

SLOPE. The rate of deviation of the ground surface from the horizontal surface, as expressed in percentages.

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, throughway, road, pike, avenue, boulevard, lane, place, court, but shall not include a pedestrian way.

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 subject to the regulations authorized by this part:

(1) The division of land into parcels greater than five acres where no street right-of-way dedication is involved.

(2) The public acquisition by purchase or dedication of parcels of land for the widening or opening of streets or other public improvements.

SUBDIVISION, MINOR. Subdivisions of three lots or less which require no physical improvements.

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.

TERRITORIAL JURISDICTION. All land lying within the planning area of the Planning Commission as prescribed by the Arkansas Statutes.
(Ord. 172, passed 6-8-87)

§ 153.02 PURPOSE AND INTENT.

(A) This chapter is adopted for the following purposes:

- (1) To promote the public health, safety and general welfare.
- (2) To further the orderly layout and uses of land.
- (3) To promote sound development to relate with existing anticipated public and private development.
- (4) To promote sound development through utilization of good design, principles and standards.

White Hall - Land Usage

- (5) To avoid undue concentration of population and overcrowding.
- (6) To lessen congestion in the streets and highways.
- (7) To provide for adequate provisions for transportation, water, sewerage, schools, parks, playground, churches, and other public requirements.
- (8) To facilitate the further resubdivision of large tracts into small parcels of land.
- (9) To insure proper legal description and proper monuments of subdivided land.
- (10) To secure safety from fire, panic and other dangers.
- (11) To provide for proper ingress (entrance) and egress (exit) to properties and neighborhoods.

(B) These regulations are established with reasonable consideration for the existing character of the city 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.

(Ord. 172, passed 6-8-87)

§ 153.03 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, being A.C. §§ 14-56-401 through 14-56-425.

(Ord. 172, passed 6-8-87)

§ 153.04 JURISDICTION.

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

(Ord. 172, passed 6-8-87)

§ 153.05 COST OF IMPROVEMENTS.

- (A) The subdivider shall indicate on the plat, as hereinafter 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 Planning Commission, enter into a contract with the city 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 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 one year from and after completion of such improvements.

(B) 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.

(C) 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 years the repairs necessary by defects in material or workmanship of the improvements installed in the subdivision.
(Ord. 172, passed 6-8-87)

§ 153.06 PROVISIONS FOR ACQUISITION OF LAND FOR PUBLIC USE.

(A) 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 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 45 days within which to arrange for the acquisition of the property. If purchase negotiations are not completed within a maximum of 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. This paragraph in no way shall be construed to mean public street right-of-way.

(B) Historic sites, scenic areas, or areas of general community interest for public or semi-public purposes may be considered for public purchase, as provided in division (A) above.
(Ord. 172, passed 6-8-87)

§ 153.07 INTERPRETATION AND SEPARABILITY.**(A) Interpretation.**

(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.

(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.

(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.

(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.

(B) Separability. It is hereby declared to be the intention of the City Council that the following provisions of these regulations be separable.

(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.

(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.

(Ord. 172, passed 6-8-87)

PROCEDURE FOR PLAT APPROVAL**§ 153.20 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.

(A) *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) Topography (Available USGS)
- (2) Street pattern proposed
- (3) Existing storm sewer, if any
- (4) Existing sanitary sewer, if any
- (5) Proposed land use designation
- (6) Existing water course and flood plain
- (7) Existing tree coverage
- (8) Existing adjacent development
- (9) Existing easement and covenants affecting land
- (10) Any additional information the developer feels is pertinent.

(B) *Tentative proposals.* The developer shall indicate what tentative plans have been made regarding water supply, sewerage disposal, surface drainage, streetlight, and street improvements.

(C) *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 Plats Officer shall proceed with the following investigation.

(1) Advise the developer of existing city and county plans which might affect the proposed subdivision.

(2) Determine the adequacy of existing or proposed schools and other public facilities which affect the proposed subdivision.

(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.

(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 Plats Officer shall authorize the subdivider in writing to prepare and submit his tentative plat within 12 months from the date the letter was sent.

(Ord. 172, passed 6-8-87)

§ 153.21 FILING OF PRELIMINARY PLAT.

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

(A) *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 one week before the meeting at which the preliminary plat will be reviewed.

