CITY OF BEEBE
LAND DEVELOPMENT AND SUBDIVISION CODE

Adopted by Ordinance 2023-26
August 22, 2023
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FOLLOW BY ATTACHMENTS

~~ARTICLE I. PURPOSE AUTHORITY AND JURISDICTION~~

Section 1. Purpose

The subdivision of land is the first step in the process of urban development. The arrangement of land parcels in the community for residential, commercial, and industrial uses and for streets, alleys, schools, parks and other public purposes, will determine to a large degree the conditions of health, safety, economy, and amenity that prevail in the urban area. The quality of these conditions is of public interest. These regulations and standards for the subdivision and improvement of land for urban use are to make provision for adequate light, air, open space, drainage, transportation, public utilities and other needs, and to insure the development and maintenance of a healthy, attractive, and efficient community that provides for the conservation and protection of its human and natural resources.

These regulations are designed, intended, and should be administered in a manner to:

1.1 Implement the Comprehensive Development Plan.

1.2 Provide neighborhood conservation and prevent the development of slums and blight.

1.3 Harmoniously relate the development of the various tracts of land to the existing community and facilitate the future development of adjoining tracts.

1.4 Provide that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners or developers of the tract, and that cost of improvements which primarily benefit the whole community be borne by the whole community.

1.5 Provide the best possible design for the tract and reconcile any differences of interest.

1.6 Establish adequate and accurate records of land subdivision and commercial development.

Section 2. Authority

This Land Subdivision and Development Code is promulgated in accordance with the authority granted by Act 186 of the 1957 General Assembly of the State of Arkansas, as amended.

Section 3. Jurisdiction

These regulations shall apply to all forms of subdividing as defined in Article Il hereof and shall be applicable to all lands lying within the City and to certain unincorporated areas in the County within One (1) mile of the corporate limits, as shown on the Planning Area Map, which is included herein as Attachment 'IA" and made a part of this Code.

ARTICLE ll. DEFINITIONS

Section 1. Definitions

Definitions not expressly prescribed herein are to be construed in accordance with customary usage in municipal planning and engineering practices. Wherever used in this Code, the word "shall" will be interpreted in its mandatory sense. For the purpose of interpreting this Code, certain words used herein are defined as follows:

Alley	A minor public way used primarily for utility easements and vehicular services access to the back or the side of properties abutting a street.
Block	A parcel of land intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad rights-ofway, public walks, parks, drainage channels, or a combination thereof.
Building Line	The phrase "building line" shall be the line within a property which defines the minimum horizontal distance between the building and the adjacent property line.
City Building Official or Building Official	The Code Enforcement Officer for the City or any personal duly authorized to act on his/her behalf.
City	The City of Beebe, Arkansas.
Code	The Land Development and Subdivision Code for the City of Beebe, Arkansas.
Comprehensive Development Plan	The Comprehensive Development Plan maintained by the City at its offices which establishes the overall plan and recommended action relevant to current and future needs of the City.
County	White County, Arkansas
City Engineer, City Attorney. City Clerk	Any office referred to in this Code by a title, i.e., City Attorney, City Clerk, City Engineer, etc., shall be the person so retained in this position by the City, or his/her duly authorized representative.
Commission	The word "Commission" or "Planning Commission: shall be the official City Planning Commission of the City.
Commission Plan	The comprehensive development plan for the City which has been officially adopted to provide long-range development policies for the area subject to urbanization in the foreseeable future and which includes, among other things, the plan for land use, land subdivision, circulation, and community facilities.

Easement	A grant by the property owner of the use by the public, a corporation, or persons, of a strip of land for specific purposes.
Engineer	A person duly authorized under the provisions of the Arkansas Engineering Registration Act to practice the professions of the engineering in the State of Arkansas.
Lot	A distinct and separate undivided tract or parcel of land having frontage on a public street, which is, or in the future may be offered for sale, conveyance, transfer, or improvement as a building site.
Pavement Width	The portion of a street available for vehicular traffic; where curbs are laid, it is the distance from back of curb to back of curb.
Planning Commission	The Planning Commission for the City
Plat, Preliminary	The phrase "preliminary plat" shall be any plat of any lot, tract or parcel of land that is not to be recorded, but is only a proposed division of land and is presented only for review and study by the City; and to provide the basis for installing site improvements and utilities, and for dedicating and/or reserving land for public use.
Plat, Final	The phrase "final plat" shall be any plat of any lot, tract, or parcel of land requested to be recorded of record in the Deed Records of the County.
Replating	The word "replating" shall be the re-subdivision of any part of a previously platted subdivision, addition, lot or tract.
Street	A public right-of-way, however designated, which provides vehicular access to adjacent areas.
Street Width	The word "street width" shall be the shortest distance between the lines which delineate the rights-of-way of a street. It runs from abutting property line to abutting property line.
Street, Local	The phrase "local street" shall be a street which is intended primarily to serve traffic within a neighborhood or limited residential district, and which is not necessarily continuous through several residential districts.
Street, Collector	The phrase "collector street" shall be a street which is continuous through several residential districts and is intended as a connecting street between residential districts and thoroughfares or business districts.
Street, Thoroughfare	The phrase "thoroughfare street" shall be the principal traffic thoroughfares continuous across the City, which are intended to connect distant parts of the City or adjacent thereto, and act as

	principal connecting streets with State and Federal highways. Each thoroughfare street is designated on the Major Thoroughfare Plan for the City.
Street, Dead End	A street, similar to a cul-de-sac but providing no turnaround at its closed end.
Subdivider or Developer	Any individual, association, firm, corporation or any agent thereof dividing or proposing to divide land so as to constitute a subdivision as that term is defined herein. The terms "Subdivider and Developer" shall be restricted to include only the owner, equitable owner, or authorized agent of such owner or equitable owner, of land to be subdivided. He/she is sometimes referred to herein as the "applicant".
Subdivision	The word "subdivision" shall mean the division by platted lots or metes and bounds of any lot, tract, or parcel of land situated within the corporate or extraterritorial limits of the City, into two (2) or more lots or sites for the immediate or future purpose of sale or development, or for laying out residential, commercial or industrial lots, or any lots, and streets, alley, or other portions intended for public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto. It also includes re-subdivision or re-platting of the land, lots, or tracts. A division of land for agricultural purposes into parcels of twenty (20) acres or more and not involving a new street shall not be deemed a subdivision for the purpose of this Code.
Surveyor	A Licensed State Land Surveyor or a Registered Public Surveyor authorized by the State Statutes to practice the profession of surveying in the State of Arkansas.

ARTICLE III. DESIGN

Section 1. Conformance to Existing Plans

The purpose of this portion of the Code is to specify the basic and minimum requirements for lots, blocks, streets, and other physical elements in new subdivisions. These standards constitute the minimums which are to be observed by developers. In order that the various purposes of this Code may be accomplished, all subdivisions hereinafter established:

1.1 shall conform with the various elements of the Comprehensive Development Plan including the location of major thoroughfares and streets, the location of parks, playgrounds, schools and other public sites, and appropriate land uses; and

1.2 shall be designed to conform with the minimum zoning and building regulations for the area in which the proposed subdivision is located.

Section 2. Suitability of Land

No land shown as a flood zone area by the FIRM map (Flood Insurance Rate Map), provided by FEMA shall be platted for use as residential homes or commercial buildings without a study by FEMA showing no immediate or future adverse flooding to the surrounding area. Developer shall bear all cost involved in topographic study. Any structure built with in the flood plain shown on the FIRM Map shall be constructed 2 foot above the BFE (Base Flood Elevation). The BFE (Base Flood Elevation) provided by FEMA shall extend to street construction of all streets with in a designated flood zone area. Any street constructed with in the flood plain as shown by the FIRM map shall be built to the BFE (Base Flood Elevation). Land subject to flooding or topographically unsuitable for residential occupancy and which the Planning Commission considers unsuitable for subdividing shall not be platted for any use that may increase the danger to health, life, or property, or aggravate erosion of flood hazard. If such land is in the proposed plat, this land will be set aside for such use as will not cause or be affected by periodic flooding of unsuitable topographic conditions unless adequate corrective measures are formulated by the developer, approved by the Planning Commission and confirmed by the Beebe City Council.

Section 3. Large Scale Developments

The requirements of this Article may be modified in the case of large-scale community or neighborhood units, such as a housing project, mobile home park, shopping center, or planned unit development of mixed uses which are not subdivided into customary lots, blocks, and streets. Plans for all such developments shall be presented to the Planning Commission for review and approval prior to the commencement of construction.

Section 4. Provision of Land for Public Use

The Planning Commission may require reservation of suitable sites for public uses indicated on the Comprehensive Plan for a period of up to twelve (12) months after the filing of a Letter of Intent to d evelop by the subdivider. Such reservations shall be referred to the appropriate public board, commission, or body having jurisdiction financial responsibility, to permit the opportunity to acquire said sites either through purchase, taking an option, or the filing of condemnation proceedings under the power of eminent domain.

