 6.3 Certificate of Planning Commission Approval

This plat has been given Preliminary Plat approval in accordance with the Redfield Subdivision Ordinance the \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
ATTEST: Secretary

\_\_\_\_\_  
Chairman

#### 6.4 Certificate of Plats Officers Approval

All requirements of the Redfield Subdivision Ordinance relative to the preparation and submittal of a preliminary plat have been met and approval of said Plat has been granted by the Planning Commission.

\_\_\_\_\_  
Date of Execution

\_\_\_\_\_  
Plats Officer

#### SECTION VII. SUBMISSION TO THE PLANNING COMMISSION OF FINAL PLAT

A final plat may constitute all or a portion of the approved preliminary plat. A final plat may constitute only a portion of the area contained in the approved preliminary plat provided that the public improvements constructed or to be constructed by bond in the area covered by the plat are sufficient by and of themselves to accomplish a proper development and to provide adequately for the health, safety and convenience of the proposed residents therein and for adequate access to contiguous areas.

#### SECTION VIII. APPLICATION FOR APPROVAL OF FINAL PLAT AND PLANS

The owner or his agent shall file a letter declaring his intent to obtain final plat approval and this shall be accompanied by the final plat, documents and building plans and specifications.

#### SECTION IX. THE PLAT

The final plat shall be drawn to scale with waterproof non-fading black ink, at a scale of not more than one hundred (100) feet to the inch, on mylar twenty-four (24) inches wide by thirty-six (36) inches long. When more than one sheet is used for any plat, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the plat and showing the relationship of that sheet to the other sheets, and each sheet shall bear the name of the subdivision. Each plat shall show correctly on its face the following information:

- 9.1 Date, scale and north point.
- 9.2 Name (including City, County and State).
- 9.3 The exterior boundaries of the land surveyed and divided.
- 9.4 All monuments erected, corners and other points established in the field in the proper place. The material of which the monuments, corners or other points are made shall be noted at the representation thereof or by legend, except that the lot corners need not be shown. The legend for metal monuments shall indicate the kind of metal, diameter, and length.
- 9.5 The exact length and bearing of the exterior boundaries, the boundary line of all blocks, public grounds, streets and alleys, and all lot lines, except that when the lines in any tier of lots are parallel, it shall be sufficient to make the bearing of the outer lines on one tier thereof. Easements shall be shown by center line and width when lines are parallel to lot lines.



- 9.6 Boundary bearings and distances shall be shown by center lines and width when lines are parallel to a boundary, otherwise boundary bearings and distances shall be shown.
- 9.7 Blocks, if designated, shall be consecutively numbered. The blocks in numbered additions to subdivisions bearing the same name shall be numbered consecutively through the several additions.
- 9.8 The length of boundary lines of all streets, alleys, blocks, lots, parcels, public grounds, easements, and right-of-ways or enough information so that the length of these lines can be derived by simple calculation. Where a boundary line is an arc of a circle, the length of the chord shall be shown.
- 9.9 The widths of all streets, alleys, easements and right-of-ways.
- 9.10 A graphic presentation of the minimum building setback lines on all lots and parcels and a notation of the distance between such lines and the street right-of-way line.
- 9.11 The area of each lot or parcel containing an area of more than an acre.
- 9.12 The words "Private Road" clearly marked on all streets shown on the plat which are not dedicated to public use.
- 9.13 Abutting street lines of adjoining subdivisions shown in their correct location by dashed lines.
- 9.14 The exact width of all easements, streets and alleys.
- 9.15 All lakes or stream shore meander lines established by the surveyor in accordance with this Ordinance, the distance between the distance of the bearing thereof and the distance between the point of intersection of such meander lines with lot lines and the ordinary high water mark.
- 9.16 The number of degrees and minutes in all exterior boundary and block angles. When such angle show shall be that between tangent and the main chord of the curve. When between curves of different radii, the angle between the main chord.
- 9.17 Exact boundary lines of the tract indicated by a heavy line, or other acceptable control traverse, giving dimensions to the nearest one-tenth (1/10) foot and angles to the nearest minute, which shall be balanced and closed with an error of closure not to exceed one (1) to five thousand (5,000).
- 9.18 All interior excepted parcels shall be clearly indicated and labeled "Not a Part of this Plat".



- 9.19 The location of the subdivision by quarter section, township, range and county noted immediately under the name given the subdivision.
- 9.20 The exact location of the subdivision, indicated by distance bearings with reference to a corner or corners established in the United State public land survey.
- 9.21 The names of adjoining streets, state highways and subdivisions shown in their proper location underscored by a dotted line.
- 9.22 Abutting street and state highway lines of adjoining plats shown in their proper location be dotted lines. The width of these streets and highways shall be given also.
- 9.23 Roads and public spaces.
- 9.23-1 The name of each road or street in the plat shall be printed therein in prominent letters.
- 9.23-2 All lands dedicated to public use except roads and streets shall be marked "Dedicated to the Public".
- 9.23-3 All roads and streets not dedicated to the public shall be marked on plat "Private Road".
- 9.23-4 Each lot within the plat must have access to a public or private street or road.
- 9.24 Site Conditions and Topography.
- 9.24-1 All existing buildings.
- 9.24-2 All watercourses, drainage ditches, and other existing features pertinent to proper subdivision.
- 9.24-3 The water elevation of adjoining lakes, rivers, or streams at the date of the survey.
- 9.24-4 First floor elevation a minimum of one (1) foot above the one-hundred (100) year flood history for all property adjacent to major water courses.