(B) *Action by the Planning Commission.*

(1) A preliminary plat shall be reviewed by the Planning Commission to determine its conformity to this chapter, the official plan, all other ordinances and regulations in force which affect subdivisions.

(2) The Planning Commission shall within 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 60 days after which approval or disapproval, and the reason therefor, will be stated by the Planning Commission.

(3) If the preliminary plat as originally submitted, or as changed or modified as required by the Planning Commission, meets the requirements of this chapter, 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 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 days after the meeting to the subdivider for compliance with final approval requirements.

(4) Preliminary approval by the Planning Commission shall give the applicant the following rights for a 12-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.

(a) That the general terms and conditions under which the preliminary approval was granted will not be changed by the Planning Commission.

(b) The applicant may submit on or before the expiration date the whole or part of the preliminary plat for final plat approval.
(Ord. 172, passed 6-8-87)

§ 153.22 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 mylar and seven copies thereof which shall conform to the requirements of this chapter. Also three 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 20 days prior to the Planning Commission meeting.

(A) *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 12 months of the date of approval or conditional approval of the preliminary plat, unless such period is extended by the Planning Commission.

(B) *Action by the Planning Commission.*

(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 chapter, and shall within 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.

(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.

(C) *Action by the City Council.*

(1) The City Council shall approve or disapprove the public dedication of land in the final plat within 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.

(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.

(D) *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 30 days of the date of the City Council action.
(Ord. 172, passed 6-8-87)

§ 153.23 MINOR SUBDIVISIONS AND LOT SPLITS.

Minor subdivisions and lot splits shall be processed for plat approval or disapproval by the Plats Officer. The developer shall be required to fulfill all regulations of this chapter that shall apply, with the exception of approval by the Planning Commission. The Plats Officer shall confer with the Chairperson of the Planning Commission concerning the developer's application.

(A) *Action by the Plats Officer.* The Plats Officer shall process minor subdivisions and lot splits for plat approval or disapproval within 30 days of the receipt of the required materials.

(B) *Action by the City Council.* The City Council shall approve or disapprove the plat and any public dedication thereon within 30 days of its submission to the City Council. After the plat has been approved, the Mayor and City Clerk shall sign the plat, and the City Clerk shall submit a copy of the resolution approving the plat to the Chairperson of the Planning Commission.

(C) *Action by the subdivider.* Upon receipt of the plat approval by the City Council, the subdivider or his agent shall record the plat with the Jefferson County Clerk's office within 30 days of the date of the City Council's action.
(Ord. 172, passed 6-8-87)

§ 153.24 REPLATTING.

The replat shall be processed for plat approval or disapproval by the Plats Officer. The developer shall be required to fulfill all regulations of this chapter that may be pertinent with the exception of approval by the Planning Commission and the City Council. The Plats Officer shall approve or disapprove the plat within 30 calendar days after its submission.

(A) *Action by the Plats Officer.* The Plats Officer shall process replats for plat approval or disapproval within 30 days of the receipt of the required materials.

(B) *Action by the subdivider.* Upon receipt of the plat approval by the Plats Officer, the subdivider or his agent shall record the plat with the Jefferson County Clerk's office within 30 days of the date of the City Council's action.
(Ord. 172, passed 6-8-87)

PLATTING REQUIREMENTS**§ 153.35 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. (Ord. 172, passed 6-8-87)

§ 153.36 LETTER OF INTENT TO SUBDIVIDE.

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. (Ord. 172, passed 6-8-87) Penalty, see § 153.99

§ 153.37 PRELIMINARY PLAT.

Seven 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 100 feet to the inch, and shall show correctly on its face the following information:

- (A) Date, scale and north point.
- (B) The proposed subdivision name (including city, county and state).
- (C) The name and address of the owner, the subdivider and surveyor responsible for surveys.
- (D) The actual boundary survey and legal description, the acreage to be subdivided, and the location of the subdivision by quarter section, township and range.
- (E) A detailed vicinity sketch or small scale drawing of the area within which the subdivision lies, with the location of the subdivision, indicated thereon.
- (F) The exact length and bearing of the exterior boundaries of the subdivision. Dimensions shall be expressed in feet and decimal of a foot.