Section 5. Subdivision Design Standards

5.1 Streets

All major streets and other features of the Major Thoroughfare Plan component of the City's Comprehensive Development Plan shall be planted by the subdivider in the location and to the dimensions indicated in said Plan as adopted by the City.

Local residential streets shall be laid out so that their use by through traffic will be discouraged. The arrangement of streets shall be such as to cause no hardship in the subdividing of adjacent properties. The Planning Commission may require the dedication of street rights-of-way to facilitate the development of adjoining properties.

Where the plat to be submitted includes only part of the tract owned or intended for development by the subdivider, a tentative plan of a proposed future street system for the un-subdivided portion shall be prepared and submitted by the subdivider.

When a tract is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of future streets, and appropriate re-subdivision, with provision for adequate utility easements and connections for such re-subdivision.

Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations; and provided that the Planning Commission finds it will be practical to obtain the dedication of the other half of the street easement when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within the tract which is being subdivided.

There shall be no private streets platted in any subdivision. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the City under conditions approved by the Planning Commission.

The street names shall require the approval of the Planning Commission. Streets that obviously are in alignment with streets already existing and named shall be given the name

of the existing street.

All new streets and commercial development parking lots proposed for construction in the city of Beebe or planning area after the adoption of these regulations, shall have curb and gutters compliance with Article Ill Section 5.A Streets #9 Curbs and Gutters

5.2 Right-of-Way Widths

The right-of-way width shall be the distance across a street from property line to property line. Referring to the Comprehensive Development Plan and particularly the Major Thoroughfare Plan portion thereof for the required location of major streets, the minimum street right-of-way width shall be as follows:

Principal Arterials	100 feet
Minor Arterials	80 feet
Collector Street	60 feet
Local Commercial Streets	60 feet
Local Residential Streets	50 feet
Marginal Access Streets	50 feet
Alleys	20 feet
Cui-de-sacs (residential	100 feet

Minor terminal streets and cul-de-sacs or courts designed to have one end closed should be no more than five hundred (500) feet long without special permission of the Planning

Commission. Such streets will be provided at the closed end with a turn-around of not less than eighty (80) feet roadway diameter (outside to outside of roadway surface).

Subdivision that adjoins existing streets shall dedicate additional right-of-way to meet the minimum street right-of-way width requirements. Where any part of the subdivision is on both sides of the existing street, the entire required right-of-way shall be dedicated. Where the subdivision is located on only one (1) side of any existing street and the land across the street from the proposed subdivision has been subdivided or developed, the subdivider is required to provide enough additional right-of-way on his/her side of the roadway to bring the total right-of-way to the required width. Where the subdivision is located on only one (1) side of an existing street and the land across the street from the proposed subdivision has not been subdivided or developed, the subdivider is required to provide enough additional right-of-way on his/her side of the street to bring the total right-of-way to a width of not less than fifty (5) feet.

5.3 Street Grades

The minimum grade for all streets shall be 0.3% unless the developer offers a suitable

design for draining the street of surface storm water. The maximum grade for local and collector streets shall be 12%, while the maximum grade for arterial streets shall be 5%.

5.4 Minimum Standard for Construction of New Street

5.4.1 Policy

It is the policy of the City to require the employment of sound engineering procedures and the use of materials in the construction of streets and appurtenant structures and improvements within the area of jurisdiction ofthe City and the planning jurisdiction of the Planning Commission. The following minimum specifications and designs shall be employed in the construction of streets within the City jurisdiction.

5.4.2 Engineering and Supervision

All grading, curb and gutter, and pavement work shall be designed, laid out, and supervised by a registered professional engineer or registered professional land surveyor with the approval of the City Engineer. The City reserves the right to request the review by a registered professional engineer at the expense of the developer. Said engineer shall submit to the City and/or Planning Commission complete sets and plans and specifications of the proposed project for approval before work of any kind commences with a certification that all designs have met the minimum standards and specifications.

5.4.3 City Acceptance of Work

Hereafter, no street not now accepted by the City for maintenance and upkeep shall be so accepted by the City until it has been curbed and guttered on both sides of the street

from intersection to intersection, and such street paved, all to be done in accordance with the standards set out hereafter.

5.4.4 General Requirements —Earthwork/Site Preparation and Soil Testing

In order to insure that streets are built on suitable roadbeds that will reduce maintenance costs and insure long life of the streets after construction, the following will need to be considered:

5.4.4.1 Clearing, Grubbing, and/or Scalping— the right-of way of proposed streets shall be cleared of all trees, stumps, hedge, brush, roots, logs, weeds, rubbish, sod, refuse, dumps, sawdust piles, lumbering slash, and other materials as specified by the City.

5.4.4.2 Organic Soil —Any organic soil shall be removed within three feet of the subbase area.

5.4.4.3 Stumps — Stumps may be allowed to remain in an area where fills of four feet or more will be place. Stump holes remaining after removal of trees shall be backfilled and compacted as determined by the City.

5.4.4.4 Rock Excavation —All material which cannot be excavated without blasting or the use of rippers shall be excavated to a minimum depth of eight inches below subgrade.

5.4.4.5 Slopes — All slopes in excavation and fill shall be a minimum of two horizontals to one vertical unless otherwise approved by the City. Rock slopes shall be left in a sale manner to prevent future sliding and protect street areas from falling rocks.

5.4.4.6 General —the right-of-ways shall be free of holes, ditches or other abrupt changes in elevations that resulted from the clearing, grubbing, and/or scalping operations.

5.4.4.7 Soil Testing—A soil test shall be made for all new streets. The purpose of the soil test is to classify subgrade soils, locate water tables, and aid in designing pavement structures. At least one sample shall be taken every three hundred feet (300') within the limits of the street right-of-way and not less than three feet (3') below the proposed grade line, where water is encountered in the first boring, the hole shall be left open for a minimum of twelve (12) hours to allow the water to rise to its final level and then be measured. Additional borings shall be made within one hundred feet (100') of the hole where water is discovered and tested in a similar

manner. Results of the tests shall be reported to the City for their use in evaluating the proposed construction plans

5.4.5 Subgrades

5.4.5.1 The subgrade for new pavement shall be free from all organic matter, roots, brush, and vegetable matter. The top eight inches (8") of the subgrade shall be rolled and compacted to a density of not less than ninety-five percent (95%). Such density shall be determined by compaction tests taken by a reputable testing laboratory at intervals of not more than three hundred linear feet (300 IF) centerline and at such other locations as may be designated by the City. All such tests shall be done and performed at the sole expense of the contractor and/or developer and the results of all tests shall be certified by the laboratory to the City.

5.4.5.1 In the event any portion of the subgrade shall fail to meet the minimum standards, the contractor shall immediately proceed to perform such work as shall be required to bring that portion of the subgrade up to the minimum standards herein set cut including the making of any additional compaction tests which the City may deem necessary. If determined by the City to be advisable, all further construction may be stopped until the defective area or areas have been satisfactorily corrected.

5.4.5.2 The subgrade for concrete pavement shall be uniformly compacted. Compacting can be accomplished with a steel-wheel roller, a tamping roller, or a rubber-tired roller of adequate weight. To obtain a uniform subgrade, the subgrade soil shall be compacted at or slightly above standard optimum moisture content.

5.4.5.2 All street subgrades shall have a geosynthetic fabric underlayment of MIRAFI RS380i, or equal. The top 8" of the existing subgrade in-situ soil shall be Scarified and compacted to 95% of the modified proctor density (ASTM 1)1557) prior to the placement of the geosynthetic fabric.

5.4.6 SUBBASE

5.4.6.1 Base Course

5.4.6.1.1 After preparation of the subgrade, the road-bed shall be surfaced with material of no lower classification than crush rock, stone, or gravel.

5.4.6.1.2 Selected material shall consist of a satisfactory sandy type soil or mixture of sandy soil and stone or gravel. The maximum size of gravel or stone particle shall not be greater than three inches (3"). The material furnished

shall be free from Sod, stumps, logs, roots, or other perishable or deleterious matter.

5.4.6.2 Subbase

5.4.6.2.1 The subbase course for streets shall generally be eight inches (8") thick for asphalt streets and four inches (4") thick for concrete streets, unless otherwise directed by the City Engineer, but a minimum subbase depth of four inches (4").

5.4.6.2.2 Subbase material should consist of crushed or uncrushed bank gravel or crusher run crushed stone. The material furnished shall not contain more the five percent (5%) by weight of shale, slate, and other deleterious matter. It shall be reasonably well graded from coarse to fine so that it can be compacted to a dense stable surface.

5.4.6.2.3 The subgrade shall be free from an excess or deficiency of moisture at the time of placing the subbase.

5.4.6.2.4 The subbase shall not be placed on a frozen subgrade.

5.4.6.2.5 Untreated subbases shall have a minimum density of 105 percent of AASHTO T99.

5.4.6.2.6 The stone base course shall be placed in four-inch layers, watered as necessary, and compacted to 100 percent AMMO T99. The contractor shall be responsible for keeping the stone base free of contamination from clay or other foreign materials. The base shall be tested by a reputable testing laboratory at the expense of the contractor and/or developer and the results of all tests shall be certified by the laboratory to the City.

