

## TITLE 15

### SUBDIVISION REGULATIONS

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#### CHAPTER 15.04

##### IN GENERAL

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15.04.01 Purpose. The purpose of this ordinance is to set forth the procedures, requirements and minimum standards governing the subdivision of land under the jurisdiction of the Greenland City Planning Commission (hereinafter referred to as the "Planning Commission"). (Ord. No. 94, Art. I, Sec. 1.1)

15.04.02 Authority. This ordinance is adopted in accordance with the authority granted by Act 186 of the 1967 General Assembly of the state of Arkansas, as amended. (Ord. No. 94, Art. I, Sec. 1.2)

15.04.03 Jurisdiction. The territorial jurisdiction of this ordinance for subdivisions includes the land within the planning jurisdiction of the city of Greenland, Arkansas. (Ord. No. 94, Art. I, Sec. 1.3)

15.04.04 Definitions.

- A. Alley: A minor public way dedication to public use for utility easements and vehicular access to the back or side of properties abutting a street.

- B. Building Line: A line or lines, established by the zoning ordinance, designating the area within which buildings may be erected.
- C. Comprehensive Plan: A long-range plan for the planning area adopted by the City Council, including plans for land use, streets and community facilities.
- D. Dedication: Land and improvements offered to the city, county or state and accepted by them for public use, control and maintenance.
- E. Development Plan: A drawing showing all proposed improvements to a piece of property such as streets, parking lots, buildings, drives, signs, utilities, drainage, grading and by size and location.
- F. Easement: A grant by the property owner to the public, a corporation of persons, of the use of a strip of land for specific purposes.
- G. Improvements: Physical changes made to property to prepare it for development such as street grading, drainage structures, street surface, sidewalks, curbs, gutters, utility lines, bridges, and similar items.
- H. Lot: A portion of a subdivision or other parcel of land intended as a unit for transfer of ownership or for development.
- I. Lot-Line Adjustment: Conveyance of a portion of a lot/parcel to an adjoining lot/parcel where no new lot/parcel is created. To allow for corrections of errors in a survey, building placement, or substandard areas. At the conclusion of the lot-line adjustment all property must conform to zoning requirements. Applicants for lot-line adjustment shall follow lot-split procedures. This shall apply to the growth area as well.
- J. Lot-Split: The division of a parcel of land into 2 lots/parcels. These lots/parcels should not need any street dedications or public improvements required by subdivision regulations where fronting on a public street. Except as specifically provide herein, all resulting lots/parcels must have frontage on a public street, and meet the minimum size and square footage requirement for the zoning district in which they are located. If a lot split occurs in the Greenland planning area the size of the resulting lots/parcels shall be determined by the Health Department standards for septic systems with a minimum of 10,000 square feet and, in such event, a successful perk test certificate shall be attached to the application. In the event a lot split of a parcel is requested where a resulting

lot/parcel does not front on a public street, then the resulting lot-parcel shall be used only for one single family dwelling and shall have access to a public street by way of an exclusive, owned private drive with a minimum width of twenty (20) feet which is not more than 100 feet in length, which drive shall be maintained by the owner in such a manner as to allow access for sanitation trucks and emergency vehicles (including fire trucks) and the private drive shall have (at a minimum) a thirty (30) foot by thirty (30) foot stable base turn around at the residence end for use by sanitation/emergency vehicles. The legal description of the private drive shall be included with the application and the private drive shall become a part of the resulting parcel that does not front on a public street. At the point where such a private drive intersects with a public street the last twenty-five (25) feet of the private drive shall be paved to city street standards and shall be at least twenty-five (25) feet from the nearest public street intersection at its closest point. (Ord. No. 256, Sec. 1.)

- K. Master Street Plan: The Plan made and adopted by the Planning Commission and accepted by the City Council classifying certain streets within the planning area jurisdiction as arterial or collector streets.

- L. Plat, Final: A complete and exact subdivision plat, prepared for official recording as required by statute, to define property boundaries and dedicated streets and other improvements and executed by the owner or owners of said real estate.
- M. Plat, Preliminary: A preliminary plat for a subdivision shall be a formal plan showing outside lot dimensions, indicating prominent existing features of a tract and its surroundings, the general layout of the proposed subdivision and shall meet the requirements outlined herein.
- N. Right-Of-Way: The land opened, reserved or dedicated for a street, walk, drainage or other public purposes.
- O. Street: A strip of land, including the entire right-of-way intended primarily as a means of vehicular and pedestrian travel which may also be used to provide space for sewers, public utilities, trees and sidewalks.
- P. Street, Arterial: A street or road of considerable continuity which serves or is intended to serve as the principal traffic-way between separated areas of districts and which is the main means of access to the primary street system or expressways.
- Q. Street, Collector: A street which, in addition to serving abutting properties, intercepts minor streets, connects with community facilities and carries neighborhood traffic to the major arterial street system.
- R. Street, Local: A street used primarily to provide access to abutting properties.
- S. Subdivider or Developer: A person, firm, partnership, legal entity or corporation undertaking to develop or subdivide as defined in this ordinance.
- T. Subdivision: A division of a parcel of land into three (3) or more lots including the remaining lot for the purpose of transfer of ownership or development. If the property (each resulting parcel/lot) does not front a public street then street dedications and public improvements shall be completed by developer or owner per subdivision regulations. This shall apply to the growth area as well.