#### SECTION X.

Final Plat shall be accompanied by the following documents, plans and specifications:

- 10.1 Covenants and restrictions.
- 10.2 As built plans for the following:
- Streets
  - Storm sewer
  - Sanitary sewer
  - Water

- 10.3 Certification of approved water supply and sanitary sewage disposal by the appropriate agency when not connected to a municipal system.

#### SECTION XI. RECORDING OF FINAL PLAT

To entitle a final plat to be entered in the proper records in the Office of the Circuit Clerk and Recorder of Jefferson County and/or Grant County the following certificates together with the certificate of approval of the City Council shall accompany it. These certificates shall be lettered or printed legibly on the face of the final plat. The following certificates and affidavits shall appear on the final plat. They must be duly signed by the appropriate persons before the plat can be recorded.

##### 11.1 Certification by the Surveyor

I hereby certify that, at the request of the owner, I have surveyed and subdivided according to the owned Plat \_\_\_\_\_ of Subdivision; a part of the \_\_\_\_\_. Principal meridian, bounded and described as follows:  
(Legal Description)

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Surveyor

Registered Land Surveyor No.  
State of Arkansas

##### 11.2 Certification of Dedication by Owner

As owner, I hereby certify that I have caused the land described in the foregoing affidavit of the surveyor, to be surveyed, divided and mapped as presented on this plat. All streets, alleys, walkways, parks, open-space, playgrounds and school sites shown on this plat are hereby dedicated to the public for public purposes, and all easements shown are subject to easement provisions herein.

\_\_\_\_\_  
Owner

##### 11.3 Certification by Notary Public

I \_\_\_\_\_, a Notary Public in and for the County of \_\_\_\_\_, in the State of \_\_\_\_\_, do hereby certify that \_\_\_\_\_ personally known to me this day in person and acknowledged that he (they) signed, sealed and delivered said instrument as his (their) own free will and accord for the use and purposes therein set forth.

Given under my hand and National Seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_."  
My commission expires \_\_\_\_\_.



#### 11.4 Easement Provisions

An easement is hereby reserved for and granted governmental bodies and other public utilities and their respective successor and assigns within the area as shown by dotted lines on the plat and marked "Easement", to install, lay, construct, renew, operate and maintain storm and sanitary sewers, pipes, conduits, cables, poles and wires, overhead and underground with all necessary braces, guys, anchors and equipment for the purpose of servicing the subdivision and other property with telephone, electric and other utility service; also is hereby granted the right to use the streets for said purpose, the right to overhang lots with aerial service wires to serve adjacent lots, the right to enter upon the lots at all times to install, lay, construct, renew, operate and maintain within the said easement area said storm and sanitary sewers, pipes, conduits cables, poles, wires, braces, guys, anchors and other equipment for the purpose of serving the subdivision and other property with telephone, electric and other utility service; and finally the right is hereby granted to cut down and remove or trim and keep trimmed any trees, shrubs or saplings that interfere or threaten to interfere with any of the said public utility equipment installed on said easement, but same may be used for gardens, shrubs, landscaping and other purposes that do not then or later interfere with the aforesaid uses or the right therein granted.

#### 11.5 Certification by the Planning Commission

This to certify that the Redfield Planning Commission did at its meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, approve the plat and forward it to the City Council.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

#### 11.6 Certification by the City Council of Redfield

This is to certify that the Redfield City Council did, at its meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, approve the plat and accept the public dedication on said plat.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

#### 11.7 Certification by the Plat's Officer

Having received the conditions of the Planning Commission and finding substantial conformity with all pertinent laws and rules and regulations



included in this Ordinance and the preliminary plat, the plat is given final plat approval this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Plats Officer

11.8 Certification by Circuit Clerk and Recorder

I, Circuit Clerk and Recorder of Jefferson County, Arkansas, do hereby certify that the within plat was filed in my office at \_\_\_\_ o'clock a.m., this \_\_\_\_ day of \_\_\_\_\_, 19\_\_ and the same is duly recorded in Plat Book \_\_\_\_, Page \_\_\_\_.

\_\_\_\_\_  
Circuit Clerk and Recorder

Insert Grant County if located in Grant County.

## CHAPTER IV

### LAYOUT, DESIGN, CONSTRUCTION PLANS AND CONSTRUCTION

#### SECTION I. CONFORMANCE TO APPLICABLE RULES AND REGULATIONS

In addition to the design standards established herein, all subdivision plats shall comply with the following laws, ordinances, rules and regulations.

- 1.1 The City of Redfield and all other applicable ordinances of the appropriate jurisdictions.
- 1.2 The Comprehensive Plan and all other elements thereof, and Official Master Street Plan and Land Use Plan of the City of Redfield or any portions thereof.
- 1.3 The special requirements of this Ordinance and any rules of the County Health Department and the Arkansas State Health Department in relation to lot size and lot elevation if the subdivision is not served by public water or by a public sewer and provision for one or both of these services has not been made.
- 1.4 The rules of the Arkansas Highway and Transportation Department relating to safety of access and the preservation of the public interest and investment in the streets if the subdivision or any lot contained therein abuts a state highway.