5.4.6.2.7 The spreading shall be done the same day that the material is hauled, and it shall be performed in such manner that no segregation or course and fine particles nor nests or hard areas caused by chiming the crushed stone on the subgrade will exist. To ensure proper mixing, the subbase material shall be bladed entirely across the road bed before being spread. Care must be taken to prevent mixing of subgrade or shoulder material with the subbase material in the blading and spreading operations.

5.4.6.2.8 Compaction of the crushed stone will be done by the use of vibrating rollers. The required crown and grade shall be maintained by blading so that the base will form a smooth and uniform surface. The base that is acceptable is gravel or crushed stone, meeting gradation at Arkansas Department of Transportation (ARDOT) class 7 aggregate base.

TABLE OF THICKNESS

The following table has been incorporated in these specifications as a basis of standardizing the paving requirement in and around the City.

RIDGID PAVEMENT			
		Portland Cement Concrete	Portland Cement Concrete
Wheel Loads	Type of Street	Base Thickness	Pavement Thickness
6,000 # or less	Residential		
8,000 # or less	Commercial		
10,000 # or less	Arterial		
Over 10.000	Special Design		
FLEXIBLE PAVEMENT EMENT			
Wheel Loads	Type of Street	2" Hot Mix Asphalt	
		Base Thickness	
6,000 # or less	Residential		
8,000 # or less	Commercial		
10,000 # or less	Arterial	12"	
Over 10.000	Special Design		
ALLEYS ONLY			
Wheel Loads	Type of Street	Double Seal	1" Hot Mix Asphalt
		Base Thickness	

6,000 # or less	Residential		
8,000 #	Commercial		

Note: The thicknesses are based on a subgrade that would be classified as a medium compressible clay with some sand and silt, which is a poor subgrade. All concrete used in the construction of streets, curbs and gutters, sidewalks, and drainage structures shall contain fiberglass fibers (fiber-mesh) to prevent cracking. Fiber-mesh shall be applied in the following manner: one and one half (1 and 1/2) pounds of high tech fiber, 3/4 inch in length, per cubic yard of concrete. The fiber-mesh shall be thoroughly mixed into the concrete before the concrete reaches the job site. Thicknesses of both flexible and rigid type pavements may be determined from soils tests and bearing tests shall include soils analysis with identifying soils groups and subgrade Modulus "K" for Rigid Type Pavements and soils analysis with identifying soils groups and C. factors for Flexible Type Pavements. When the above tests are not run by a reputable testing laboratory, the above thicknesses shall be used without deviation whatsoever. All concrete streets are to contain 5 1/2 sack mix: per cubic yard. There shall be no traffic allowed to pass through or upon the said concrete streets within 14 days after said street has been poured.

5.1.4 MATERIALS AND METHODS FOR CONSTRUCTING RIGID PAVEMENTS

5.1.4.1 Sand and gravel or stone aggregates are used with Portland Cement to make Portland Cement Concrete and;

5.1.4.2 Portland Cement is used to stabilize the in-place or selected solid to make soilcement.

5.1.4.3 Portland Cement Concrete shall be a 28-day compressive strength of not less than three thousand (3,000) pounds per square inch, a slump of not more than three (2) inches and contain a minimum of five and five/tenths (5.5) sacks of cement per cubic yard of concrete. Concrete compression test cylinders shall be made at intervals of not more than three hundred (300) linear feet and at such other reasonable times and locations as may be specified by the City. All such test cylinders shall be delivered to and tested by a reputable testing laboratory and the results thereof shall be certified by the testing laboratory to the City. The expense of making and testing all such cylinders and certifying the results thereof shall be paid by the contractor and/or the developer.

5.1.4.4 Jointing, reinforcing, forming, placing, finishing and curing shall be in accordance with the recommendations of the engineer and/or the Portland Cement Association.

5.1.4.5 Soil-cement materials shall be tested and soil-cement shall be constructed in accordance with the recommendations of the Portland Cement Association and/or the consulting engineer.

~~5.1.5 MATERIALS AND METHODS FOR CONSTRICTING FL~~EXIBLE BASE

5.1.5.1 The term flexible base shall be used to describe bases that are constructed of clay gravel, crushed stone, sandy clay gravel, and other granular bases and sealed with asphaltic cement. The gradation of the base materials other than stone shall conform to Class GB-2 of the State of Arkansas Specifications and shall meet all other requirements as set forth for those Materials and Construction set out in Section 202.

5.1.5.2 The gradation of the base materials for crushed stone shall conform to Class SB-2 of the State of Arkansas Specifications for Crushed Stone Bases and shall meet all other requirements as set forth in Section 203 for those Materials and Construction Methods.

5.1.6 SURFACES

The surfaces included in these specifications shall be applied to the flexible and soilcement base courses.

5.1.6.1 Hot Asphaltic Concrete.

The hot asphaltic concrete shall meet and conform to specifications as outlined In the State of Arkansas Specifications 605 Asphaltic Concrete Hot Mix Surface Course and Mineral Aggregates Meeting Type 3 Specifications. Section 607 on Material and Equipment for Hot Mix Surface Courses shall also be strictly adhered to.

5.1.7 CURBS AND GUTTERS

5.1.7.1 All curbs and gutters shall be of 3,000# compressive strength Portland Cement Concrete at twenty-eight (28) days. One (1) inch contraction joints shall be every eighteen (18) feet and expansion joints every seventy-two (72) feet. Should crushed stone aggregate be used, the spacing may be twenty (20) and eighty (80) feet respectively. Curing shall be done with white pigmented membrane or wet burlap for seven (7) days, and started immediately after the concrete has received its initial set.

5.1.7.2 All curbs and gutters shall be muled and finished with a broom finish and backfilled as soon as possible after forms are removed to prevent undermining.

5.1.8 TESTS AND SPECIFICATIONS

5.1.8.1 Concrete pavement.

The engineer shall make all necessary daily tests such as slump, air content, thickness and surface variations. All daily compression test cylinders shall be tested by a reputable testing laboratory and charged to the contractor.

5.1.8.2 Soil-Cement pavement.

The engineer shall make daily density and field density, thickness and surface variation tests. Only current ASTM or Arkansas State Highway methods shall be employed.

5.1.8.3 Flexible pavement:

Tests of all materials in the base and wearing surface shall be made during and after the paving is completed in order to control and determine the quantity, quality and thickness of the various materials used. Testing shall be done by a reputable testing laboratory and at the sole expense of the contractor

and/or developer. Only current ASTM or Arkansas State Highway methods shall be employed. At least one (1) test for every three hundred (300) linear feet of base shall be made for density and thickness of base course; and for each three hundred (300) tons of asphaltic surface material, but not less than one (1) test per day shall be made.

5.1.9 BONDS AND INSURANCE

5.1.9.1 Public liability and property damage insurance. The contractor shall furnish public liability insurance in an amount of not less than One Hundred Thousand ($100,000) Dollars for injuries including accidental death to any one person and for an amount of not less than Five Hundred Thousand ($500,000) Dollars for any one accident.

Property damage insurance shall be in an amount of not less than One Hundred Thousand ($100,000) Dollars each accident If a combined bodily injury and property damage limit is used, the limit shall not be less than ago Two Hundred Fifty Thousand ($250, 000) Dollars each occurrence and Five Hundred Thousand ($500,000) Dollars general aggregate.

5.1.9.2 Maintenance Warranty. The contractor shall furnish the City with a one (1) year Maintenance Warranty for all pavement related items, which shall go into full force and effect from the date of the City/s acceptance of the project in full. The City and/or the City engineer shall make periodic inspection of the project and shall notify the contractor of any failures that require immediate replacement.

Prior to the end of the one (1) year period covered by the Maintenance Warranty, the City officials with the engineer shall make an inspection of the work and shall notify the contractor of all defects which must be corrected and accepted by the City. The contractor will be required to correct all deficiencies within three (3) months. If the contractor fails to complete repairs as directed by the City Engineer, the City shall have the right to make all repairs at the expense of the contractor.

5.1.9.3 Intersections. The centerline of no more than two (2) streets shall intersect at any one point. Street intersections shall be a nearly possible at right angles as possible, and no intersection shall be at an angle of less than sixty (60) degrees.

Curb radii at street intersections shall not be less than twenty (20) feet. Where the angle of a street intersection is less than seventy-five (75) degrees, the Commission may require a greater curb radius. When necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street comer to less than normal width, the property line at such street

comer shall be rounded or otherwise set back sufficiently to permit such construction.

Street jogs with curve arc at one or both ends which is greater than 30 degrees with center line offsets of less than 125 shall not be allowed.