15.04.05 Conformance with official plans Any subdivision shall conform to the Comprehensive Plan and associated plans, including the Master Street Plan, Community Facilities Plan and any other officially adopted plans of the city as well as the accompanying ordinances and regulations adopted to help carry out those plans. (Ord. No. 94, Art. 1, Sec. 1.6)

15.04.06 Area subject to flooding. Lands subject to flooding shall not be subdivided until necessary correcting steps are taken in accord with Ordinance 62 as amended or replaced, of the city of Greenland, Arkansas, and/or a registered professional engineer certifies that said lands are no longer subject to flooding. (Ord. No. 94, Art. 1, Sec. 1.7)

15.04.08 Right of the City Council to have survey made. The City Council may have a survey made of the boundary of the subdivision to determine if said description is correct. In the event there is an error in said description, the subdivider shall pay for said survey and correct the boundary description to the satisfaction of the City Council. (Ord. No. 94, Art. 1, Sec. 1.8)

## CHAPTER 15.08

### PROCEDURES

Sections:

- 15.08.01 Acceptance of plats/filing fee
- 15.08.02 Appeal from decision of Planning Commission
- 15.08.03 Sketch plan
- 15.08.04 Preliminary plat
- 15.08.05 Preliminary plat approval
- 15.08.06 Expiration of preliminary plat approval
- 15.08.07 Final plat
- 15.08.08 Variance
- 15.08.09 Information required for preliminary and final plat submittal

15.08.01 Acceptance of plats/filing fee The Enforcement Officer shall not accept any sketch plan, preliminary plat or final plat that does not conform to the minimum requirements of this ordinance. (Ord. No. 94, Art. II, Sec. 2.1)

Filing fee. The applicant for a subdivision shall pay to the Recorder/Treasurer, a filing fee in the amount determined, from time to time, by the City Council, plus the actual costs of notification as may be incurred in connection with such application. (Ord. No. 222, Sec. 3.)

15.08.02 Appeal from decision of Planning Commission The subdivider may appeal any decision of the Planning Commission to the City Council by filing a letter of intent (petition) with Recorder/Treasurer, within fifteen (15) days of the adverse decision of the Planning Commission.

The appellant from the Planning Commission shall pay to the Recorder/Treasurer a filing fee in the amount determined, from time to time, by the City Council, plus any actual costs as may be incurred in connection with such appeal. (Ord. No. 222, Sec. 3.)

Any person affected by the decision of the Planning Commission concerning a request for a variance of the subdivision regulations, may request, and shall be granted, a hearing on the matter before the City Council. Such person must file in the office of the Recorder/Treasurer, a written petition requesting such hearing and stating the reasons of objections to the Planning Commission's decision within fifteen (15) days after the decision of the Planning Commission.

15.08.03 Sketch plan Whenever a subdivider intends to subdivide or develop land within the meaning of these regulations and before he prepares a preliminary plat, he shall file a letter of intent and sketch plan with the Planning Commission indicating the type of development intended and giving a general description of the land to be developed. Ten (10) copies of the

sketch plan shall be filed with the Planning Commission; plus one copy to be maintained in the city files.

- A. The following information shall be indicated on the sketch plan:
1. Location of all streets and alleys interconnecting and bordering the subdivision.
  2. General locations of streets within the subdivision.
  3. General size and shape of lots.
  4. Legal description of property which contains proposed subdivision.
  5. Topography of area.
  6. Location of property owned by public entities or by railroads and utilities when within or adjacent to the subdivision.
  7. Location map showing section or sections in which subdivision is located.

The Planning Commission shall advise the subdivider in writing within thirty (30) working days after presentation of the letter of intent and the sketch plan that he may proceed with the preparation of the preliminary plat so long as he conforms with plans currently in effect. The Planning Commission shall also indicate what changes are necessary in the proposed subdivision.

15.08.04 Preliminary plat. The preliminary plat, when prepared and accompanied by supporting all documents, shall be presented to the Planning Commission by the tenth (10<sup>th</sup>) day of the month prior to the Planning Commission meeting at which it is to be reviewed. The subdivider shall submit ten (10) copies of the preliminary plat for approval.

The subdivider shall provide a copy of the preliminary plat to the representatives of the following organizations/departments and attest to such delivery to the Planning Commission before the hearing on such preliminary plat, the organizations/departments are:

- A. Greenland Fire Department and Rural Fire Departments.
- B. Rural Development Authority
- C. Northwest Arkansas Regional Planning Commission.
- D. Southwestern Bell and other Telephone Companies.
- E. SWEPCO or Ozarks Electric.
- F. Arkansas Western Gas Company.
- G. Cable TV.
- H. Fayetteville Water and Sewer Department.  
(Ord. No. 222, Sec. 3.)