(G) Location and names of adjacent subdivisions and the owners of adjacent parcels of unsubdivided land.

(H) Location, width, and names of all existing and platted streets, alleys, and other public ways 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.

(I) 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.

(J) 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 100-year flood history.

(K) Layout, width, grades, and proposed names of all new streets and rights-of-way, including alleys, highways, easements for sewer and water mains, and other public utilities.

(L) Existing sewer, water mains, culverts, and other underground structures within the tract or immediately adjacent thereto.

(M) Plans of proposed utility layout (water, sewer and stormwater) showing connections to any existing or proposed utilities system.

(N) 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.

(O) Approximate dimensions of areas of lots. All lots over one acre in size shall have the area marked on them within the lot.

(P) Proposed setback lines.

(Q) Approximate radii of all curves, length of tangents, central angles of all streets.

(R) Contours at vertical intervals of not more than two feet. In cases where the land has less than 2% slope, spot elevation shall be required.

(S) Location and dimensions of all proposed water line and fire hydrants.

(T) Street sign locations.

(U) Street light locations.

(V) 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.

(W) Location and description of all section line corners and government survey monuments in or near the subdivision to at least one of which the proposed subdivision shall be referenced.
(Ord. 172, passed 6-8-87) Penalty, see § 153.99

§ 153.38 REQUIRED INFORMATION TO ACCOMPANY PRELIMINARY PLAT.

(A) 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.

(B) Existing and proposed covenants and restrictions.

(C) Source of water supply.

(D) Provisions for sewage disposal, drainage, and flood control.

(E) Detailed sanitary sewer, storm sewer and water supply plans as deemed appropriate by the Planning Commission. Three sets of plans shall be submitted.

(F) 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.

(G) 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 sets of cross-sections and profile plans shall be submitted.

(H) 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 if the Health Department can make them available at preliminary plat.

(I) Such other information as the subdivider wishes to bring to the attention of the Planning Commission.

(Ord. 172, passed 6-8-87)

§ 153.39 QUALIFICATIONS GOVERNING APPROVAL OF PRELIMINARY PLAT.

(A) Approval of a preliminary plat is only tentative, pending submission of the final plat.

(B) 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 water and sewer lines - City Water and Sewer Commission.
- (3) Private utilities - utility companies.

(C) Receipt by the developer of the executed Certificate of Preliminary Plat Approval is authorization to proceed with:

(1) The installation of any improvements required as approved by agencies having authority, or the posting of a performance bond in accordance with this chapter.

(2) The preparation of the final plat or part thereof as specified in accordance with this chapter.

(Ord. 172, passed 6-8-87)

§ 153.40 CERTIFICATION OF PRELIMINARY PLATS AND PLANS.

(A) *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

(B) *Preliminary engineering certificate.* (If engineering data is deemed necessary by the Commission).

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

Date of Execution

Name
Registered Land Surveyor
No. State of Arkansas

(C) *Certificate of Planning Commission approval.*

This plat has been given Preliminary Plat approval in accordance with the White Hall Subdivision Ordinance the __ day of _____ 19__.

Attest: Secretary

Chairman

(D) *Certificate of Plats Officer's approval.*

All requirements of the White Hall 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

(Ord. 172, passed 6-8-87)

§ 153.41 CONSTITUTION 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. (Ord. 172, passed 6-8-87)

§ 153.42 LETTER OF INTENT TO OBTAIN FINAL PLAT APPROVAL.

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. (Ord. 172, passed 6-8-87)

§ 153.43 FINAL PLAT INFORMATION.

The final plat shall be drawn to scale with waterproof non-fading black ink, at a scale of not more than 100 feet to the inch, on mylar 24 inches wide by 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:

(A) Date, scale and north point.

(B) Name (including city, county and state).

(C) The exterior boundaries of the land surveyed and divided.

(D) 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.

(E) 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.

(F) 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.

(G) 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.

(H) 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.

(I) The widths of all streets, alleys, easements and rights-of-way.

(J) 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.

(K) The area of each lot or parcel containing an area of more than an acre.

(L) The words "Private Road" clearly marked on all streets shown on the plat which are not dedicated to public use.