5.1.9.4 Horizontal Curves. Curvilinear streets are recommended for residential minor and collector streets in order to discourage excessive vehicular speeds and to provide attractive vistas. Whenever a street changes direction or connecting street lines deflect from each other by more than ten (10) degrees, there shall be a horizontal curve. To insure adequate distance, the minimum centerline radii for horizontal curves shall be as follows:

Arterial Streets	350 feet
Collector Streets	250 feet
Local Service Streets	100 feet

Between reverse curves there shall be a tangent having a length of not less than One hundred (100') feet.

5.5 Alleys

Alleys may be required at the rear of all lots to be used for business purposes, b ut shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the Commission of the need for alleys.

The width of an alley shall not be less than twenty (20) feet

Where alleys are provided:

5.5.1 Intersections and sharp changes in alignment shall be avoided.

5.5.2 Dead-ends shall be avoided where possible.

5.6 Easements

Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be at least twelve (12) feet wide.

Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such -water course, and such further width or construction, or both, as will be adequate for the purpose. Parallel streets may be required in connection therewith.

5.7 Blocks

The lengths, widths, and shapes of blocks shall be determined with due regard for the following:

5.7.1 Provision of adequate building sites suitable to the special needs of the type of use contemplated.

57.2 Zoning requirements as to lot sizes and dimensions

5.73 Needs for convenient access, circulation, control, and safety of street traffic.

5.7.4 Limitations and opportunities of topography.

Blocks shall be of less than four hundred (400) feet in length or more than one thousand two hundred (1,200) feet in length is discouraged except as the terrain itself makes blocks of other lengths desirable. When a block exceeds six hundred (600) feet in length, the Planning Commission may require a dedicated easement not less than fifteen (15) feet in width and a paved crosswalk not less than four (4) feet in width to provide pedestrian access across the block. Blocks used for residential purposes should be of sufficient width to allow for two tiers of lots of appropriate depth. Blocks intended for business and industrial use should be of a width suitable for the intended use, with due allowance for off-street parking and loading facilities.

5.8 Lots

The shape of residential lots shall not be required to conform to any stated pattern. The Planning Commission shall judge lot shape on the type of development and on the use to which the lots will be put.

Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation at both streets.

Lot dimension:

5.8.1 Lots within the city limits shall conform to the requirements of the zoning ordinance.

5.8.2 Lots outside the city limits, but served by sanitary sewer and/or public water supply, shall be not less than sixty-five (65) feet wide at the building setback line nor less than six thousand five hundred (6,500) square feet in area.

5.8.3 Lots not served by sanitary sewer and/or public water supply shall be not less than seventy-five (75) feet wide at the building setback line and at least ten thousand five hundred (10,500) square feet in area or of sufficient size to conform to the regulations and specifications of the Arkansas State Board of Health.

5.8.4 The minimum building setback line should be not less than twenty-five (25) feet from the right-of-way of the front street. Comer lots should have a setback of twenty-five (25) feet from both the front lot line and street side lot line.

Side lot lines should be approximately at right angles or radial to street lines.

Double frontage and reverse frontage lots should be avoided except where they are needed to provide for the separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet shall be provided along the portion of the lots abutting such a traffic artery or other use where screening is required. There shall be no right of access across a planting screen easement. At the discretion of the Planning Commission, the developer may substitute for an easement and a planting screen a permanent ornamental fence of a height and architectural design which will appropriately screen and be harmonious with residential or other neighborhood elements.

The size of properties reserved or laid out for commercial or industrial uses should be Adequate to provide for off-street parking facilities and services required by the type of use and development contemplated. When developed within the city limits, they shall conform to the zoning ordinance.

ARTICLE IV. IMPROVEMENTS

Section 1. General Provisions

Every subdivider shall be required to install streets, utilities and public improvements in accordance with the following standards and specifications. The City Council shall designate the official or officials who shall be responsible for certifying proper installation of required improvements.

Section 2. Streets

The subdivider of any subdivision designed to be used for residential, commercial, industrial, or other purposes shall lay out, grade, and otherwise improve all streets that are designated on the approved plat or that directly serve the subdivision in accordance with the specifications of the City.

As indicated in the Comprehensive Development Plan, street pavement widths shall be as follows, the indicated width being measured from back of curb to back of curb:

Principal Arterials	48 feet
Minor Arterials	44 feet
Collector Streets	36 feet
Local Residential Streets	24 feet
Local Commercial Streets	40 feet
Marginal Access Streets	27 feet

The subdivider shall bear the cost of paving street as required herein of widths up to thirtysix (36) feet. Hence, the subdivider shall pay for local residential streets, marginal access streets, and

collector streets. Where a forty foot (40 [1]) commercial street is required, the subdivider likewise shall bear this cost.

Street name markers shall be installed by the developer at his expense. The design of the markers and signs shall be approved by the City.

Developer shall include street light layout plan designed to minimum standards provided by local Entergy provider.

Section 3. Water Line

All subdivisions shall be provided with water distribution systems approved by the City and meeting the requirements of the State Health Department and the Arkansas Inspection and Rating Bureau. The water supply and distribution system shall be designed to provide the anticipated water consumption within the subdivision, including fire protection. Recognized engineering design criteria shall be used to design the system.

Fire hydrants shall be installed by the regulations of Municipal Code 9.16 and City Ordinance 99-06, see attachments.

Section 4. Sanitary Sewers

All subdivisions shall be provided with an approved sewage collection and treatment system.
Connection with the City's 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.

If a sanitary sewage treatment system is to be installed, the plans for said system shall Be approved by the State Department of Health prior to approval of the final plat by the Planning Commission.

The sewage collection system shall be designed to handle the anticipated flow of sewage from within the subdivision, including development of future sections of the same subdivision and adjacent areas within the same drainage basin or pump station service area. Recognizing engineering design criteria in accordance with the requirements of the State Department of Health shall be used to design the system.

SECTION 5. Drainage

The following requirements shall apply to all new property development within the City and its Planning Area.

5.1 GENERAL REQUIREMENTS

5.1.1 **Applicability.** All developments or redevelopments shall submit a storm water management and drainage plan, with storm water calculations, before any plans will be processed for review by the staff or by the Planning

Commission. The City Engineer or designated representative must approve the storm water management plan before any planning commission, building permit, or notice to proceed shall be issued.

The storm water management and drainage plan must include:

a) Drainage basin delineation
b) Calculation of the appropriate design storm peak runoff
c) Development of Pre and Post Hydrographs
d) Calculation of the required storage area
e) Calculation of diversion and return structures for storage

Items (d), and (e), above shall be substituted with details of the planned low impact development methods if low impact development is utilized to limit the post development flows.

5.1.2 Exemptions. The following are exempted from mandatory compliance and review by the City Engineer but shall be reviewed by the Building Official who may require, if found necessary, plans to be forwarded to the City Engineer in cases where conditions are indicated that could cause storm water management problems.

An individual single-family dwelling, new or existing occupying a single lot or parcel of land consisting of 2 acres or less.

An individual duplex dwelling, new or existing occupying a single lot or parcel of land consisting of 2 acres or less.

An individual commercial business, new or existing, occupying a single lot or parcel of land of 2 acres or less.

An existing non-residential structure on which additional improvements are less than 500 square feet and which has been identified by the City Engineer as located on a lot or parcel that is free from current drainage issues.

5.13 Regulations. The following regulations shall govern the design, installation, and review of storm water management plans and features.

Every residential, commercial, and industrial development shall make adequate plans and provisions to accommodate, control and dispose of storm water by means of drains, sewers, catch basins, culverts, detention facilities and other facilities as deemed necessary by the city engineer, or as required by any other city ordinance. No work shall begin until plans are approved by the appropriate departments of the

City. Plan approval shall be based on the requirements of the approved preliminary plat and other applicable city standards.

Facilities for storm drainage and detention of storm water shall be designed and constructed so as to not increase the rate of storm water runoff onto adjoining property or downstream systems to that which existed prior to the development. This requirement is subject to the following considerations.

The requirement shall be satisfied when the City Engineer attests that the drainage plan submitted by the applicant's engineer meets or exceeds applicable standards and practices currently promulgated by the profession. Neither the City Engineer nor the applicant's engineer shall be held responsible for rainfall events or storm conditions that cannot be treated by those applicable standards and practices.

If existing conditions on the subject property are, in the opinion of the City Engineer, presently causing drainage problems downstream, the design of the drainage and detention of storm water shall first treat those existing conditions as well as those associated with new construction. On-site detention facilities or other appropriate and approved means to control the increased runoff from development {low impact development, etc..), based on a one in ten-year storm design frequency, shall be incorporated into the proposed development drainage plans. On-site detention facilities included as part of the drainage plan shall be maintained by the subdivider, owner of record or property owners' association. The bill of assurance shall specifically state the party who shall be responsible for the maintenance of the detention facility. Maintenance shall include removal of sediment when the basin's function is impaired, mowing, removal of debris, and reseeding or re- sodding. If the subdivider, owner or property owners' association neglect or refuse to maintain the detention facility after having been officially notified by the City in writing to do so, the City is authorized to perform the maintenance and to charge the cost to the subdivider, owner or property owners' association.