Sometime prior to the Planning Commission meeting at which the subdivision is to be considered, those representatives to whom copies are distributed should report to the Planning Commission their responses from their review of such subdivision preliminary plat. Their recommendations shall be noted and presented to the Planning Commission for consideration by the Planning Commission during its' review and action on each subdivision.

15.08.05 Preliminary plat approval. Upon satisfying itself that all plans, requirements and conditions noted on the sketch plan have been met, the Planning Commission shall approve the preliminary plat. Any conditions shall be noted on one (1) copy of the preliminary plat and returned to the subdivider. The City Council shall then consider and approve the preliminary plat. Such approval shall permit the subdivider to proceed with design or required improvements and preparation of final plat. (Ord. No. 229, Sec. 1.)

15.08.06 Expiration of preliminary plat approval. Preliminary plat approval shall expire one (1) year from the date of approval by the Planning Commission, provided the plans for required improvements and the final plat have not been submitted for approval or the developer has not made any other arrangements for extension of the approval date. The approval time may be extended by the Planning Commission upon written request of the subdivider made prior to expiration. (Ord. No. 94, Art. II, Sec. 2.4b)

15.08.07 Final plat. The subdivider shall submit to the Planning Commission of the city of Greenland, Arkansas, by the tenth (10<sup>th</sup>) day of the month prior to the Planning Commission meeting at which time consideration shall be requested, one (1) original reproducible stable base and five (5) copies of the final plat, along with one (1) set of plans for improvements. Upon meeting the conditions of preliminary approval, the requirements for improvements and submission of any other required documents, the subdivider shall be given final plat approval. Following approval of the final plat by the Planning Commission, the plat shall be submitted to the City Council of the city of Greenland, Arkansas, for approval and acceptance. Following the City Council's approval of the final plat, the subdivider will file the plat with the County Recorder. If the Planning Commission denies the final plat the subdivider may appeal such to the City Council pursuant to the procedure set forth at 15.08.02. (Ord. No. 222, Sec. 3.)

15.08.08 Variance If the provisions of this ordinance are shown by the subdivider to cause undue hardship because of some unique feature of the land, then the Planning Commission may grant a variance, subject to appeal by any affected party to the City Council, provided the variance will not have the effect of nullifying the intent and purpose of this ordinance. An appeal to the City Council by an affected person shall be pursuant to the procedures set forth at 15.08.02.

15.08.09 Information required for preliminary and final plat submittal. Before the Planning Commission may grant preliminary approval and final plat approval in respect to plat requirements, the subdivider shall show the following information on the respective plats:



|  | <u>Preliminary<br/>Plat</u> | <u>Final<br/>Plat</u> |
|--|-----------------------------|-----------------------|
| A. Name of subdivision   | x                           | x                     |
| B. Boundary of subdivision with description of enclosed property   | x                           | x                     |
| C. Names and addresses of owner(s), developer(s) and surveyor(s)   | x                           | x                     |
| D. Acreage in subdivision tract  |                             | x                     |
| E. Date, map scale and north arrow   | x                           | x                     |
| F. Location map showing section or sections in which located   | x                           |                       |
| G. Location of all streets (names to be indicated), alley and easements within, interconnecting and bordering subdivision tract  | x                           | x                     |
| H. Dimensions of streets, alleys, easements, block, parcel and lot lines and subtended angles  | x                           | x                     |
| I. Bearing of all lines not parallel or perpendicular to lines of known bearing. Interior angles of lots may be shown in lieu of bearings. All bearings shall be referred to true North. |                             | x                     |
| J. Location of monuments.  |                             | x                     |
| K. Location of building lines.   | x                           | x                     |
| L. Location of railroads and other property owned by utilities (when applicable)   | x                           | x                     |
| M. Legal description, lot and block  | x                           | x                     |
| N. Certification of registered engineer.   | x                           | x                     |
| O. Dedication of streets, alleys, and easements for public use.<br>(Ord. No. 228, Sec. 2.)   |                             | x                     |

|    |  |   |   |
|----|--|---|---|
| P. | Location of street lights (each intersection and at 400' intervals)  | x | x |
| Q. | Location of street signs (provided by developer)   | x | x |
| R. | Location of sidewalks (4' widths on both sides of street with one foot greenspace between back of curb and sidewalk) | x | x |
| S. | Location of storm water inlets in curb and manholes  | x | x |
| T. | Location of fire hydrants (Ord. No. 228, Sec. 2.)  | x | x |

## CHAPTER 15.12

### STANDARDS

Sections:

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| 15.12.01 | Sketch plan                   |
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| 15.12.04 | Streets                       |
| 15.12.05 | Blocks                        |
| 15.12.06 | Residential lots              |
| 15.12.07 | Easements                     |
| 15.12.08 | Lot-split procedure           |
| 15.12.09 | Lot-line adjustment procedure |

15.12.01 Sketch plan The sketch plan should generally be drawn to a scale not to exceed one inch (1") equals two hundred feet (200'). The location map should be drawn to a scale not to exceed one inch (1") equals two hundred feet (200'). The purpose of the sketch plan is to acquaint the city of Greenland, Arkansas, with the subdivider's intent to develop, to acquaint the subdivider with the various plans and ordinances currently in effect and also to clear up certain basic questions concerning design and necessary improvements. The information required before the sketch plan may be submitted appears in Section 15.08.03. (Ord. No. 94, Art. III, Sec. 3.1)