- (M) Abutting street lines of adjoining subdivisions shown in their correct location by dashed lines.
- (N) The exact width of all easements, streets and alleys.
- (O) All lakes or stream shore meander lines established by the surveyor in accordance with this chapter, 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.
- (P) 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.
- (Q) Exact boundary lines of the tract indicated by a heavy line, or other acceptable control traverse, giving dimensions to the nearest 1/10 foot and angles to the nearest minute, which shall be balanced and closed with an error of closure not to exceed one to 5,000.
- (R) All interior excepted parcels shall be clearly indicated and labeled "Not a Part of this Plat."
- (S) The location of the subdivision by quarter section, township, range and county noted immediately under the name given the subdivision.
- (T) 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.
- (U) The names of adjoining streets, state highways and subdivisions shown in their proper location underscored by a dotted line.
- (V) Abutting street and state highway lines of adjoining plats shown in their proper location by dotted lines. The width of these streets and highways shall be given also.
- (W) Roads and public spaces.
- (1) The name of each road or street in the plat shall be printed therein in prominent letters.
 - (2) All lands dedicated to public use except roads and streets shall be marked "Dedicated to the Public."
 - (3) All roads and streets not dedicated to the public shall be marked on plat "Private Road."
 - (4) Each lot within the plat must have access to a public or private street or road.
- (X) Site conditions and topography.
- (1) All existing buildings.

(2) All watercourses, drainage ditches, and other existing features pertinent to proper subdivision.

(3) The water elevation of adjoining lakes, rivers, or streams at the date of the survey.

(4) First floor elevation a minimum of one foot above the 100-year flood history for all property adjacent to major water courses.
(Ord. 172, passed 6-8-87)

§ 153.44 REQUIRED INFORMATION TO ACCOMPANY FINAL PLAT.

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

(A) Covenants and restrictions.

(B) As built plans for the following:

(1) Streets.

(2) Storm sewer.

(3) Sanitary sewer

(4) Water.

(C) Certification of approved water supply and sanitary sewage disposal by the appropriate agency when not connected to a municipal system.
(Ord. 172, passed 6-8-87)

§ 153.45 CERTIFICATION 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 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:

(A) *Certification by the surveyor.*

I hereby certify that, at the request of the owner, I have surveyed and subdivided according to the owner's 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

(B) *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

(C) *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 _____.

(D) *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

leave as is

White Hall - Land Usage

Secure as is
 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.

(E) *Certification by the Planning Commission.*

This is to certify that the White Hall Planning Commission did at its meeting on the ____ day of _____, 19__, approve the plat and forward it to the City Council.

Needs to be on plat

 Chairman

 Secretary

(F) *Certification by the City Council of White Hall.*

This is to certify that the White Hall City Council did, at its meeting on the ____ day of _____, 19__, approve the plat and forward it to the City Council.

 Mayor

ATTEST: _____
 City Clerk-Treasurer

(G) *Certification by the Plats Officer.*

Having received the conditions of the Planning Commission and finding substantial conformity with all pertinent laws and rules and regulations included in this chapter, and the preliminary plat, the plat is given final plat approval this ____ day of _____, 19__

 Plats Officer

(H) *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

(Ord. 172, passed 6-8-87)

§ 153.46 MINOR SUBDIVISIONS AND LOT SPLITS.

(A) The owner or his agent shall file a letter declaring his intent to obtain minor subdivisions or lot split approval. This shall be accompanied by the plat and other required documents.

(B) The plat shall be drawn and show the same information as final plat specifications, § 153.43.

(C) The plat shall be accompanied by covenants and restrictions and certification of approved water supply and sanitary sewage disposal by the appropriate agency when not connected to a municipal system.

(D) To record the plat, the certifications stated in § 153.45 will apply except for § 153.45(E) and (G). These certifications will be replaced by the following:

Certification by Plats Officer.

Having found substantial conformity with all pertinent laws rules and regulations included in this chapter and the plat, the plat is given final approval this ____ day of _____, 19__.

Plats Officer

(Ord. 172, passed 6-8-87)

§ 153.47 REPLATting.

(A) The owner or his agent shall file a letter declaring his intent to obtain a replat. This shall be accompanied by the plat and other required documents.

(B) The plat shall be drawn and show the same information as final plat specifications, § 153.43.