Storm water may not be diverted from one major watershed to another.

If any area or lot is within a designated floodplain or floodway, the final plat shall have a floodplain statement indicating the panel number, date and 100-year floodplain contour and/or floodway limit of the flood insurance rate map (FIRM) applicable to the area. In order to protect the public interest, floodways in every development shall be kept free of incompatible urban development. Floodways, as defined by the current FIRM, or as modified by a detailed engineering analysis accepted by the Army Corps of Engineers, Federal Emergency

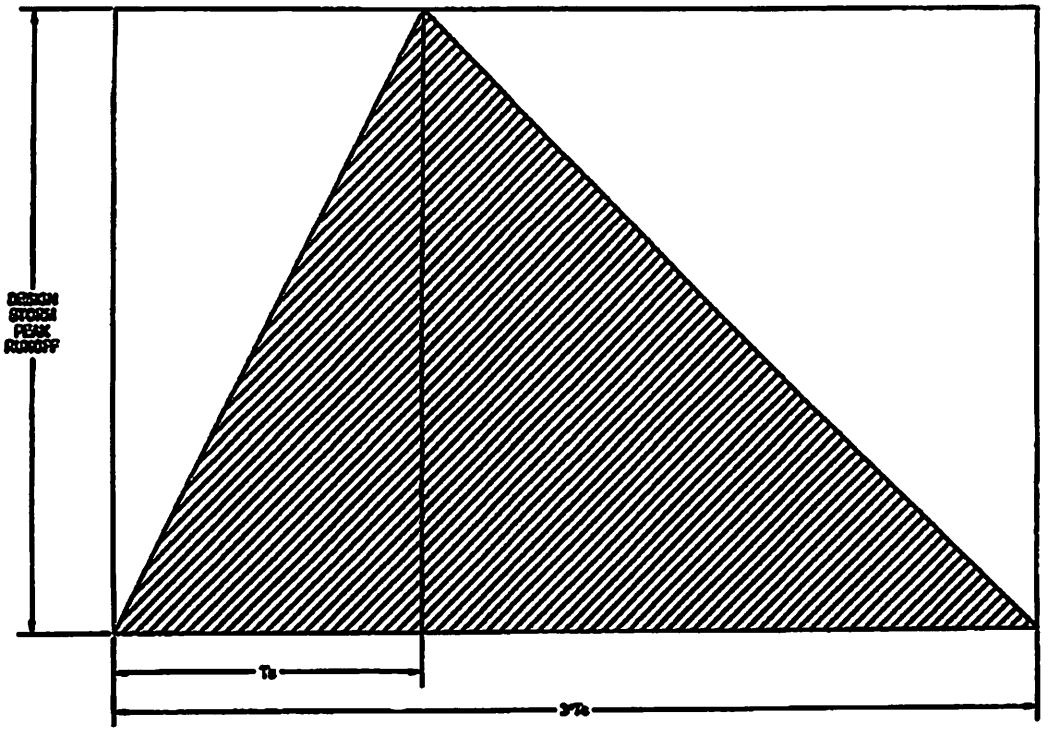
Management Agency (FEMA), and City staff, shall be either designated on the plat as a drainage easement, or at the option of the landowner, dedicated to the public.

During construction of the development and during the maintenance bond period, the developer shall provide all necessary maintenance and erosion control measures to keep ditches and drainage systems free of debris and sediment. The submitted development construction documents should include the appropriate details and specifications pertaining to erosion control. Erosion control measures shall include temporary or permanent seeding, sodding, mulching, stalked straw bales, silt fences, temporary diversion ditches, silt basins, terracing and ditch checks. Information on erosion and sediment control is available from the Arkansas Department of Environmental Quality.

5.2 FACILITY DESIGN SPECIFICS

5.2.1 Stormwaters

Facilities for storm drainage shall be of adequate capacity and designed in accordance with not less than a one in ten-year storm design frequency for single- family detached residential subdivisions, and one in 25-year storm design frequency in multifamily, commercial, and industrial developments. The required method for calculating peak runoff shall be based on the size of the upstream drainage area contributing runoff. This area shall include all of the subject property plus any off-site areas that contribute runoff to the subject property. Developments where the upstream drainage area contributing runoff is less than 50 acres may be designed using the rational method for calculating runoff. Hydrographs developed from the Rational Method shall be triangular hydrographs with the base length equal to 3*Tc . The peak shall be located at Tc, which shall be located at 1/3 the time from the beginning of the storm.



Developments where the upstream drainage area contributing runoff is greater than 50 acres shall be designed using the U.S. Soil Conservation Services TR-55 method for calculating runoff and hydrographs. A professional engineer licensed in the state shall prepare all such calculations. Provisions shall be made for storm water emergency overflow in developments having enclosed systems. This system shall be an aboveground system consisting of swales or other drainage mechanisms with the capacity to carry excess water to an approved drainage facility, not carried by the underground system. This system shall have the capacity for a one jn 100-year storm design frequency.

In determining a drainage plan for a development, the project engineer shall assume a fully developed watershed in calculating the storm water runoff. The engineer shall refer to city zoning maps to determine the classification of development planned for the undeveloped area in determining a "C[IS] factor. The minimum runoff coefficient ([ta] c[l] factor) for single-family detached residential areas is 0.50. (Refer to the following runoff coefficient tables for the [10] C" factor.)

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TABLE 1 RUNOFF COEFFICIENTS FOR RATIONAL METHOD TABLE INSET:

		Runoff Coefficients Frequency		
Land Use Types		10	25	100
Residential:				
	Single-family (detached)	.50	.65	.70
	Single-family (attached)	.60	.65	.75
	Multifamily	.70	.75	.80
	1/2 AC lots or larger	.40	.45	.65
Commercial:				
	All commercial zones	.85(.70-.95)*	.90	.95
Industrial:				
	Light areas	.80	.82	.85
	Heavy areas	.85		.90
	Parks and cemeteries	.30	.40	.60
	Playgrounds	.35	SO	.70

	Schools and churches	.60	.65	.75
	Off-site flow analysis (when land use is not defined)	.55		.70

*Note: The range of runoff coefficients is based on soil type: The low value is for sandy soils, while the high value is for clay soils. The given runoff coefficient outside the parentheses is to be used for design unless the engineer of record receives approval from the city engineer for another value located within the given coefficient range.

TABLE2

RUNOFF COEFFICIENTS FOR RATIONAL METHOD COMPOSITE ANALYSIS TABLE INSET:

(This table may be used only with permission from the City Engineer.)

			Runoff Coefficient Frequency		
Character of Surface			10	25	100
Undeveloped Areas:					
	Historic flow analysis, greenbelts, agricultural undeveloped, natural vegetation:				
		Clay soil			
		Flat, 2%	.30	.33	.37
		Average, 2--7%	.40	.44	.50
		Steep, 7% or greater	.50	.55	.62
		Sandy soil			
		Flat, 2%	.12	.13	.15
		Average, 2—7%	.20	.22	.25
		Steep, 7% or greater	.30	.33	.37
Streets:					
	Paved		.90	.92	.95
Drives and Walks:			.90	.91	.92
Roofs:			.90	.92	.95

Lawns:					
	Clay soil:				
		Flat, 2%	.18	.20	.25
		Average, 2—7%	.22	.28	.35
		steep, 7%	.35	.45	.60
	Sandy soil				
		Flat, 2%	.10	.25	
		Average, 2—7%	.15	.30	.45
		Steep, 7%	.20	.35	.50

5.3 STREET RELATED

5.3.1 All street-related storm drains shall conform to specifications set forth in the Master Street Plan or Subdivision Code.

5.3.2 All roadway pavements shall be designed to eliminate cross flow of drainage across the pavement cross-section or crossing the crown of the street, except as outlined in Section 3 (F) below.

5.3.3 All street crowns on residential streets (as defined in the master street plan) shall be six inches, including a one-inch gutter slope to the curb.

5.3.4 Pipe culverts crossing city-owned street rights-of-way shall extend to the right-ofway lines. If side ditches are present, the pipe culverts shall extend as far to the right-of-way line as possible without obstructing the side ditch flow. Box culverts and bridges which cross city owned street rights-of-way need not extend to the right-of-way lines on each side but shall be of sufficient width to accommodate the required vehicle roadway section, shoulders and pedestrian walkways. Box culverts having a clear span of less than six feet shall not qualify as a box culvert in the above provision but shall extend across the street from right-of-way line to right-of-way line.

5.3.5 All driveways within city-owned street rights-of-way shall be paved with reinforced concrete. Where a new driveway ties into an existing vertical street curb and the vertical portion of the curb is to be removed, it shall be saw-cut, not broken. When the curb is saw cut, the driveway shall provide a smooth transition from the gutter line or an optional one-inch lip at the gutter line and shall be sloped towards the street with a minimum six inch fall to the bottom of the street gutter. No concrete, asphalt or other material shall be placed in the curb gutter to access a driveway.

