

ORDINANCE NO. A- 585

AN ORDINANCE AMENDING THE SUBDIVISION REGULATIONS ADOPTED BY REFERENCE BY THE ADOPTION OF ORDINANCE NO. A-509 BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

SECTION ONE (1). Section 1-4 of the Subdivision Regulations of the City of Conkay, Arkansas, adopted by referance by the adoption of Ordinance No, A-\$09 on December 22, 1970, by the City Council of said City, is hereby amended by the addition and insertion between the definition of CUL-DE-SAC and the definition of BASEMENT, the following:

"DRAIN OR DRAINAGE WAY: An approved means, whether natural or constructed; of removing or providing for the removal of surface waters."

SECTION TWO (2). Section 2-1.2 of said Subdivision Regulations is hereby amended to read in its entirety as follows:

"2 The Preliminary Plat shall contain the following information:

Proposed name of the subdivision.

Name and address of owner of record, the subdivider and the Individual preparing the plat.

Source of title giving deed record book and page number.

Preliminary Plat Survey Certificate

Location of the Tract by legal description giving acreage.

Vicinity map locating streets and highways, section lines, railroads, schools, parks and other significant features within one-half (1/2) mile of the proposed subdivision.

Exact boundary lines of thy tract indicated by a heavy line giving dimensions, angles and at least one bearing.

Contour intervals to sea level datum of not more than two(2) feet when the slope is less than four percent (4%) and not more than five feet (5') when the slope is greater than four per cent (4%) referenced to a United States Geological Survey or Coast and Geodetic Survey bench mark or monument.

Natural features within and surrounding the proposed subdivision including drainage channels, bodies of water, wooded areas and other significant features. On all water courses leaving the tract, the direction of flow shall be indicated, and for all water courses entering the tract, the drainage area above the point of entry shall be noted.

Cultural features within and surrounding the proposed subdivision, including existing and platted streets, bridges, culverts, utility lines, pipe lines, power transmission lines, all easements, **park** areas, structures, city and county lines, **section** lines and other significant information.

Names of recorded subdivision abutting the proposed subdivision with plat book and page,

Names of owners of unsubdivided property **abutting** the proposed subdivision

Zoning districts, if applicable,

Proposed Layout, including lot lines with rough dimensions, lot numbers, block numbers, street and alley lines with proposed **street** names, right-of-way width!, drains and drainage ways and the location, size and construction thereof, sites reserved for parks, playgrounds, schools, etc., sites for nonresidential, non-public uses and **building** lines with dimensions.

The minimum lot area in square feet for lots served by septic tanks shall be 20,000 square feet provided the percolation reports are approved by the Health Department, and provided further evidence shall be shown that the disposal system is correlated with topography features of the Proposed lots."

SECTION THREE (3). Section 2-1.4 of said Subdivision Regulations shall be amended so as to read, in its entirety, as follows:

"4. The Preliminary Plat shall be accompanied by the following information:

Existing and proposed covenants and restrictions.

Source of water supply.

Provisions for sewage disposal, drainage and flood control.

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;

Drains and drainage ways and the location, **size** and construction thereof.

Typical **cross** sections and centerline profile of all drains and drainage ways. Centerline profiles of approximate drainage grades derived from office computations may be required by the staff if deemed advisable,

Such other information as the subdivider wishes to bring to the attention of the Commission."

SECTION FOUR (4). Section 2-2.1 of said Subdivision Regulations shall be amended to read in its entirety as follows:

".1 The submission shall consist of the original drawing plus five (5) prints, plus other documents in five (5) copies as are necessary to meet the requirements of this section. The subdivider shall also furnish the Commission with one reproducible linen print or other copy

comparable transparent print of the final drawing showing the executed certificates as specified in Chapter 2, Section 3."

"2 The final Plat shall be clearly and legibly drawn in black ink on mylar film, tracing cloth or other comparable transparent material. The size of the plat shall be not larger than seventeen and one-half inches (17 1/2") by twenty-three and one-quarter inches (23 1/4") including margins, when the plat is drawn at a scale of one inch (1") equals one hundred feet (100'). Plats may be drawn on larger sheets provided that reductions to the above maximum size will be legible in all respects. The Commission may require specific scales to be used.

The Final Plat shall contain the following information:

Name of subdivision.