(C) The plat shall be accompanied by covenants and restrictions and certification of approved water supply and sanitary sewage disposal by the appropriate agency when not connected to a municipal system.

(D) To record the plat the following certificates shall be lettered or printed legibly on the face of the final plat. They must be duly signed by the appropriate persons before the plat can be recorded.

(1) *Certification by the Surveyor.*

I hereby certify that, at the request of the owner, I have surveyed and subdivided according to the owner's 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

(2) *Certification by Notary Public.*

I _____, a Notary Public in and for 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__.

(3) *Certification by the Plats Officer.*

Having found substantial conformity with all pertinent laws and rules and regulations included in this chapter and the replat, the replat is given final approval this ____ day of _____, 19__.

Plats Officer

(4) *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

(Ord. 172, passed 6-8-87)

DESIGN STANDARDS AND CONSTRUCTION REQUIREMENTS

§ 153.60 CONFORMANCE TO RULES AND REGULATIONS.

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

(A) The city and all other applicable ordinances of the appropriate jurisdictions.

(B) The Comprehensive Plan and all other elements thereof, Official Master Street Plan and Land Use Plan of the city or any portions thereof and Master Drainage Plan, when and if adopted by the city.

(C) The special requirements of this chapter 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.

(D) 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.

(Ord. 172, passed 6-8-87)

§ 153.61 STREETS AND ALLEYS.

(A) *General consideration.*

(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) 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.

(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 chapter. All streets and highways are to be developed to urban standards within one mile of the city limits or as determined by the Planning Commission otherwise. The city 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.

(4) It shall be the subdivider's 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. Only in extreme cases shall the Planning Commission waive the urban standard when the subdivision is within one mile of the city limits.

(B) *Arrangements.*

(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 the city.

(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.

(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.

(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.

(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.

(6) In business and industrial development, the street and other access ways 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.

(C) *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.

(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) 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.

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

(D) *Street and road standards.*

(1) *Urban-rural streets.* All streets or streets where the majority of lots have 125 feet or less at the front building line and have less than 25,000 square feet shall be considered urban streets and require that curb and gutter be installed.

(2) *Minor residential streets.* The following minimum standards shall apply to the design of minor residential streets.

[Table begins on the following page.]

	<i>Urban</i>	<i>Rural</i>
Right-of-way	50 feet	50 feet
Pavement width	27 feet	22 feet
Type of curb	Vertical	N/A
Sidewalk width	4 feet	N/A
Design speed	30	30

(3) *Residential collector streets.* The following minimum standards shall apply to the design of the residential collector streets.

	<i>Urban</i>	<i>Rural</i>
Right-of-way	70 feet	70 feet
Pavement width	35 feet	32 feet
Type of curb	Vertical	N/A
Sidewalk width	4 feet	N/A
Design speed	35	35

(4) *Business and industrial collector and minor arterial streets.* The following minimum standards shall apply to the design of business and industrial collector and minor arterial streets.

	<i>Urban</i>	<i>Rural</i>
Right-of-way	70 feet	70 feet
Pavement width	47 feet	44 feet
Type of curb	Vertical	N/A
Sidewalk width	5 feet	N/A
Design speed	35 - 40	35 - 40

(5) *Arterial streets.* The following minimum standards shall apply to the design of arterial streets.

[Table begins on the following page.]

	<i>Urban</i>	<i>Rural</i>
Right-of-way	90 feet	90 feet
Pavement width	51 feet	48 feet
Type of curb	Vertical	N/A
Sidewalk width	5 feet	N/A
Design speed	40 - 45	40 - 45

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

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

(8) *Cul-de-sacs, dead-end streets, stub streets.*

(a) Cul-de-sacs.

1. A cul-de-sac shall not be longer than 500 feet.
2. The diameter of a cul-de-sac turn-around (measured at the outside of right-of-way) shall not be less than 100 feet.
3. The pavement width of the cul-de-sac turn-around shall be 25 feet radius from the center point of the street.

(b) Stub street.

1. Stub streets are streets that are designed to provide future connections with unsubdivided adjacent land and shall be improved to the limits of the subdivision plat.
2. Stub streets exceeding 300 feet in length as measured from the street intersection to the property line of the subdivision shall contain a turn-around at its terminus that meets the turn-around and pavement requirements of a cul-de-sac.