15.12.02 Preliminary plat The preliminary plat shall be drawn to scale, not to exceed one inch (1") equals to hundred feet (200'). The information required before the preliminary plat may be submitted appears in Chapter 15.08. (Ord. No. 94, Art. 111, Sec. 3.2)

15.12.03 Final plat The final plat shall be drawn to scale, not to exceed one inch (1") equals two hundred feet (200') on stable base material using waterproof ink. The information required before the final plat may be submitted appears in Chapter 15.08. (Ord. No. 94, Art. 111, Sec. 3.3)

15.12.04 Streets The following are general standards to be used in the preparation of plats for subdivisions located within the city limits of the city of Greenland, Arkansas. Subdivisions located outside the city limits but within the Greenland Planning Area Boundary shall conform to the Washington County "Standards and Specifications for Road and Highway Construction".

- A. The internal street pattern should be such as will lead to normal desire lines of travel. The location and alignment of local and collector streets should discourage "shortcuts" between major thoroughfares.

- B. Intersections should be, insofar as practicable, at right angles but not less than sixty (60) degrees with no more than two (2) four-way intersections where possible. Street jogs with centerline offsets of less than one hundred twenty-five feet (125') shall not be permitted.
- C. Street locations should be such as to provide each lot with the desirable elevation, size and shape which will permit proper setback of structures and their satisfactory placement on the lot.
- D. Grades of streets shall be determined according to the prevailing terrain. Sufficient grade shall be provided to insure drainage.
- E. For streets not indicated on official plans, the arrangement of streets in the subdivision shall provide for the continuation or appropriate projection of existing streets in the surrounding area except where topographical or other conditions make continuance or conformance to existing streets impractical.
- F. As a general rule, street stubs to adjacent undeveloped property shall be provided.
- G. Street locations which create double-frontage lots shall be discouraged.
- H. The following are minimum design standards for streets:

|   | <u>Local Streets</u> | <u>Collector Streets</u> | <u>Arterial Streets</u> | <u>Commercial Service Road</u> |
|---|----------------------|--------------------------|-------------------------|--------------------------------|
| Right-of-Way<br>(Min. Width)  | 50'                  | 60'                      | 80'                     | 50'                            |
| Dead End Streets<br>(Max. Length)<br>(Cul-de-sac)                             | 500'                 | no                       | no                      | no                             |
| Maximum Grade   | 12%                  | 10%                      | 8%                      | 8%                             |
| Intersection to<br>Curb Cut<br>(Minimum Distance)                             | 20'                  | 40                       | '50'                    | ---                            |
| Minimum Paving<br>Width (Back of curb<br>to back of curb<br>where applicable) | 30'                  | 36                       | '48'                    | 24'                            |
| Sidewalk Width<br>(Ord. No. 94, Art. III, Sec. 3.4)                           | 4'                   | 4'                       | 4'                      | ---                            |

15.12.05 Blocks The use of rectangular blocks no longer than wide is encouraged in the interest of economy to the developer and to the city in future maintenance of these streets and other utilities. A block should not be less than four hundred feet (400') or more than fourteen hundred feet (1,400') long. (Ord. No. 94, Art. III, Sec. 3.5)

15.12.06 Residential lots The shape of residential lots shall not be required to conform to any stipulated pattern. Lots should be of such shape as to best accommodate the type of house to be built in order to provide for adequate spacing between houses.

The minimum lot requirements shall be as required by the zoning ordinance. In cases where the zoning ordinance does not apply, the minimum requirements shall be as follows:

- A. The lot size for the area outside the city limits should be determined by the State Health Department according to percolation tests for septic systems. Otherwise, the minimum area of the lot shall be eight thousand (8,000) square feet.
- B. The width of the lot at the building line shall be a minimum of eighty feet (80'). (Ord. No. 228, Sec. 3.)
- C. Corner lots for residential use shall have extra width to permit appropriate building setback from orientation to both streets. (Ord. No. 94, Art. III, Sec. 3.6)

15.12.07 Easements All proposed plats shall allocate areas of suitable size and location, wherever necessary for utility easements. As a general principle, such easements shall be located on both sides of the rear lot line and the combined total width shall be twenty feet (20'). In certain cases as required by the various utility companies, side lot line easements will be requested. (Ord. No. 94, Art. 111, Sec. 3.7)

5.12.08 Lot-split procedure To allow the transfer of land ownership without requiring an official plat, the following lot-split procedure is created.

- A. A lot-split is the division of one (1) lot/parcel of land into two (2) lots/parcels. Lot-split requests shall include a survey with a legal description of the beginning lot/parcel and the legal description of the proposed resultant lots/parcels including the address and directions to the property. The survey shall show dimensions of the (proposed) lots/parcels created and shall include all rights-of-way and easements required for utilities and drainage; these requests must be turned into City Hall (along with payment of all costs/fees) by the 5<sup>th</sup> day of the month prior to the Planning Commission meeting at which the request is to be considered.