#### SECTION II. STREETS AND ALLEYS

##### 2.1 General Consideration

- 2.1-1 The location, width on all highways, roads and streets shall conform to the Master Street Plan. Proposed street systems shall extend existing streets on projections at the same or greater width, but in no case shall be less than the required minimum standards.
- 2.1-2 Streets shall be designed and located in relation to existing and planned streets, to topographical conditions and natural terrain features such as streams and existing tree growth, to public conveniences and safety, and in appropriate relation to the proposed use of land to be served by such streets.
- 2.1-3 To allow for the orderly transition from its rural character to an effective urban system both "urban and "rural" design and improvement standards are provided in this Subdivision Ordinance. All streets and highways are to be developed to urban standards unless otherwise designated. The City of Redfield has the responsibility of determining the construction and design standards applicable to any and all segments of the City street system and those within the planning area, since public improvements such as water, sewage disposal, drainage, street reconstruction, sidewalk installation along with other utilities and traffic improvements may eventually be undertaken and financed from public tax sources.

- 2.1-4 It shall be the subdividers responsibility to initiate any request for exception to the urban street improvement standards and show cause why the rural standards are applicable in his particular case.

## 2.2 Arrangements

- 2.2-1 All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated right-of-ways as established by the Master Street Plan for Redfield.
- 2.2-2 All thoroughfares shall be properly related to special traffic generators such as industries, business areas, schools, churches and shopping centers and to population densities and the pattern of existing and proposed land uses.
- 2.2-3 Minor streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient, safe access to property.
- 2.2-4 The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U shaped streets shall be encouraged where such use will result in more desirable layout.
- 2.2-5 Proposed streets shall be extended to the boundary lines of the tract to be subdivided unless prevented by topography or other physical conditions, or unless in the opinion of the Planning Commission such an extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.
- 2.2-6 In business and industrial development, the street and other accessways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provisions of alleys, truck loading and maneuvering areas, fire protection and walks and parking areas so as to minimize conflicts of movement between the various types of traffic, including pedestrian.

## 2.3 Access to Arterial Streets - Where a subdivision borders or contains an existing or proposed arterial street, the Planning Commission may require that access to such streets be limited by one of the following means.

- 2.3-1 The subdivision of lots so as to back onto the arterial street and front onto parallel local street, no access shall be provided from the arterial street.



2.3-2. A series of cul-de-sacs, U-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial street.

2.3-3 The number of residential streets entering an arterial shall be kept to a minimum.

## 2.4 Street and Road Standards

2.4-1 Urban-Rural Streets: All streets or streets where the majority of lot have 100 feet or less at the front building line shall be considered urban streets and require that curb and gutter be installed.

2.4-2 The following minimum standards shall apply to the design of minor residential streets.

	<u>URBAN</u>	<u>RURAL</u>
Right-of-way	50'	50'
Pavement width	22'	22'
Type of curb	Vertical	N/A
Sidewalk width	5'	N/A
Design speed	30	30

2.4-3 The following minimum standards shall apply to the design of the residential collector streets.

	<u>URBAN</u>	<u>RURAL</u>
Right-of-way	70'	70'
Pavement width	32'	32'
Type of curb	Vertical	N/A
Sidewalk width	5'	N/A
Design speed	35	35

2.4-4 The following minimum standards shall apply to the design of business and industrial collector and minor arterial streets.

	<u>URBAN</u>	<u>RURAL</u>
Right-of-way	70'	70'
Pavement width	44'	44'
Type of curb	Vertical	N/A
Sidewalk width	5'	N/A
Design speed	35-40	35-40

- 2.4-5. The following minimum standards shall apply to the design of arterial streets.

	<u>URBAN</u>	<u>RURAL</u>
Right-of-way	90'	90'
Pavement width	48'	48'
Type of curb	Vertical	N/A
Sidewalk width	5'	N/A
Design speed	40-45	40-45

- 2.4-6 Street grades - The grade of collector and arterial streets shall not exceed five (5) percent unless necessitated by exceptional topography and approved by the Planning Commission. The grade of all other streets shall not exceed seven (7) percent. The minimum grade of all streets shall be four-tenths (0.4) of one percent. Sidewalks and pedestrian-ways shall not exceed twelve (12) percent unless steps of an approved design are to be used.

- 2.4-7 Tangents - A tangent at least one hundred (100) feet in length shall be introduced between reverse curves on collector and arterial streets.

2.4-8 Cul-de-sacs, Dead-end Streets, Stub Streets

- (1) A cul-de-sac shall not be longer than one thousand (1000) feet in length.
- (2) The diameter of a cul-de-sac turn-around (measured at the outside of right-of-way) shall not be less than one hundred (100) feet.
- (3) All dead-end streets or stub streets shall be improved to the limits of the subdivision plat and terminated by a barricade improvement recommended by the Planning Commission and installed by the developer at his own expense.

- 2.4-9 Half Streets - Street systems in new subdivisions shall be laid out so as to eliminate or avoid half streets. Where a new subdivision abuts an existing street of inadequate right-of-way width, additional right-of-way width may be required to be dedicated by the subdivider to meet the requirement of this section.

2.4-10 Street Intersections

- (1) Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy (70) degrees shall not be acceptable. Not more than two (2) streets shall intersect at any one point.