5.3.6 No valley gutters or swale pavements shall be permitted at street intersections except on local streets as defined by the master street plan, and only then due to topographical conditions and when the drainage calculations are approved by the City Engineer. All approved valley gutters shall be reinforced concrete pavement not less than six inches thick.

5.3.7 Curb inlets shall be designed to adequately accommodate the design storm volume of flow in the gutter and shall have a throat inlet capacity of 1.5 times the design gutter flow. Curb inlets shall be spaced so that at no point shall the gutter ponding between inlets be greater than half the width of the outer lane of the street. Maximum inlet spacing shall be 500 feet beginning at changes in the direction of the flow in the street gutter.

5.3.8 Breaks in the curb with concrete aprons curb cuts may be allowed in lieu of inlets were approved by the City Engineer and where the discharge flows directly into an existing drainage facility. Erosion control structures such as flumes, concrete splash pads, etc., must be provided to adequately control the resulting erosion.

5.4 EASEMENTS

5.4.1 Where a major watercourse, channel or stream traverses a development, a storm drainage easement shall be provided for access of vehicles and equipment for its maintenance. Such easement shall conform substantially to the lines of the watercourse as it enters and leaves the property. The width and construction of the easement shall be based on requirements of the city engineer, but in no case shall the easement be less than ten feet on either side of the centerline of the watercourse.

5.4.2 There shall be no structural encroachments into drainage easements. If drainage facilities or drainage easements are an enclosed (underground and covered) drainage system, then fences, parking lots, driveways, alleys and the like may encroach into or traverse the drainage easement.

5.4.2 No utilities, except for utility crossings, shall be allowed to encroach into defined Drainage easements.

5.4.3 Wherever possible, drainage easements should be kept separate from utility facilities and easements.

5.5 LOT DRAINAGE

5.501 In single-family subdivisions, the project engineer or subdivider shall submit, along with the other necessary construction drawings and documents, a subdivision lot drainage plan. This plan shall generally, indicate how the project engineer or subdivider proposes that each individual lot shall drain after it has had a residential structure built on the lot. This requirement should not be construed as providing a specific drainage plan for each lot. Instead, this plan shall be used by City staff as a

tool to assist the individual homebuilders in the final grading of the lot to provide the necessary lot drainage.

5.5.2 Single-family residential home builders shall, at the time of a building permit application, submit a plot plan indicating how the builder proposes to grade the lot and provide proper lot drainage. This individual lot drainage plan shall conform to the subdivision lot drainage plan as described in this subsection.

5.5.3 In order to avoid the potential for damage due to local flooding, all developed lots shall have the lowest livable finished floor elevation of any building a minimum of six inches above the finished elevation grade, except basement floors. The finished elevation grade shall be measured from and include topsoil and sod and/or other ground covers. Where practical, the finished floor as defined herein should be a minimum of 12 inches above the adjacent street's top-of-curb elevation.

5.5.4 All lots shall be provided with adequate drainage and shall be graded to drain surface water away from foundation walls. The grade away from foundation walls shall fall a minimum of six inches within the first ten feet except as restricted by lot lines, where the fall will be a minimum of six inches regardless of the horizontal distance available.

5.5.5 Lot owners shall not extend the downspouts of roof gutters, French drains or other type of storm water drains to the edge of the property lines unless the discharge empties directly into an approved drainage facility (open drainage ditch, storm sewer manhole, street gutter, or areas zoned open-space). Lot owners shall not connect their storm water drains to any existing city-owned underground drainage pipe.

5.5.6 In those instances, where the roof gutters, French-drains or other types of storm water drains cannot discharge into one of the facilities referenced in this subsection and is therefore directed to an abutting property, the minimum distance from the point of discharge to a side yard property line shall be one foot less than the minimum side yard setback requirement as specified in the zoning code. The minimum distance from the point of discharge to a rear yard property line shall be ten feet."

SECTION 6. OTHER PROVISIONS

6.1 Storm drainage for residential areas shall be designed for a ten-year frequency rainfall; and for shopping center, industrial areas, and highway commercial areas, storm drainage shall be designed for a twenty five-year frequency. These standards shall apply to the design of outfall structures and facilities. The drainage system shall be designed and constructed to handle rainfall runoff that originates in or traverses the subdivision.

6.2.1 Street crowns shall not be flattened, or warped from one side of the street to the other for the purpose of causing water to flow from one side of the street to the

other. The storm drainage system shall include curbs and gutter on all street with drop inlets spaced according to acceptable engineering design principles.

6.2.2 In general, rainfall that cannot be handled in streets shall be put into pipe or lined channels, except major outfall channels which handle water from drainage areas beyond the subdivision being constructed.

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

6.2.4 The subdivider shall pay all costs of internal drainage system.

6.3.1 The following minimum requirements are applicable to all city easements and right-of way for storm drainage pipes placed within a driveway, parking lot or sidewalk. Said pipes shall have a minimum of 12-inch inside diameter with clean out access every 50 feet or change in direction. Where used, polymer-coated corrugated metal pipe sizes shall be hydraulically equivalent to the required pipe size. Placement of any drainage pipe other than described above within any roadway ditch shall be prohibited unless being a part of city approved roadway curb and gutter, underground drainage system.

6.3.2 The acceptable materials for storm drains shall be reinforced concrete pipe, corrugated metal, hydraulically equivalent polymer coated corrugated metal pipe, or smooth liner for polyethylene pipe (conform to AASHTO M294, Standard Specification for Corrugated Polyethylene Pipe including PVC Pipe.)

6.3.3 The City Inspector shall inspect and accept the tile to be installed. Any variances must be approved by the City Inspector or his designated representative.

SECTION 7. MONUMETS

Concrete monument four (4) inches in diameter (or 4-inch square) and thirty-six (36) inches in length, with one (1) one- half () inch metal reinforcing rod the length of the monument shall be placed with top flush to the ground at all points of intersection of the boundary of the subdivision and at diagonal comers of all intersecting streets. The location of all monuments shall be shown on the final plat.

Plain: Plat shall show street light layout as designed by Entergy.

ARTICLE V. PROCEDURE

Section 1. General

A subdivider proposing to make or have made a subdivision within the territorial jurisdiction shall not proceed with any construction work on the proposed subdivision, including grading, before obtaining preliminary plat approval; nor shall he attempt to record the plat of the subdivision or any

part thereof prior to obtaining a recommendation from the Planning Commission and a final plat approval from the City Council.

Section 2. Preliminary Plat

When any subdivision or commercial development of a tract of land is proposed to be made, the subdivider or his agent shall submit to the City Building Official a letter of intention and a preliminary sketch plan. The subdivider's letter shall indicate the location and size of the tract, the proposed time schedule, the date on which the subdivider proposes to submit his preliminary plat for Planning Commission review, and such other information as the subdivider deems important for recognition by the Planning Commission.

Upon review of the letter of intention, the Building Official may recommend a preapplication conference to be held between the subdivider, a subcommittee of the Planning Commission, and/or the Planning Commission's designated agents for land planning and engineering.

2.1 Pre-Application Conference

When a major subdivision of a tract of land with the Planning Commission's jurisdiction is proposed, the subdivider is urged to consult early and informally with the Secretary or designated members of the Planning Commission. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the subdivision.

At such meeting, the general character of the development will be discussed and items will be included concerning zoning, utility service, street requirements, and other pertinent factors related to the proposed subdivision.

The purpose of the pre-application review is to afford the subdivider an opportunity to avail himself of the advice and assistance of the Planning Commission in order to facilitate the subsequent preparation and approval of plans.

2.2 Submission Requirements

The next required step in the process is the submission of an Application for preliminary plat approval which shall consist of:

(1) Application for action from the Planning Commission.

(2) Five copies of the plats, plans, one digital (PDF) and data specified in Article VI, Section 1.

(3) Drainage study of the proposed Project.

(4) A filing fee as specified in Article Vlll, Section 2.

The Application shall be submitted to the Building Official no later than the first Monday of the prior month of the Planning Commission meeting at which it is to be considered which is designated on the Planning Commission Calendar as the "Project Deadline" date. A copy of the 2023 Planning Commission Calendar is attached hereto as Exhibit and copies of the yearly Planning Commission Calendars with applicable dates for the calendar year will be available in the office of the City Clerk.

2.3 Approval

When the Planning Commission finds that the preliminary plat, together with the site improvements plan, meets all the requirements of this Code, it shall make a written recommendation to the City Council that the preliminary plat be approved. The City Council may by majority vote:

(1) direct the Chairman of the Planning Commission to place a stamp of preliminary plat approval upon the preliminary plat:

(2) return the preliminary plat to the Planning Commission for further study: or

(3) deny the preliminary plat.

This action shall be taken within 45 days of recommendation by the Planning Commission, or the preliminary plat shall be deemed approved. If denied, the preliminary plat shall be returned to the subdivider with a written statement as to the reasons for denial.