- B. The applicant for a lot-split shall pay to the Recorder/Treasurer, a filing fee in the amount determined, from time to time, by the City Council, plus the actual costs of notification as may be incurred in connection with such application.
- C. Notice that all requirements to make application and approval of a conditional use are required of the applicant seeking a lot-split. The posting of the sign will indicate "Public Hearing Regarding this Property" but all other requirements are the same.
- D. All resulting lots/parcels shall meet the minimum size and square footage requirements for the zoning district in which it is located.
- E. If a lot-split occurs in the Greenland planning area the size of the resulting lots/parcels shall be determined by the Health Department standards for septic systems with a minimum of ten thousand (10,000) square feet and, in such event, a successful perk test certificate shall be attached to the application.
- F. Only one lot-split shall be allowed at the time of the original request and no other applications for a lot split from the original parcel or from any of the newly created lots/parcels shall be allowed for a period of sixty (60) months from the time the prior lot-split request was approved. The owner shall state on the lot-split application the date of any/all prior lot-split requests involving the same parcel.
- G. If a lot-split request seeks to produce a lot/parcel not fronting on a public street, the land locked lot/parcel shall be permitted only for a use as one single family dwelling. A lot-split creating a land locked parcel/let shall have access to a public street by way of an exclusive, owned private drive with a minimum width of twenty (20) feet which is not more than one-hundred (100) feet in length, which drive shall be maintained by the owner in such a manner as to allow access for sanitation trucks and emergency vehicles (including fire trucks) and the private drive shall have (at a minimum) fifty-five (55) feet radius stable base turn around at the residence end for use by sanitation/emergency vehicles.

The legal description of the private drive shall be included with the application and the private drive shall become a part of the resultant lot/parcel that does not front on a public street. At the point where such a private drive intersects with a public street the last twenty-five (25) feet of the private drive shall be paved to city street standards and shall be at least twenty-five (25) feet from the nearest public street intersection at its closest point. No building permit shall be issued for the resulting lots/parcels until the requirements for the private drive are met at the cost/expense of the owner of the owner has posted a cash or surety bond sufficient to cover the projected cost/expense of such private drive.

- H. The owner shall also be responsible for the cost/expense of installing and connecting to all utilities unless the utility company provides such.
- I. Once the lot-split has met all requirements, the application shall be placed on the agenda for the next Planning Commission meeting. If the application meets with the Planning Commission's approval, it shall be signed by the Chairman of the Planning Commission or the elected official of the Planning Commission. The stamp should indicate the lot-split number and the date of approval.
- J. Once approved, the applicant shall file the approved lot-split documents (including survey) with the Circuit Clerk.
- K. This lot-split procedure shall apply to all lands within Greenland, Arkansas, and within Greenland's planning area. (Ord. No. 296, Sec. 2.)
- L. The fees to be paid by the applicant for a lot-split request or for a lot line adjustment are to be paid when the application is turned in at City Hall, shall be set by resolution of the City Council from time to time; in addition to such fees as set by the Council, the applicant shall pay the costs of all required notices to adjoining property owners, the public and others are required at the time the application is turned in at City Hall. (Ord. No. 296, Sec. 3.)

15.12.09 Lot-line adjustment procedure To allow the transfer of land ownership without requiring an official plat, the following lot-line adjustment procedure is created.

- A. A lot-line adjustment is a conveyance of a portion of a lot/parcel to an adjoining lot-parcel where no new lot/parcel is created to allow for corrections of errors in a survey, building placement, or substandard areas. Lot-line adjustment requests shall include a survey with legal descriptions of each adjoining lot-parcel, including the address and directions to the property, a legal description of the portion of the lot/parcel which is proposed to be transferred, and legal descriptions of the two proposed resultant lots/parcels, and shall include all rights-of-way and easements required for utilities and drainage; these requests must be turned into City Hall (along with payment of all costs/fees) by the 5th day of the month prior to the Planning commission meeting at which the request is to be considered;
- B. The applicant for a lot-line adjustment shall pay to the Recorder/Treasurer a filing fee in the amount determined, from time to time, by the City Council, plus the actual costs of notification as may be incurred in connection with such application.

- C. All resulting lots/parcels shall meet the minimum size and square footage requirements for the zoning district in which it is located.
- D. The owner shall also be responsible for the cost/expense of installing and connecting to all utilities unless the utility company provides such.
- E. Once the lot-line adjustment has met all requirements, the application shall be placed on the agenda for the next Planning Commission meeting. If the application meets with the Planning Commission's approval, it shall be signed by the Chairman of the Planning Commission or the elected official of the Planning Commission. The stamp should indicate the lot-line adjustment number and the date of approval.
- F. Once approved, the applicant shall file the approved lot-line adjustment (including the survey) with the Circuit Clerk along with the transfer document.
- G. This lot-line adjustment procedure shall apply to all lands within Greenland, Arkansas, and within Greenland's planning area. (Ord. No. 296, Sec. 1.)