- (2) Proposed new intersections along one side of an existing street shall wherever practicable, coincide with any existing intersection on the opposite side of such streets. Street jogs with center line offsets of less than one hundred and twenty five (125) feet shall not be permitted.
  - (3) Where the grade of any street at the approach of an intersection exceeds seven (7) percent, a leveling area shall be provided having not greater than four (4) percent grade a distance of twenty-five (25) feet, measured from the nearest right-of-way line of street intersection.
  - (4) Where any street intersection will involve earth banks of existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide an adequate sight distance.
- 2.4-11 Street Curves - Curves in streets shall have a radius adequate to insure sight distances sufficient to permit a driver to stop safely.
- 2.4-12 Subdivision with Arterial Streets - Where a subdivision abuts or contains an arterial street, the Planning Commission may require such improvements as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. These improvements may include, but are not necessarily limited to, marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, and deep lots with rear service alleys.
- 2.4-13 Street Names - All street names are to be approved by the Redfield Planning Commission prior to final plat approval. No street names shall be used which will duplicate or be confused with names of existing streets. New streets which are extensions of or obviously in alignment with existing streets shall bear the name of the existing street.
- 2.4-14 Street Signs - The design, shape, size and color are to be determined by the Planning Commission and are to be placed at all intersections within or abutting the subdivision. The location is to be approved by the Planning Commission.
- 2.4-15 Street Lights - The design, shape, size, and lumination are to be determined by the Planning Commission and are to be placed within or abutting the subdivision. The location is to be approved by the Planning Commission.



## 2.4-16 Street Paving, Curb and Gutters

- (1) Urban street surfacing shall consist of asphalt, hot mix, laid one and one-half ( $1\frac{1}{2}$ ) inches thick on six (6) inches of compact soil-cement; or asphalt, hot mix, laid one and one-half ( $1\frac{1}{2}$ ) inches thick laid on an eight (8) inch stabilized aggregate base course on compact subgrade.
- (2) Urban street curb and gutter shall consist of a curb six (6) inches high and the gutter one and one-half ( $1\frac{1}{2}$ ) foot in width, the material used shall be concrete.
- (3) Rural streets shall have the same surfacing specifications as required for urban streets as stated in Chapter 4, Section 2.4-16.

2.4-17 Storm Sewers - The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm sewers shall be designed by the rational method, and a copy of the design computations shall be submitted along with the plans. Inlets shall be provided so that surface water is not carried across or around any intersection in the gutter.

## 2.5 Easements

- 2.5-1 In all new residential subdivisions, all utilities, cable T.V., electrical and telephone distribution systems or any other commercial service shall be laid underground, including storm, water, gas, drainage and sewer. It shall be the subdividers responsibility to initiate any request for exception to the laying of underground utilities.
- 2.5-2 Easements for electrical and telephone service shall be a minimum of ten (10) feet wide and be established at the front, rear, and along other such lot lines as to provide continuity of alignment from block to block; to be installed underground within easements of public dedication. Pole position for each street light to be served from underground street light supply lines should be designated on the plat and necessary easements provide to furnish access to such position.
- 2.5-3 Utility easements not less than five (5) feet wide should be provided on each side of all rear lot lines and where necessary, along side lot lines.
- 2.5-4 Where a subdivision is traversed by a watercourse, drainage-way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the line of such watercourse and of such width or construction or both as will be adequate for the purposes. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for minimum potential volume of flow.

## 2.6 Blocks

- 2.6-1 Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions of this prescribed block width shall be permitted in blocks adjacent to major streets, railroads, or waterways.
- 2.6-2 The lengths, widths, and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block length in residential areas shall not exceed two thousand (2000) feet, or be less than five hundred (500) feet in length. Wherever practicable, blocks along major arterial and collector streets shall not be less than one thousand (1000) feet in length.
- 2.6-3 Pedestrian-ways or crosswalks, not less than ten (10) feet wide, may be required by the Planning Commission through the center of blocks more than eight hundred (800) feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities.

## 2.7 Lots

- 2.7-1 In general, the size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. No lot shall be more than four (4) times as deep as it is wide.
  - 2.7-2 Minimum Lot Dimension - Residential lots where served by public water and sewer shall not be less than eighty (80) feet wide at the building setback line nor less than ninety six hundred (9600) square feet. Commercial and industrial lots where served by public water and sewer shall not be less than one hundred (100) feet wide at the building setback line nor less than twenty thousand (20,000) square feet.
  - 2.7-3 For reasons of health and sanitation, the density of residential subdivisions shall be directly related to the availability of public water and sewer. Lots not served by either or both private water or sewerage facilities shall comply with the rules of the Jefferson County Health Department and Arkansas Department of Health.
- 2.8 Depth and width of properties reserved or laid out for business, commercial, or industrial purpose shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated for.
- 2.9 Every lot shall front on or abut a public street. Lots with access only to private drives and streets shall be permitted only with the approval the Planning Commission may grant variance to permit lots with access only to private drives and streets.



- 2.10 Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lot.
- 2.11 Side lot lines shall be approximately at right angles radial to street lines.
- 2.12 Corner lots for residential use shall have extra width to permit appropriate building setback from or orientation to both streets. Lots on major street intersections and at all other points likely to be dangerous shall have a radius of not less than twenty five (25) feet at the street corner.
- 2.13 Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from arterial streets, or to overcome specific disadvantage of topography and orientation.