The City Council's approval of a preliminary plat shall be deemed as an expression of approval of the layout submitted on the preliminary plat as a guide to the installation of streets, water, drainage, sewer, and other required improvements and utilities, the dedication of reservation of public lands, and to the preparation of a final plat. Approval of a preliminary plat shall not constitute automatic approval of a final plat.

If the subdivider desires to presently develop only a portion of the total area intended for development, the Planning Commission shall require preliminary plat approval for the entire area intended for development to insure that the purpose and intent of these regulations are complied with.

One copy of the preliminary plat and plans will be retained in the Commission's files; one copy each, retained by the City, Electric Company, Gas Company, and the fifth copy will be returned to the subdivider.

2.4 Authorization to Proceed

Receipt of an approved or conditionally approved copy of the preliminary plat, together with an approved copy of the improvements plan shall constitute authorization of the

City Council for the subdivider to proceed with the preparation of the full plat, the installation of improvements, and the staking out of lots and blocks. The subdivider, after conditional approval of the preliminary plat, shall complete all improvements required under this Code.

2.5 Expiration of Preliminary Plat Approval

If, at the end of twelve months from the date of approval of the preliminary plat, the Commission decides that the subdivider has done an insufficient amount of work in respect to the required improvements to the property, the preliminary plat approval will expire and further development work will require the approval of another preliminary plat.

Section 3. Final Plat

The subdivider shall submit a final plat to the Planning Commission for review within 12 months of the approval of the preliminary plat by the City Council. If not submitted in such time, the preliminary plat will be deemed to have been abandoned. The Planning Commission shall review the final plat and make a written recommendation to the City Council that the final plat be approved.

The City Council may by majority vote:

(1)approve the final plat
(2)return the final plat to the Planning Commission for further study; or
(3)deny the final plat.

This action shall be taken within 45 days of recommendation by the planning Commission, or the final plat shall be deemed approved. If denied, the final plat shall be returned to the subdivider with a written statement as to the reasons for denial.

3.1 Submission Requirements

Final plats shall be submitted to the City for transmittal to the Planning
Commission on the first Monday of the month prior to the month of the next regular planning meeting at which it is to be considered, the subdivider shall submit an application for review of the final plat, which is designated on the Planning Commission Calendar as the "Project Deadline" date. A copy of the 2023 Planning Commission
Calendar is attached hereto as Exhibit and copies of the yearly Planning Commission Calendars with applicable dates for the calendar year will be available in the office of the City Clerk.

(l) An application and check list requesting review of the final plat.
(2) The final plat and other documents as specified in Article VI, Section 2.
(3) A filing fee as specified in Article Vlll, Section 2.

3.2 Recommendation

If the subdivider requests permission to develop only a portion of the property for which the preliminary plat was approved, the Planning Commission may make a recommendation to the City Council for a grant of approval of a final plat for said portion alone.

The original plat and all copies shall be retained and distributed in accordance with the provisions contained in paragraphs C and D below.

Approval of the final plat by the Planning Commission shall not constitute the acceptance of the dedication of any streets or other public ways or grounds, nor does it constitute authority for the plat to be recorded. Upon approval by the Planning Commission, the plat will be reviewed in accordance with the provisions contained below in paragraph C.

3.3 Acceptance of Public Dedications

Before the Final Plat is recorded in the Office of the Circuit Clerk and Ex-Officio Recorder, an agreement shall be reached between the subdivider or his agent and the City Council (if the subdivision is located inside the city limits) or the County Judge (if the subdivision is located outside the city limits but within the planning area). Said agreement shall be with regard to the installation of any street improvements or utility construction called for in the subdivision plat; the dedication and/or reservation of lands for public use; the dedication and acceptance of utilities and public improvements; and other agreements as required in the City Council's approval of the plat. Any such agreement between the City Council and the subdivider or his agent shall require the passage of an ordinance approving and accepting dedication of the streets,
utilities, and public improvements. The subdivider or his agent shall be responsible for the publication cost associated with the ordinance.

The City Council or County Judge must receive one of the following prior to accepting the public dedications and before the plat will be eligible for recording:

3.3.1 A certificate submitted by the subdivider and approved by the City Council, stating that all required improvements and installations to the subdivision have been made, added or installed; or,

3.3.2 A cash deposit in the full amount as determined by the City, necessary to complete the improvements and installations for the subdivision in compliance with this Code. Such cash deposit may be withdrawn in direct proportion to the amount of work completed as approved by the City; or,

33.3 A surety bond which shall:

3.3.3.1 be in sufficient amount determined by the City to be sufficient to complete the improvements and installations for the subdivision in compliance with this Code.

3.3.3.2 Be with surety by a company entered and licensed to do business in the State of Arkansas, and

3.3.3.3 Specify the time for the completion of the improvements and installations.

3.4 Recording

Upon approval of the final plat and acceptance of the public dedications, the Planning Commission shall have cause the final plat recorded in the Office of the Circuit Clerk. The subdivider shall pay all fees in connection with the recording of said final plat.

The final plat shall be filed in the Office of the Circuit Clerk within six (6) months after approval by the Planning Commission; and if not filed within such time, said approval shall be considered as having been abandoned.

Upon recording the final plat, the City shall retain the original tracing and one copy for the Planning Commission's files, one copy shall be forwarded to the Tax Assessor and two copies shall be returned to the subdivider.

The developer or subdivider must provide proof of filing to the Planning Commission.

ARTICLE VI. PLAT REQUIREMENTS

Section 1. Preliminary Plat

The preliminary plat shall be drawn clearly and legibly at a scale not smaller than one hundred (100) feet to the inch, and shall show or be accompanied by the following:

(1) Name of subdivision;

(2) Name and address of owner of record, subdivider, and surveyor or engineer;

(3) North point, graphic scale and date;

(4) Vicinity map showing location and acreage of subdivision-this may be at a scale other than**1"=100'**

(5) Exact boundary lines of tract by bearing and distances;

(6) Names of adjoining property owners and/or subdivisions;

(7) Existing streets, buildings, water courses, railroads, culverts, utilities and easements on and adjacent to the tract;

(8) Proposed design including streets and alleys with proposed street names, lot lines with appropriate dimensions, easements, land to be reserved or dedicated for public uses, and land to be used for purposes other than residential;

(9) Block numbers and lot numbers;

(10) Plans of proposed utility layout and easements for sewers, water, gas, electricity, and telephone showing feasible connections to existing or proposed utility systemsinvert elevations of all existing sewer lines and drainage structures shall be shown;

(11) Minimum building front yard setback lines;

(12) The present zoning classification, if any, on the land to be subdivided and on adjoining land — and a designation of the proposed uses of land within the subdivision and any zoning amendments to be requested;

(13) Contour intervals of not more than five (5) feet for terrain with an average slope of
2% or more, and at an interval of two (2) feet for terrain with slope of less than 2%;

(14) If any portion of the land being subdivided is subject to flooding, the limit of such
flooding shall be shown;

(15) While the plat shall show the actual boundary survey, the layout of the proposed subdivision lots, blocks and streets may be scaled dimensions;

(16) State Health Department approval of the water supply and/or sewerage system if the requirement of the subdivision is to be met by any other means than by connection to a water supply or sewerage system operated by a government agency;

(17) If the proposed subdivision is a portion of a tract which is later to be subdivided in Its entirety, then a tentative master plan for the entire subdivision shall be submitted with the preliminary plat of the portion first subdivided. The master plan shall conform in all respects to the requirements of the preliminary plat, except that it may be on a scale of not more than and all dimensions may be scaled.

Section 2. Final Plat

The final plat shall be drawn on the scale of 1"=100'. The original tracing and four (4) prints and one digital (PDF) shall be submitted to the Planning Commission. The drawings shall be neat, legible and suitable for filing for record in the office of the Circuit Clerk. Patching and pasting of

paper or other attachments is not acceptable. Allowance shall be made for a onehalf (1/2) inch border at the top, bottom, and right edges of the sheets, and a one and one-half (1 1/2) inch border at the left edge of the tracing sheets.

The final plat shall show or be accompanied by the following information:

(1) The name of the owner and developer;

(2) The name of the registered land surveyor or engineer making the survey and preparing the plat;

(3) The name of the subdivision and adjacent subdivisions;

(4) The names of all streets;

(5) The identifying numbers of lots and blocks in accordance with a systematic numbering system and arrangement;

(6) North point, date, scale, and acreage being subdivided;

(7) An accurate boundary survey of the property with bearings and distances referenced to survey lines and established subdivisions, with complete and accurate field notes of said boundaries. The lines, with dimensions of all adjacent land, streets, alleys, and easements and adjacent subdivisions shall be shown in dashed lines.