(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. The Planning Commission shall determine any improvements deemed necessary concerning half streets or substandard existing streets.

(10) *Street intersections.*

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

(b) 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 125 feet shall not be permitted.

(c) Where the grade of any street at the approach of an intersection exceeds 7%, a leveling area shall be provided having not greater than 4% grade a distance of 25 feet, measured from the nearest right-of-way line of street intersection.

(d) 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.

(11) *Street curves.* Curves in streets shall have a radius adequate to insure sight distances sufficient to permit a driver to stop safely.

(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.

(13) *Street names.* All street names are to be approved by the 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.

(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.

(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.

(16) *Street paving, curb and gutters.*

(a) *Street minimum construction standards - urban and rural streets.*

1. Asphalt, hot mix-hot laid, two inches thick, laid on six inches of compacted soil cement, and primed with MCO primer, and shall be placed on subgrade with all unsuitable material removed and a minimum compaction using the modified proctor method - subgrade 95 %, base 100 %, and surface 93 %.

2. Asphalt, hot mix-hot laid, two inches thick, laid on an eight-inch stabilized aggregate subgrade, and primed with MCO primer. The aggregate base shall weather from November 1 through April 30 and have as a minimum compaction using the modified proctor method subgrade 95 %, base 100 %, and surface 93 %.

3. Two inches of asphaltic concrete hot mix surface course and compacted crushed stone base placed on compacted subgrade. The base course shall be eight inches of material conforming to the current Arkansas State Highway specifications, base course material, designation SB-2 or GB-3, and shall be placed on subgrade with all unsuitable material removed and with a minimum compaction using the modified proctor method - subgrade 95 %, base 100 %, and surface 93 %.

4. Concrete, laid six inches thick, with 3,000 pounds strength and shall be placed on subgrade with all unsuitable material removed and with a minimum compaction using the modified proctor method - subgrade 95 %, base 100 %, and surface 93 %.

5. On arterial streets three inches of asphalt hot mix laid shall be required in the place of two inches.

6. On arterial streets eight inches of concrete laid shall be required in the place of six inches.

(b) Curb and gutter and swale minimum construction standards - urban streets.

1. *Curb and gutter for asphalt streets.* Concrete curb and gutter for asphalt streets shall have a back height of not less than 14 inches, a base width of not less than 24 inches, face of curb height of six inches, and a gutter width of 18 inches.

2. *Curb and gutter for concrete streets.* In the event the sub-divider elects to construct concrete streets, then the thickness of the face of the gutter can be reached to conform with the actual pavement thickness as defined, such as, if five inches of Portland concrete pavement is constructed, the face of the gutter may be reduced from eight inches to five inches in thickness.

3. *Roll-type concrete curb and gutter.* Roll-type concrete curb and gutter on streets where this type of construction is permitted shall be identical in all dimensions to the curb and gutter as set out in 1. and 2. above, except the intersection of the gutter and face of the curb shall be constructed with a radius of approximately 12 inches to 15 inches.

4. *Concrete drainage swales.* Concrete drainage swales of not less than four feet in width minimum, formed to grade, shall be constructed across those intersections where it is necessary to transfer water from one side of the intersection to the other. The thickness shall be equal to the pavement thickness. The concrete swale shall be placed along a line drawn straight across the intersection. On concrete street construction, the swale shall be shaped and separated by expansion joints.

5. If possible, the top of the curb shall be set a minimum of 12 inches below the ground elevation at the planned building setback line to ensure adequate drainage.

(c) *Construction inspection.*

1. *Sub-base (or subgrade).*

A. After the proposed grading has been completed, with the necessary cuts or fills completed, the sub-base shall be thoroughly and adequately compacted to the minimum requirements. The area under the proposed pavement shall be tested, and a copy of these test results presented to the City Operation Supervisor.

B. Where construction shows soil types other than those anticipated by the developer's engineer, the City Operation Supervisor shall require detailed pavement design data including soil investigations by the developer's engineer and any other tests deemed necessary to ensure that a satisfactory sub-base can and will be constructed.

C. The City Operation Supervisor will visit the site and meet with the developer and his engineer when all testing requirements have been met to approve the sub-base.