### SECTION III. SEWAGE COLLECTION AND TREATMENT SYSTEM

#### 3.1 General Consideration

- 3.1-1 All subdivisions shall be provided with an approved sewage collection and treatment system, as approved by the Jefferson County Health Department.
- 3.1-2 Connection with the City sanitary sewer system shall be required except where the Planning Commission determines that such connection will require unreasonable expenditure when compared with other methods of sewage disposal.
- 3.1-3 When septic tanks are permitted, the subdivider shall conduct percolation tests in accordance with requirements of the State Department of Health in order to determine the adequacy of proposed lot size and the soil.
- 3.1-4 If a sanitary sewage treatment system is to be installed, the plans for such system shall be approved by the State Department of Health prior to approval of the final plat by the Planning Commission.
- 3.1-5 The sewage collection system shall be designed to handle the anticipated flow from within the subdivision, including development of future sections of the same subdivision. Recognized engineering design criteria in accordance with the requirements of the State Department of Health shall be used to design the system.
- 3.1-6 The minimum size line, excluding house service lines, shall be six (6) inches in diameter.



- 3.1-7 Manholes shall not be spaced more than four hundred (400) feet apart and shall be provided at all changes in grade, direction, and pipe size.
- 3.1-8 The City may require larger sewer lines than are necessary to serve the subdivision and future development of the same subdivision in order to provide for future development of the area. In the event that said larger lines are required, then the developer may be entitled to participating aid from the City on said over-sized lines in accordance with the sewer policy of the City of Redfield.
- 3.1-9 Where a public water supply is not available, or a public sanitary sewer is not accessible, a certificate or letter from the County Health Department shall be presented showing the results of percolation tests for septic tanks and a statement as to the ability of soil to absorb water. The statement must set out that septic tanks meet the requirements of the County Health Department. The letter shall also state the County Health Department's recommendation as to the approximate recommended depth of wells, if known. If unknown, the subdivider shall sink a test well to enable the County Health Officer to evaluate the adequacy of the individual well water supply. The statement must set out that the well meets the requirements of the Jefferson County Health Department.
- 3.1-10 Whenever a septic tank and an absorption system or water supply is to be provided, the subdivider shall require, as a condition in the bill of assurance of the subdivision, that those facilities shall be installed by the builders of the improvements in accordance with regulations and in compliance with the standards of the Jefferson County Health Department.
- 3.2 Sewer service connections shall be provided for every lot in the subdivision and the City Sewer Policy shall govern the size and material used in the installation of sewer service connections.

#### SECTION IV. STORM DRAINAGE SYSTEM

- 4.1 Every subdivision shall be served by storm drainage facilities, which may include drains, sewer catch basins, culverts, swales, or other facilities.
- 4.2 All drainage facilities shall be so designed to serve the entire drainage area. In major drainage areas, the City, at the option of its appropriate agency, may participate in the cost of certain improvements.
- 4.3 All surface water drainage shall be transported to existing storm sewer or to drainage facilities approved by the Planning Commission.
- 4.4 The Planning Commission and appointed City Engineer shall approve all drainage facilities.

- 4.5 After completion of the streets and utilities, the site shall be cleaned up and graded to drain properly.
- 4.6 The appointed City Engineer shall review and approve all drainage plans, and report his findings to the Planning Commission.

#### SECTION V. STORM DRAINAGE CRITERIA

- 5.1 Storm drainage for residential areas shall be designed for a ten (10) year frequency rainfall, and shopping centers and industrial developments for a ten (10) year frequency.
- 5.2 The drainage system shall be designed and constructed to handle rainfall runoff that originates in or traverses the subdivision.
- 5.3 Street crowns shall not be flattened, or warped from one side of the street to the other for the purpose of causing water flow from one side of the street to the other side, unless specifically approved by the appointed City Engineer.
- 5.4 Water shall be picked up in all streets at least every six hundred (600) feet by means of catch basins, drainage pipes or curb and gutter. Unpaved drainage swales or ditches shall be allowed along rear lot lines or in common space where it can be demonstrated to the Planning Commission that surface drainage is adequately accommodated. Where catch basins are located, drainage shall be underground along front or side yard easements or street right-of-ways.
- 5.5 Individual drainage of each lot shall be the responsibility of the individual home builder or lot purchaser. However, it is the responsibility of the developer to provide adequate drainage easements and structures that proper drainage can be effectuated through use of "Turtle Back" lot contours or swales.
- 5.6 No open drainage channels shall be constructed within the area dedicated as public streets and alleys.
- 5.7 As a general policy, a developer shall be required to improve major drainage channels on a prorated basis, based on the percentage of total drainage area contributed by a given development, and its provision for drainage shall also be considered when calculating major drainage improvements.
- 5.8 Whenever drainage ditches are used, such ditches may require concrete or gunite lining, designed to retain their original design characteristics, and designed so they can, at all times, be kept clean and easily maintained.



## SECTION VI. MONUMENTS

- 6.1 Concrete monuments four (4) inches in diameter or square and three (3) feet long with one-half ( $1\frac{1}{2}$ ) inch metal reinforcing rod running the length of the monument shall be placed with the top flush to the ground at all quarter section points within or on the boundary of the subdivision and at all points of the subdivision boundary intersections.
- 6.2 Metal rods, three-fourths ( $\frac{3}{4}$ ) inch in diameter and twenty-four (24) inches long, shall be placed with the top flush to the ground at each corner of every block or portion of a block, at points of curvature and points or tangency on street lines, at each angle on the boundary of the subdivision and at all lot corners.
- 6.3 In situations where conditions prohibit the placing of markers in the locations prescribed, offset markers shall be permitted.