(8) Location of lots, streets, alleys, easements, building setback lines (both front and side streets) and other features shall be shown with dimensions;

(9) All necessary dimensions including linear, angular, and curvilinear dimensions shall be shown in feet and decimals of a foot. The angular dimension shall be shown by true bearings in degrees, minutes, and seconds. The length of all straight lines, deflection angles, radii, tangents, central angles or curves, and chords and arcs of curves shall be shown. All curve information shall be shown for the center line of the street based on arc dimensions. Dimensions shall be shown from all angle points and points of curve of lot lines. All lots on curves shall be shown with curve length dimensions based on arc dimensions.

(10) All survey monuments shall be shown on the plat;

(11) Certification that all taxes and fees have been paid;

(12) Certification by the surveyor or engineer who made the survey and prepared the final plat shall be placed on the plat as follows:

Know all men by these presents. That /, do hereby certify that 1 prepared this plat from an actual and accurate survey of the land and that the corner

monuments shown thereon were properly placed under my personal supervision, in accordance with the Land Subdivision and Development Code of the City.

DATE:

_____

(13) The surveyor's or engineer's seal affixed to the plat adjacent to the certification.

(14) "As built" drawings of all street improvements, sidewalks, storm drainage facilities, sanitary sewer lines, water lines, and other utilities and public improvements shall accompany the final plat or be submitted to the Planning Commission after improvements are installed.

(15) A certification by the owner setting forth the description of the areas and Improvements he dedicates to the public and the extent of the title which he has dedicated shall be placed on the final plat. This certificate shall be approved as to form by the City Attorney.

(16) A letter of Approval from the Arkansas Dept. Health plans Review, for the design of all sanitary sewer and water main extension to be dedicated to the City of Beebe.

(17) All compaction testing data required for the construction of new city streets.

ARTICLE Vil. LOT-SPLITS AND MINOR SUBDIVISIONS

Section 1. Definition

1.1 This section of the Land Subdivision and Development Code is designed to expedite the platting and recording of minor subdivisions and lot splits.

1.2 By definition, a lot-split is a subdivision which involves the dividing or re-dividing of a land area of one or more lots within not more than one (1) 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.

1.3 For the purposes of effectuating this section of the Code, a subdivision is considered a minor subdivision••when it contains four (4) or fewer lots and no streets, utilities, or other improvements are to be made.

Section 2. Procedure

2.1 When a lot-split or minor subdivision, as defined above, is involved, the subdivider shall prepare and file with the Secretary of the Planning Commission or a designated member of the Planning Commission an a pplication for a pproval of lot-split or minor subdivision. Said application shall be filed with the Secretary or designated member at least twenty (20) days prior to a regular meeting of the Planning Commission.

2.2 The application shall not be accepted until the subdivider has paid the application fee as set forth in Article Vlll, Section 2.

2.3 The application for approval of lot-split or minor subdivision shall consist of a letter, a map, and such other data and information as may be desirable to support the Planning Commission's approval. Three (3) copies of the Plat Map shall be included with the application, and the letter shall state the subdivider's intentions regarding the lot-split or minor subdivision.

2.4 The required content of the plat is set forth below in Section 3. The Secretary or designated member of the Planning Commission is hereby authorized to review the application for approval of lot-split or minor subdivision and provide conditional approval. Said conditional approval shall be noted on one (l) copy of the map and returned to the subdivider. The Secretary or designated member of the Planning Commission shall inform the full Planning Commission prior to the next regular meeting that conditional approval has been granted to the proposed lot-split or minor subdivision. Thereafter, the subdivider shall prepare his final plat to include all information required in Section 3 below, and for presentation to the Planning Commission at its next regular meeting.

2.5 At said meeting, the Planning Commission shall review the final plat. If the final plat is satisfactory in light of the objectives of this Code and all required information is

contained thereon, the Planning Commission shall certify its approval of the plat, make proper notation on the original tracing of said plat, and permit the plats recording in the office of the Circuit Clerk.

Section3. Specifications

The final plat of a minor subdivision or lot-split shall be drawn at a scale of 1 "-100 — [1] . The final plat shall include the following:

(I)Name of subdivision;

(2) Name and address of owner(s) of subdivision;

(3) Boundary and written legal description of subdivision;

(4) Legal description of parcels or lots that result from the subdivision or lot-split;

(5) Streets, alleys, and easements bordering or abutting the subdivision;

(6) Dimensions in feet and decimal parts thereof, and curve data for all lots, blocks, and street lines;

(7) Building setback lines with dimensions;

(8) Date, map scale, and north arrow; and,

(9) Acreage being subdivided.

ARTICLE 'dill. ADMINISTRATION AND ENFORCEMENT

Section 1. Enforcement

In order to carry out the purposes of the regulations and to assure an orderly program of land development after the effective date of these regulations:

1.1 No plat of any tract of land within the planning area jurisdiction of the Planning Commission should be accepted by the County Recorder for filing of record unless the plat has been recommended by the Planning Commission and approved by the City Council.

1.2 No conveyance by metes and bounds of tracts or lots coming under the definition of development and subdivision of land without compliance with the applicable provisions of this Code or amendments thereto should be permitted.

1.3 No dedication of streets should by itself be accepted by the City unless the usage of the adjoining, affected land is shown; if the purpose of opening the street is to make the

affected land available for sale as a development or subdivision, the street may not be accepted until accompanied by the required plat.

1.4 No public utility, whether publicly or privately owned, shall provide, extend, or authorize the extension of services to any lot, building, structure, or location with the area under the jurisdiction of the Planning Commission unless:

1.4.1 The lot, building, or structure was established before the adoption of land subdivision rules and regulations, or

1.4.2 A plat of the location has been approved by the Planning Commission and filed and recorded in the office of the County Recorder, or

1.4.3 The plan for the proposed service by the public utility has been approved by the Planning Commission as provided in the State Statutes.

1.5 No building permit shall be issued for any new structure on any lot or tract of land which does not comply with all of the provisions on this Code.

Section 2. Fees

For each preliminary plat submitted, the fee shall be three hundred dollars ($300.00) plus four dollars ($4.00) per lot.

For each final plat submitted, the fee shall be one hundred dollars ($100.00)

Section 3. Variances

3.1 The rules and regulations set forth in this Code are the standard requirements of the City. The Planning Commission may, when concurred in by the City Council, authorize a variance from these regulations when in its opinion; undue hardship would result from requiring strict compliance. In granting a variance, the Commission should prescribe only conditions that it deems necessary to or desirable in the public interest. In making the findings herein below required, the Commission shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity. No variance shall be granted unless the commission finds:

3.1.1 That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Code would deprive the applicant of the reasonable use of his land.

3.1.2 That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

3.1.3 That the granting of the variance will not be detrimental to the public health, safety, or welfare or injurious to other property in the area.

3.1.4 The variance will not in any manner vary the provisions of the zoning ordinance, the master street plan, the General Development Plan, or be in conflict with any other City ordinance or regulation; and,

3.1.5 That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this Code.

3.2 Such findings of the Commission, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Planning Commission meeting at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this Code so that the public health, safety, or welfare may be secured and substantial justice done. Pecuniary hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship.

Section 4. Amendments

On any proposed amendments to these regulations, the Planning Commission shall hold a public hearing, for which fifteen (15) days advance notice in a local newspaper of general distribution has been published. Following such hearing, the City Council may adopt the amendment or amendments as recommended by the Planning Commission or as determined by a majority vote of the City Council or The City Council may initiate an amendment upon its own as set forth by Arkansas Code 14.56.423.

Section 5. Penalty

Any person, firm, or corporation which violates any provision of these regulations or amendments thereto shall be guilty of a misdemeanor and on conviction shall be fined not less than two hundred and fifty dollars ($250.00). Each day that violation of these regulations is in effect shall constitute a separate offense and be subject to additional fines of two hundred fifty dollars ($250.00) per day.

CHAPTER 9.16
ARTICLE Fire Hydrants

SECTIONS:

Section 1- Location. For the location of all future fire hydrants within the City the spacing shall be so that there shall be no more than five hundred (500) Feet distance between each. This distance shall be measured taking the shortest distance between the existing hydrant to the next proposed hydrant by the route that a fire truck might take using paved or available streets laying out the hose. (Ord. No. 99-06, Sec. 1.)

Section 2-Approval for Location. In all cases approval for the location of future fire hydrants shall be by written permission of the Chief of the Beebe Fire
Department. It shall be necessary for the Board of Adjustment or Planning Commission, prior to Issuing its order of approval to receive the written permission of the Chief of the Beebe Fire Department for the locations of the hydrants. (ord. No. 99-06, Sec 2.)

Section 3- Appeal. Appeal from the written decision of the Chief shall be within thirty (30) days of the date the action of the agency or the mailing of the notice by the Chief to private party and shall be to the City Council. Notice of appeal must be by written request, addressed to the Mayor mailed by certified mail and postmarked within the thirty (30) day period described within. A copy of the notice shall be sent to Beebe Board of Adjustment or Planning Commission as the case may be and a copy to the Chief of the Fire Department. The decision of the City Council shall be final. (Ord. No. 99-06, Sec. 2.)

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