## CHAPTER 15.16

### IMPROVEMENTS

Sections:

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| 15.16.02 | Final approval                   |
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| 15.16.04 | Sanitary sewers                  |
| 15.16.05 | Street improvements              |
| 15.16.06 | Drainage                         |
| 15.16.07 | Monuments                        |

15.16.01 Sketch plan and preliminary plat. No information concerning actual improvements is required for either the sketch plan or preliminary plat. (Ord. No. 94, Art. IV, Sec. 4/1)

15.16.02 Final approval. Final approval shall be given after the approval of the plans for required improvements and when the following have been met:

- A. A contractual arrangement has been entered into with the city of Greenland, Arkansas, to install all necessary improvements. (An arrangement would have to be made with the city of Fayetteville, Arkansas, for water/sewer system improvements as the city of Fayetteville owns the water/sewer system.)
- B. A performance bond based on value of the estimated cost of the improvements. (Ord. No. 94, Art. IV, Sec. 4.2)

15.16.03 Water. Where public water is available, each lot shall be provided with water. Every subdivision within the water service area of the city of Greenland, Arkansas, shall be provided with public water. Subdivisions outside the water service area, but within the planning area, will be reviewed individually by the Planning Commission and approved by the City Council. Developers will be expected to install all improvements at their own expense to the standards adopted by the city of Fayetteville (as the City of Fayetteville owns and maintains the water/sewer system in the city of Greenland's water service area). (Ord. No. 94, Art. IV, Sec. 4.3)

15.16.04 Sanitary sewers. When the subdivision cannot be served by existing sanitary sewers, the disposal of sewage shall be in accordance with standards established by the Arkansas State Board of Health. (Ord. No. 94, Art. IV, Sec. 4.4)

15.16.05 Street improvements. In all subdivisions within the city limits of the city of Greenland, Arkansas, the streets shall be constructed with curb and gutter, sidewalks and paving. Subdivisions outside the city limits but within the Greenland Planning Area shall equal or better the street standards set out in the Washington County "Standards and Specifications for Road and Highway Construction."

All street improvements shall be installed at the developer's expense to the standards adopted by the city of Greenland, for those streets inside the city limits. (Ord. No. 94, Art. IV, Sec. 4.5)

15.16.06 Drainage. Each subdivision shall provide for adequate handling of surface water to the end that it is properly discharged into natural drainage ways. (Ord. No. 94, Art. IV, Sec. 4.6)

15.16.07 Monuments. The following requirements shall govern the conditions for and placement of monuments in all subdivisions:

- A. Concrete monuments four inches (4") in diameter (or four inches (4") square) and thirty-six inches (36") long, with four (4) one-fourth inch (1/4") or one (1) one-half inch (1/2") metal reinforcing rod(s) the length of the monument, shall be placed with the top flush to the ground at all points of intersection of the boundary of the subdivision, and at the corner of each forty (40) acre tract within the subdivision.
- B. One (1) out of each four (4) monuments shall contain a brass plate indicating elevation based on mean sea level. (Control to be utilized is that of United States Geological Survey).
- C. The location of all monuments shall be shown on the final plat. (Ord. No. 94, Art. IV, Sec. 4.7)

**CHAPTER 15.20**

**ENFORCEMENT**

Sections:

- 15.20.01 Enforcement
- 15.20.02 Amendments
- 15.20.03 Effective date
- 15.20.04 Penalty for violation

15.20.01 Enforcement. After the effective date of these subdivision regulations:

- A. No plat within the planning area of the city of Greenland, Arkansas, shall be accepted by the County Recorder for record unless approved by the City Council.

- B. No utility (publicly or privately owned) shall extend its facilities to service an area unless one of the following applies:
1. The extension is to an area where a subdivision plat of record existed prior to the effective date of the regulations.
  2. The extension is to an area where a plat of record has been approved by the City Council.
  3. Installation of utilities is required before the plat can receive approval for filing for record. In this event, the City Council will grant the utilities permission to extend facilities in accordance with specified plans.
  4. The extension of utilities is along a public way in existence and use at the time of the effective date of these regulations, but the extension is not in depth of greater than two hundred feet (200') from the public way.
- C. No street dedication shall be accepted by the city of Greenland, Arkansas where the adjoining land is intended to be sold until the required plat has been approved by the City Council.
- D. No building permit shall be issued or construction authorized unless:
1. The lot upon which the building is to be placed was established prior to the adoption of this ordinance.
  2. The lot is part of a subdivision approved by the City Council. (Ord. No. 94, Art. V, Sec. 5.1)

15.20.02 Amendments. Any and all amendments to this ordinance shall follow the same procedure as required for its original adoption, that being: public hearing with fifteen (15) days advance notice before the Planning Commission, recommendation to the City Council from the Planning Commission and review and action by the City Council. (Ord. No. 94, Art. V, Sec. 5.4)

15.20.03 Effective date. It has been found and is hereby declared by the City Council, that this ordinance is immediately required in order: to lessen congestion in the streets; to secure safety from fire and other dangers; to promote healthful living conditions; to prevent the unsanitary use and development of land; to provide adequate light and air; to prevent the overcrowding of land and undue concentration of population; to facilitate the

adequate provision of transportation, water, sewage, schools, parks and other public facilities; to stabilize property values and to insure the orderly development of the community for the general welfare of the citizens. This ordinance shall be effective from the date of its passage and approval.