## SECTION VII. PLANS AND SPECIFICATIONS

- 7.1 Transmittal - Prior to the construction of any streets and utilities, the developer shall furnish three (3) complete sets of plans and specifications for said construction to the Plat Officer. These documents shall be transmitted in writing.

These plans and specifications will be reviewed for conformity with this Ordinance and the City Standards. The plans and specifications shall be approved in writing prior to any construction. The City appointed engineers shall approve the plan prior to the time the Planning Commission recommends approval of preliminary plat. Cost of engineering and inspections, to be determined on the basis of time devoted to the project at City wage scale, shall be charged to the developer.

The Plat Officer shall be notified prior to the beginning of construction so that inspection of work can be made by the appropriate appointed city official.

- 7.2 The plans shall be securely bound and shall consist of a title sheet and such plan-profile and detail sheets as are required to meet the requirements of this Ordinance and to properly define the proposed work.

The title sheet shall show the name of the subdivision, engineer, date, and an index of drawings.

Each plan-profile will generally be drawn to a horizontal scale of no greater than one (1) inch to one hundred (100) feet and a vertical scale of one (1) inch to ten (10) feet.

- 7.3 Plan-Profile sheets for streets and alleys - There shall be a plan-profile for typical streets and alleys.



The profile shall show the existing ground on each side of the street at the property line, the proposed grade of the top of the curb for each side of the street, location of utilities, and other information necessary to define the work. The existing and proposed street centerline grades may be shown in lieu of property line and curb grades when permitted.

- 7.4 Plan-Profile Sheets for Sanitary Sewer and Storm Sewer - The plans shall show all information necessary to locate and construct the proposed work and shall show the locations of all manholes, inlets, and other appurtenances of the system.

The profile shall show the existing natural ground at the sewer centerline and the proposed grade at the centerline if such grade will not be the same as the existing grade.

The size, grade, and material of the proposed pipes and the flowlines of all manholes, inlets, etc., shall be shown. Both the flowline and the inside top of the pipes shall be shown in the profile.

These plans shall be accompanied by the Engineer's calculations when requested by the City Engineer.

- 7.5 Specifications - The specifications shall be securely bound and shall consist of the following minimum information: General Conditions of Agreement, Special Conditions of Agreement, and all applicable technical specifications. The Special Conditions shall contain provisions for time of completion, performance, and payment bonds, and other pertinent requirements.

## CHAPTER V

### EXPENSE OF IMPROVEMENTS

#### SECTION I. COST OF IMPROVEMENT

- 1.1 Required Improvements - The subdivider shall indicate on the plat, as herein after provided. If such improvements are not installed as required at the time the final plat is submitted for approval, the subdivider shall, prior to receiving final plat approval from the Redfield Planning Commission, enter into a contract with the City of Redfield agreeing to install the required improvements. The subdivider shall file with said contract, a performance bond meeting the approval of the City Attorney and/or a certified check in the amount equal to the estimate of cost and approval by an appointed City Engineer. Such bond or check shall constitute a guarantee that such improvement will be completed by the subdivider or his contractor not later than one (1) year from the date of recording of the plat, and that repairs necessitated by defects in material or workmanship will be made during the period not to exceed two (2) years from and after completion of such improvements.

If the improvements are not completed or repairs are not made within the specified time periods, the City Council may use all or any portion of the check or bond to complete or repair the same. However, the City Council may, upon proof of difficulty, extend the bonding time.

- 1.2 If the subdivider installs the improvements without the posting of a performance bond, he shall also file a maintenance guaranteeing for a period not to exceed two (2) years the repairs necessary by defects in material or workmanship of the improvements installed in the subdivision.

## CHAPTER VI

### PROVISIONS FOR ACQUISITION OF LAND FOR PUBLIC USE

#### SECTION I. DEDICATION, CONDEMNATION, AND PURCHASE

Whenever a tract of land is to be subdivided, including proposed sites for public uses as indicated on any of the following maps; Official Planning Area Map, Adopted Land Use Map or Master Plan Map, the land can either be dedicated for public use, purchased or eminent domain procedures can be applied by the appropriate public body. The subdivider, when filing a preliminary plat with the Plats Officer, shall give the appropriate public body a forty-five (45) day period, in which the aforementioned agency may express its interest in the proposed subdivision in connection with the provision of public uses. Should such an interest be expressed, the public body shall have a period of an additional forty-five (45) days within which to arrange for the acquisition of the property. If purchase negotiations are not completed within a maximum of ninety (90) days from the original written notice sent to the appropriate public body, condemnation proceedings must have been filed in the proper court by the public body. The condemnation suit shall have the legal description as to the property to be condemned, or the public body and/or City shall have no further claim and the effect shall be as if the public body and/or City had never expressed any interest in the property.

#### SECTION II. PURCHASE OF HISTORIC SITES AND SCENIC AREAS

Historic sites, scenic areas, or areas of general community interest for public or semi-public purpose, may be considered for public purchase, as provided in Section I.