D. After approval of the sub-base, the developer shall proceed to construct the base course, where required. If the base course is required (under hot-mix asphalt concrete surface), the developer shall have the compacted base course tested and shall present the testing results to the City Operation Supervisor for approval prior to placement of the surface course.

E. The minimum number of tests on both sub-base and base shall be determined by the City Operation Supervisor and the developer's engineer. However, in no case shall that number be less than three for any section of street. All testing shall be performed by a qualified, independent laboratory, and the cost of such testing shall be at the expense of the developer.

F. After the base course has been approved, the surface course shall then be placed. The specific material requirements and construction procedures for all street construction shall be in accordance with the latest edition of the Standard Specifications of Highway Construction published by the Arkansas State Highway Commission. A copy of these specifications may be obtained from the Arkansas State Highway and Transportation Department, Little Rock, Arkansas.

2. Placement of the surface course, plugs or core samples shall be taken at intervals to be determined by the City Operation Supervisor and the developer's engineer. These plugs shall reflect both the thickness and the density of the surface course and shall be tested for both by an approved independent laboratory. The results of those tests shall determine the acceptability of the surface.

(17) *Curb cuts.* The location and design of access points (driveways) along city streets shall be in accordance with the city's curb cut policy (when adopted).

(18) *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.

(E) *Easements.*

(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 subdivider's responsibility to initiate any request for exception to the laying of underground utilities.

(2) Easements for electrical and telephone service shall be a minimum of five feet wide and be established at the front 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.

(3) 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 (20 foot minimum width). 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.

(F) *Blocks.*

(1) Blocks shall have sufficient width to provide for two 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) 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 2000 feet, or be less than 500 feet in length. Wherever practicable, blocks along major arterial and collector streets shall not be less than 1000 feet in length.

(3) Pedestrian ways or crosswalks, not less than ten feet wide, may be required by the Planning Commission through the center of blocks more than 800 feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities.

(G) *Lots.*

(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 times as deep as it is wide.

(2) Residential lots where served by public water and sewer shall not be less than 75 feet wide at the building setback line nor less than 9,600 square feet. Commercial and industrial lots where served by public water and sewer shall not be less than 100 feet wide at the building setback line nor less than 20,000 square feet.

(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.

(H) *Depth and width.* 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.

(I) *Access to public street.* 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 variance approval of the Planning Commission.

(J) *Drainage.* 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.

(K) *Lot lines.* Side lot lines shall be approximately at right angles radial to street lines.

(L) *Corner lots.* 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 25 feet at the street corner.

(M) *Double frontage and reversed frontage lots.* 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.
(Ord. 172, passed 6-8-87; Am. Ord. 286, passed 2-22-00)

§ 153.62 SEWER AND WATER SYSTEMS.**(A) *Sewage collection and treatment system.***

(1) All subdivisions shall be provided with an approved sewage collection and treatment system, as approved by the Jefferson County Health Department.

(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) 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.

(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.

(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.

(6) The minimum size line, excluding house service lines, shall be eight inches in diameter.

(7) Manholes shall not be spaced more than 400 feet apart and shall be provided at all changes in grade, direction, and pipe size.

(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.

(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.

(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.

(B) *Water and sewer service connections.* Water and sewer service connections shall be provided for every lot in the subdivision and the city water and sewer policy shall govern the size and material used in the installation of water and sewer service connections. No street cuts for utility connections will be allowed after the street has been paved.

(C) *Water supply and distribution system.*

(1) All subdivisions shall be provided with water supply and water distribution systems approved by and meeting the requirements of the State Department of Health.

(2) Where a public water supply is within one-quarter mile, the developer shall install or have installed a system of water mains and connect to such supply.

(3) The minimum size line, excluding house service lines, shall be eight inches in diameter.

(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.

(B) *Water and sewer service connections.* Water and sewer service connections shall be provided for every lot in the subdivision and the city water and sewer policy shall govern the size and material used in the installation of water and sewer service connections. No street cuts for utility connections will be allowed after the street has been paved.

(C) *Water supply and distribution system.*

(1) All subdivisions shall be provided with water supply and water distribution systems approved by and meeting the requirements of the State Department of Health.

(2) Where a public water supply is within one-quarter mile, the developer shall install or have installed a system of water mains and connect to such supply.