15.20.04 Penalty for violation. If the Planning Commission of the city of Greenland, Arkansas, shall find that the provisions of this ordinance are being violated and shall notify, in writing, the person responsible for such violation, indicating the nature of the violation and ordering the action to correct it, should the person, firm, corporation or agent responsible for said violation fail to take the necessary action to correct it, the Planning Commission shall notify the City Council, which shall certify the violation to the City Attorney. The City Attorney shall, within seven (7) days, apply to a court having jurisdiction to remove the violation. Each day a violation exists after notification by the Planning Commission is a separate offense. The violator may also be charged with a misdemeanor and shall be subject to a fine not less than Twenty-Five Dollars (\$25.00) nor more than One Thousand Dollars (\$1,000.00). (Ord. No. 94, Art. V, Sec. 5.6)

## **CHAPTER 15.24**

### **NEW ADDITIONS**

#### Sections:

15.24.01 Lee Valley Subdivision

#### 15.24.01 Lee Valley Subdivision

- A. The Lee Valley Subdivision – Phase 2, as shown on the final plat approved by the City Planning Commission, a copy of which is attached to this ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the city of Greenland, Washington County, Arkansas, and the city hereby accepts for the use and benefit to the public, the dedications contained therein of the streets, rights-of-way and utility easements. (Ord. No. 205, Sec. 1.)
  
- B. The Lee Valley Subdivision – Phase 3, as shown on the final plat approved by the City Planning Commission, a copy of which is attached to this ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the city of Greenland, Washington County, Arkansas, and the city hereby accepts for the use and benefit to the public, the dedications contained therein of the streets, rights-of-way and utility easements. (Ord. No. 209, Sec. 1.)

- C. The Lee Valley Subdivision – Phase 4, as shown on the final plat approved by the City Planning Commission, a copy of which is attached to this ordinance and made a part hereof as though set out herein word for word, be and the same is hereby accepted by the city of Greenland, Washington County, Arkansas, and the city hereby accepts for the use and benefit to the public, the dedications contained therein of the streets, rights-of-way and utility easements. (Ord. No. 226, Sec. 1.)

## CHAPTER 15.30

### LARGE SCALE DEVELOPMENT

Sections:

|          |                                     |
|----------|-------------------------------------|
| 15.30.01 | Authority and Purpose               |
| 15.30.02 | Applicability                       |
| 15.30.03 | Conflicts                           |
| 15.30.04 | General Provisions                  |
| 15.30.05 | Development Plan Approval Procedure |
| 15.30.06 | Excess Fee                          |

15.30.01 Authority and Purpose The provisions within this Chapter and the Greenland Municipal Code (hereinafter GMC), as currently enacted or hereinafter enacted, are based upon, derive authority conferred upon municipalities by the Constitution of the State of Arkansas and by the Arkansas General Assembly through its Statutes.

The primary purpose of this Chapter is to protect and promote the peace, health, safety and general welfare of Greenland residents by reasonable regulations upon development enacted to promote, including, but not limited to, all statutorily approved purposes in AC.A. Section 14-56-103. (Ord. No. 332, Sec. 3.)

15.30.02 Applicability The provisions of this Chapter shall apply to all lands within the corporate boundaries of Greenland, Arkansas, and its planning area as adopted and described from time to time.

A Large-Scale Development plan is required for all projects meeting the definition of Large Sale Development as set forth on page 2 of the Large Scale Development Application packet (hereinafter LSDAP). (Ord. No. 332, Sec. 3.)

15.30.03 Conflicts The provisions of this Chapter shall be considered to be minimum requirements. Where requirements of this Chapter conflict with or are at a variance with other requirements of the Greenland Municipal Code or where one section of this Chapter conflicts with or is at a variance with requirements of another section of this Chapter, the highest or most restrictive requirements shall apply. (Ord. No. 332, Sec. 3.)

15.30.04 General Provisions This Chapter establishes minimum development standards providing minimum improvements to be made or guaranteed to be made by the developer, setting forth the procedure to be followed by the Planning Commission in applying these rules, regulations and standards and prescribing penalties for the violation. Title, headings and/or catch

lines of the various sections of this Chapter are intended as help to indicate the content of the section and are provided for the convenience of the reader. Such titles, headings and/or catchwords shall not be deemed or taken as part of the text of such sections as originally enacted or later amended.

Nothing contained herein shall be construed or interpreted to constitute a warranty by the City of Greenland as to the compliance by any person or persons with the provisions of this Chapter. No word, phrase or paragraph contained herein shall be interpreted or construed to waive tort immunity provided by Arkansas law.

Any authority permit or certificate which is issued in compliance with the requirements of this Chapter is issued only for the stated purposes. No other use, arrangement, construction, etc. is authorized. Any use which is at variance with the stated purpose shall be deemed a violation of this Chapter.

Violation of the provisions of this Chapter, in addition to the provisions of Chapter 1.32 of this Code, may result in the issuance of a stop work order, temporary restraining order, injunction or other remedy afforded the City by Arkansas law.