## CHAPTER VII

### GENERAL

#### SECTION I. MODIFICATION OF DESIGN REQUIREMENTS, MINIMUM IMPROVEMENTS AND SUBDIVISION REGULATIONS

- 1.1 Variance - Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purposes of these regulations; and further provided the Planning Commission shall not approve variances unless it shall make findings based upon evidence presented to it in each specific case that the request conforms to all of the following conditions:
- 1.1-1 The granting of the variance will not be detrimental to the public safety, health, or injurious to other property;
  - 1.1-2 The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
  - 1.1-3 Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;
  - 1.1-4 That the special conditions and circumstances do not result from the actions of the applicant.
  - 1.1-5 Cost to the developer of strict or literal compliance with the regulations shall not be the sole reason for granting a waiver or exception.
  - 1.1-6 The variances will not in any manner vary the provisions of the Land Use Element, or the official Subdivision Jurisdiction Map.
  - 1.1-7 Conditions - In the granting of variances, the Planning Commission may require such conditions as will, in their judgement, secure substantially the objective of the standards and requirements of the Subdivision Regulations.

- 1.1-8 Procedure for Variance - A request for any such variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed with the Plat Officer for the consideration of the Planning Commission. The request shall state fully the grounds for the application and all of the facts taken into consideration by the petitioner.

## SECTION II. AMENDMENTS

- 2.1 For the purpose of promoting the public health, safety, and general welfare, the Planning Commission may recommend amendments to these regulations, for which a Public Hearing shall be held, and a fifteen (15) day advance notice is published in a local newspaper of general circulation. Following such hearing, the City Council may adopt the amendment or amendments as recommended by the Planning Commission. This Ordinance may also be amended at any time by a majority vote of the City Council.

## SECTION III. ADMINISTRATION

- 3.1 Plats Officer - The Plats Officer is the Administrative Officer appointed by the Mayor and approved by the majority of the City Council members, he may be a member of the Planning Commission. It is his duty to enforce the subdivision regulations and to administer the regulations to insure compliance with said regulations. He shall also act as Technical Coordinator to the Planning Commission and City Council, and advise engineers, subdividers and the public regarding local procedures and standards and actions of the Planning Commission and City Council regarding plat review.
- 3.2 Penalty - Any person, firm or corporation who shall violate any of the provisions of this Ordinance, or who shall fail to comply with any provisions hereof within the corporate or extraterritorial limits of the City, shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine not to exceed two hundred dollars (\$200). Each day that such violation continues shall constitute a separate offense and shall be punishable accordingly.

## SECTION IV. FEES

### 4.1 Preliminary Plat

- 4.1-1 Large Subdivisions - Subdivisions containing twenty-five (25) lots or more the fee shall be twenty-five (25) dollars, plus one (1) dollar per lot.
- 4.1-2 Small Subdivisions - Subdivisions containing less than twenty-five (25) lots the fee shall be ten (10) dollars, plus one (1) dollar per lot.

### 4.2 Final Plat

- 4.2-1 Large Subdivisions containing twenty-five (25) lots or more the fee shall be fifteen (15) dollars, plus fifty (50) cents per lot.



- 4.2-2 Small Subdivisions containing less than twenty-five (25) lots the fee shall be five (5) dollars plus fifty (50) cents per lot.

## SECTION V. INTERPRETATION AND SEPARABILITY

### 5.1 Interpretation

- 5.1-1 In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements for the promotion of the public health, safety, and general welfare.
- 5.1-2 Where the conditions imposed by any provisions of these regulations upon the subdivision of land are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of these regulations or of any other applicable law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.
- 5.1-3 These regulations are not intended to abrogate any easement, covenant, or any other private agreement, provided that where the regulations of this resolution are more restrictive or impose higher standards or regulations than such easements, covenants, or other private agreement, the requirement of these regulations shall govern.
- 5.1-4 No subdivision of land which was not lawfully existing at the time of the adoption of these regulations shall be made lawful solely by reason of the adoption of these regulations, and to the extent that said subdivision of land is in conflict in any manner with the requirements of these regulations, said subdivision of land remains unlawful hereunder.

### 5.2 Separability

It is hereby declared to be the intention of the City Council of Redfield that the following provisions of these regulations be separable.

- 5.2-1 If any court of competent jurisdiction shall adjudge any provisions of these regulations to be invalid, such judgement shall not affect any other provision of these regulations not specifically included in said judgement.
- 5.2-2 If any court of competent jurisdiction shall adjudge invalid the application of any provision of these regulations to be a particular subdivision of land, such judgement shall not affect the application of said provisions to any other subdivision of land, not specifically included in said judgement.