The name of the individual preparing the plat.

Source of title, giving deed record book and page number.

Date of drawing, north point and graphic scale.

Location of tract by legal description, giving acreage.

Vicinity Map.

Key map when more than one sheet is required to present the plat.

True courses and distances to the two (2) nearest established section corners or bench marks or other recognized permanent monuments which shall accurately describe the location of the plat.

Exact boundary lines of the tract indicated by a heavy line, or other acceptable control traverse, giving dimensions to the nearest one-tenth (1/10th) foot and angles to the nearest minute, which shall be balanced and closed with an error of closure not to exceed one (1) to five thousand (5,000).

Municipal, county, or section lines accurately tied to the lines of the subdivision by distances and angles,

Street and alley and other right-of-way lines with location and width, with street names indicated.

Street center lines showing angles of deflection, angles of intersection, radii, length of tangents and arcs, and degree of curvature with basis of curve data.

Drains and drainage ways, both natural and constructed, with location and width of easements therefor, together with finished grade, length, width, depth, capacity of flow and type of construction.

Lot lines with dimensions to the nearest one-tenth (1/10th) foot, necessary internal angles, arcs and chords and radii of rounded corners.

Building lines with dimensions.

Lot and Block Numbers.

Easements and public service or utility right-of-way lines giving dimensions, locations and purpose.

Accurate outlines and description of any areas to be dedicated or reserved for public Use or acquisition with the purposes indicated thereon; and of any areas to be reserved by deed covenant for common uses of all property owners.

Accurate locations and description of all monuments.

Certificate of Accuracy

Certificate of Owner

Certificate of Approval by the Conway Corporation

Certificate of Approval by the Public Works Department.

Certificate of Final Plat Approval.

Certificate of Recording.

SECTION FIVE (5). Section 3-7.1 of said Subdivision Regulations shall be amended so as to read, in its entirety, as follows:

"1.1 Modifications of the provisions set forth in these rules and regulations shall be authorized by the Commission in specific cases when, in its opinion, undue hardships may result from strict compliance. Any determination shall be based fundamentally on the fact that unusual topographical and other exceptional conditions require such modification that will not adversely affect the general public or nullify the intent of these regulations. Modifications with regard to streets, drains and drainage ways shall be made only after such modifications have been approved by the City Engineer.

SECTION SIX (6). Chapter 4 of the said Subdivision Regulations is hereby amended by the addition, immediately following Section 4.4, of the following:

"4.5: DRAINAGE

.1 Drainage structures shall be designed using a rainfall intensity of Four inches (4") per hour.

.2 All surface water drainage shall be transported in reinforced concrete tile, concrete bores, concrete swales, or other facilities approved by the City.

.3 Drop inlets and underground storm drains of a design approved by the City Engineer shall be employed where the depth of water and gutter lines may be expected to exceed three inches (3") in depth.

.4 Where major drainage ways are located within or adjacent to a development, drainage easements of at least 15 feet will be required.

.5 Along major drains the Planning Commission may require construction of uniform slopes not to exceed a slope of one foot (1') vertical to two feet (2') horizontal. The Planning Commission may also, where deemed necessary, require the developer to rip-rap or to concrete-line said drainage ways.

SECTION SEVEN (7). ~~Section 6.5 of said Subdivision Regulations is hereby amended to read in its entirety as follows:~~

~~"5:~~ SEVERABILITY: If any section, clause, paragraph, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of the Ordinance, and all provisions shall be considered as severable from any other provision or portion.

SECTION EIGHT (8). ~~Section 6 of said Subdivision Regulations is hereby amended to read in its entirety as follows:~~

~~"6:~~ EMERGENCY: It has been determined that the lack of minimum standards and specifications controlling the subdivision and development of land within the jurisdiction of the City of Conway, Arkansas permits conditions which are hazardous to the orderly and proper development of the city and thus are hazardous to the public peace, health and safety thereof; and that this Ordinance will eliminate the hazardous condition; It is determined that this Ordinance is necessary to the safety and welfare of the inhabitants of the City of Conway, and an emergency is hereby declared to exist and this Ordinance being necessary for the preservation of public peace, welfare and safety shall be in full force and effect from and after its passage and publication.

PASSED this _____ day of _____, 1974.

APPROVED _____
Mayor

ATTEST:

Clerk-Treasurer