(3) The minimum size line, excluding house service lines, shall be eight inches in diameter.

(4) Fire hydrants shall be required in all subdivisions with a public water supply. The maximum distance between fire hydrants shall be eight hundred feet.

(5) Where a public water supply is not available, each lot in a subdivision shall be furnished with a water supply system approved by the State Department of Health. (Also see division (A)(9) for additional requirements).

(Ord. 172, passed 6-8-87; Am. Ord. 372, passed 7-18-05)

§ 153.63 STORM DRAINAGE SYSTEM; STORM DRAINAGE CRITERIA.

(A) *Storm drainage system.*

(1) Every subdivision shall be served by storm drainage facilities, which may include drains, sewer catch basins, culverts, swales, or other facilities.

(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.

(3) All surface water drainage shall be transported to existing storm sewer or to drainage facilities approved by the Planning Commission.

(4) The Planning Commission and appointed City Engineer shall approve all drainage facilities.

(5) After completion of the streets and utilities, the site shall be cleaned up and graded to drain properly.

(6) The appointed City Engineer shall review and approve all drainage plans, and report his findings to the Planning Commission.

(B) *Storm drainage criteria.*

(1) Storm drainage for residential areas shall be designed for a ten-year frequency rainfall, and shopping centers and industrial developments for a ten-year frequency.

(2) The drainage system shall be designed and constructed to handle rainfall runoff that originates in or traverses the subdivision.

(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.

(4) Water shall be picked up in all streets at least every 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 rights-of-way.

(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.

(6) No open drainage channels shall be constructed within the area dedicated as public streets and alleys.

(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.

(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.

(Ord. 172, passed 6-8-87)

§ 153.64 MONUMENTS.

(A) Concrete monuments four inches in diameter or square and three feet long with ½-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.

(B) Metal rods, ¾ inch in diameter and 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.

(C) In situations where conditions prohibit the placing of markers in the locations prescribed, offset markers shall be permitted.

(Ord. 172, passed 6-8-87)

§ 153.65 PLANS AND SPECIFICATIONS.

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

(1) These plans and specifications will be reviewed for conformity with this chapter and the city standards. The plans and specifications shall be approved in writing prior to any construction. The city appointed engineer 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.

(2) 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.

(B) 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 chapter and to properly define the proposed work.

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

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

(C) 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.

(D) 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.

(1) 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.

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

(3) These plans shall be accompanied by the engineer's calculations when requested by the City Engineer.

(E) 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.

(Ord. 172, passed 6-8-87)

*ADMINISTRATION AND ENFORCEMENT***§ 153.75 VARIANCES.**

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:

(A) The granting of the variance will not be detrimental to the public safety, health, or injurious to other property;

(B) 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.

(C) 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;

(D) That the special conditions and circumstances do not result from the actions of the applicant.

(E) Cost to the developer of strict or literal compliance with the regulations shall not be the sole reason for granting a waiver or exception.

(F) The variances will not in any manner vary the provisions of the land use element, or the official subdivision jurisdiction map.

(G) 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.

(H) 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.

(Ord. 172, passed 6-8-87)

§ 153.76 AMENDMENTS.

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 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 chapter may also be amended at any time by a majority vote of the City Council.

(Ord. 172, passed 6-8-87)

§ 153.77 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.

(Ord. 172, passed 6-8-87)

§ 153.78 FEES.

(A) *Preliminary plat.*

(1) *Large subdivisions.* Subdivisions containing 25 lots or more the fee shall be \$25.00, plus \$2.50 per lot.

(2) *Small subdivisions.* Subdivisions containing less than lots the fee shall be \$2.00 per lot.

(B) *Final plat.*

(1) Large subdivisions containing 25 lots or more the fee shall be \$15.00 plus \$.50 per lot.

(2) Small subdivisions containing less than 25 lots the fee shall be \$5.00 plus \$.50 per lot.

(C) *Replat.* The fee for replats shall be \$20.00 plus \$.50 per lot.
(Ord. 172, passed 6-8-87)

§ 153.99 PENALTY.

Any person, firm or corporation who shall violate any of the provisions of this chapter, 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 \$200. Each day that such violation continues shall constitute a separate offense and shall be punishable accordingly.

(Ord. 172, passed 6-8-87)