## SECTION VI. DEFINITIONS

- 6.1 Alley - A public right-of-way primarily designed to secure as a secondary access to the side or rear of those properties whose principal frontage is on some other street.
- 6.2 Bench Mark - A definite point of known elevation and location and of more or less permanent character.
- 6.3 Block - A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-ways, shorelines, school properties or boundary lines of the City of Redfield.
- 6.4 Building Setback Line - A line within a lot or other parcel of land so designated on the recorded plat, between which a line and adjacent boundary of the street the erection of a building is prohibited.
- 6.5 Cartway - That portion of a street between the curbs and gutters which is required to be paved and is intended for vehicular travel.
- 6.6 City Council - The elected governing body of the City of Redfield, Arkansas.
- 6.7 City - The city of Redfield, Arkansas.
- 6.8 City Clerk - The City Clerk of the City of Redfield, Arkansas.
- 6.9 City Engineer - The City Engineer appointed by the City of Redfield, Arkansas.
- 6.10 County - Jefferson County and/or Grant County, Arkansas.
- 6.11 County Recorder - The Recorder of Jefferson County and/or Grant County, Arkansas.
- 6.12 Crosswalk or Pedestrian-way - A right-of-way across or within a block, for use by pedestrian traffic and may include utilities where necessary.
- 6.13 Cul-de-sac - A short street having one end open to traffic and being permanently terminated within the plat by a vehicular turnaround.
- 6.14 Easement - A grant by the property owner for the use by the public, a corporation, or persons of a strip of land for specific purposes.
- 6.15 Engineer - Engineer means a registered professional engineer in good standing in the State of Arkansas, whose seal shall appear on all construction drawings and plans for improvements.
- 6.16 Flood Plain - A geographic area susceptible to periodic inundation from overflow of natural waterways and determined as to extent by the U.S. Army Corps of Engineers.

- 6.17 Frontage - That edge of a lot bordering a street.
- 6.18 Frontage Road - A street, parallel to and adjacent to a major highway or throughfare, which provides access to abutting properties.
- 6.19 Health Department - The Jefferson County Health Department and/or the State of Arkansas Health Department.
- 6.20 Improvements, Public - Any sanitary sewer, storm sewer, drainage ditch, water main, fire hydrant, roadway, park, sidewalk, pedestrian way, open space, planting strip, bridges and culverts, off-street parking facilities, or other facilities for which the City of Redfield and/or Jefferson County may ultimately assume the responsibility for maintenance and operation.
- 6.21 Improvement Plans - The engineering drawings showing types of materials and construction details for the physical structures and facilities excluding dwelling units to be installed in conjunction with the development of the subdivision.
- 6.22 Lot - A portion of a subdivision or other parcel of land with access to a public street intended for transfer of ownership or for building development.
- 6.23 Lot Area - The total horizontal area within the boundaries of a lot exclusive of any area designated for street purposes.
- 6.24 Lot Corner - A lot abutting upon two (2) or more streets at their intersection.
- 6.25 Lot, Double Frontage - A lot having frontage on two (2) nonintersecting streets, as distinguished from a corner lot.
- 6.26 Lot Split - A subdivision which involves the dividing or redesigning of an existing lot or lots within a block of a recorded subdivision and which does not involve the dedicating, vacating, widening, narrowing or change of alignment of any thoroughfare, street, alley or easement.
- 6.27 Master Plan - A composite of the mapped and written proposals recommending the physical development of the community which shall have been adopted by the Planning Commission.
- 6.28 Pedestrian Way - An easement or right-of-way dedicated to public use to facilitate pedestrian access to adjacent streets and properties.
- 6.29 Performance Guarantee - Any security which may be accepted in lieu of a requirement that certain improvements be made before the Planning Commission or other approving body approves a final plat, including performance bonds by subdivider or improvement contractors, escrow agreements, and other similar collateral or surety agreements.



- 6.30 Planning Commission - The Redfield Planning Commission of the City of Redfield, Arkansas.
- 6.31 Plat - A map or chart indicating the subdivision or resubdivision of land intended to be filed for record.
- 6.32 Plat, Final - A finished drawing showing completely and accurately all legal and engineering information and certification necessary for recording, and includes the bill of assurance.
- 6.33 Plat, Preliminary - A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate unquestionably its workability in all aspects, but is not in final form for recording and the details are not completely computed.
- 6.34 Plat, Sketch - An informal plan of the proposed subdivision to be submitted by the developer during the preapplication process, the purpose being to acquaint the developer with plans and policies relevant to the proposed subdivision.
- 6.35 Public Open Space - Public Open Space means land which may be dedicated or reserved for acquisition for general use by the general public. It includes parks, parkways, recreation areas.
- 6.36 Roadway Width or Surface Width - Roadway width or surface width means that portion of the street available for vehicular traffic, and where curbs are laid, the portion between curbs.
- 6.37 Slope - The rate of deviation of the ground surface from the horizontal surface, as expressed in percentages.
- 6.38 Street/Road - A general term denoting a public or private thoroughfare which affords the principal means of access to abutting property. The term includes all facilities which normally occur within the right-of-way; it shall also include such other designations as highway, thoroughfare, parkway, thoroughway, road, pike, avenue, boulevard, lane, place, court, but shall not include an pedestrian way.
- 6.39 Subdivision - A subdivision shall include all divisions of a tract or parcel of land into one or more lots, building sites, or other divisions for the purpose, whether immediate or future, for sale or building development, and shall include all divisions of land involving the dedication of a new street or a change in existing streets; provided, however, that the following shall not be included within this definition nor be subject to the regulations authorized by this part:
- (1) The Combination or re-combination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County.
  - (2) The division of land into parcels greater than five acres where no street right-of-way dedication is involved.

- (3) The public acquisition by purchase or dedication of parcels of land for the widening or opening of streets or other public improvements.
- 6.40 Surveyor - A licensed State Land Surveyor or a Registered Public Surveyor as authorized by the State Statutes to practice the profession of surveying in the State of Arkansas.
- 6.41 Territorial Jurisdiction - All land lying within the Planning Area of the Redfield Planning Commission as prescribed by the Arkansas Statutes.