That Portion of the Large-Scale Development Application Packet (LSDAP), specifically pages 1 through 6 as appended hereto, is hereby incorporated herein word for word, figure for figure, as fully as if set forth herein. The forms set forth as pages 7 through 17 of the LSDAP may be amended, altered, deleted or supplemented from time to time as the City Engineer and Planning Commission deem necessary. (Ord. No. 332, Sec. 3.)

15.30.05 Development Plan Approval Procedure Before a building permit can be issued for a development that meets one or more of the criteria set forth in 15.30.02, other than a single-family dwelling or a duplex, a development plan must be submitted to the Planning Commission for review and approval. A project that does not meet one or more of the criteria set forth in 15.30.02, will be considered as a non-large-scale development and must be reviewed and approved as otherwise provided in the Greenland Municipal Code. The City may require any project to be submitted to the City Planning Commission where there are significant problems with storm drainage, traffic, pedestrian circulation, utility access, construction methods, impact on adjacent property or other material factors.

Pre-Application The applicant is encouraged to consult with the city engineer for assistance before the preparation of the large-scale development plan. At this time, he/she may request a Large-Scale Development Application Packet and other materials to guide him/her in the preparation of the plan. An applicant should familiarize themselves with these regulations, the master street plan, the land use plan, zoning regulations, and other official plans, policies and regulations concerning improvements. Page 2 of the LSDAP outlines the Review and Approval Process.

A. Submission

1. Large Scale Development Plan The applicant shall follow the procedure set forth on pages 3 and 4 of the LSDAP.
2. Drainage Reports In addition to following the procedure set forth on pages 3 and 4 of the LSDAP, the applicant must submit a Preliminary Drainage Report consisting of:
  - a) Project Title and Date.
  - b) Project Owner incl. address, phone contacts and email contact.
  - c) Project Location; incl. address and vicinity map per requirements
  - d) Project Description-brief description.
  - e) Aerial Photograph incl. project area and any areas that contribute to runoff.
  - f) Pre-Developed Drainage Area Map incl. current conditions for the drainage area that contributes to runoff. Show offsite and onsite drainage. Show contour information to the nearest ten feet. Include different drainage areas and flow patterns.
  - g) Post Developed Drainage Area Map- Incl. proposed conditions for the drainage area that contributes to runoff. Show offsite and onsite drainage. Show contour information to the nearest ten feet. Includes different drainage areas and flow patterns.
  - h) Drainage Description-Description of the drainage onto, through and away from the site.
  - i) Area Drainage Problems-Description of any known onsite or downstream drainage or flooding problems.
  - j) Site Drainage-Description of site drainage for the proposed project. Describe existing and proposed conditions.
  - k) Calculation Method-Describe method of calculation and software used.
  - l) Written Conclusion of Proposed Improvements-Include a summary of the proposed improvements, condition of downstream receiving areas, increase in flows and detention or lack of detention.
  - m) Summary of Runoff Table-A table with 2-, 10-, 25-, 50- and 100-year storm flow comparisons for existing and proposed conditions.
  - n) Stormwater Detention Design-Include a table with 2, 10, 25, 50 and 100-year stormflow comparisons for existing and proposed conditions and detention volumes. If detention is not proposed by the Design Engineer, then the Design Engineer must submit hydrographs to document the effect of the combined runoff exiting the proposed project.



- o) Liability Statement-The Design Engineer shall stamp and sign the following statement: " I, \_\_\_\_\_, Registered Professional Engineer No. \_\_\_\_\_ in the State of Arkansas, hereby certify that the drainage studies, reports, calculations, designs, and specifications contained in this report have been prepared in accordance with standard engineering practices and with the requirements of the City of Greenland. Further, I hereby acknowledge that the review of the drainage studies, reports, calculations, designs, and specifications by the City of Greenland or its representatives does not relieve me from my professional responsibility or liability.

NOTE: The Final Drainage Report shall consist of the foregoing PLUS:

- M-1) Design Storm Calculations-Design Flow calculations for each culvert, inlet, open channel or other drainage structures.  
Summarize by tables.
  - M-2) Pavement Drainage Design-If curb and gutter is used, include width of spread for design flow.
  - M-3) 100-Year Water Surface Elevation Computation-The water surface elevation resulting from the 100-year storm for all overland flow, including flow in the streets, parking lots, swales and between lots shall be calculated and shown on the construction plans. Minimum floor elevation shall be shown a minimum of two feet above the 100-year flood elevation on each lot when located in a designated flood plain. Minimum floor elevations for other areas shall be a minimum of one foot above the calculated 100-year water surface elevation of open channels, swales or overland flow.
3. Non-Large-Scale Development Plan The applicant shall follow the procedure set forth elsewhere in the Greenland Municipal Code as appropriate for such development.
  4. Lapse of Plan An approved large-scale development plan shall lapse after one (1) year unless construction is on-going, and work is actively progressing on the installation of the required improvements.
- B. Submission Data: Plan Requirements The development plan shall be as required by pages 3 through 6 of the LSDAP.
- C. Technical Plat Review The city engineer, or the city staff may require the applicant or his/her representative to meet with a technical plat review committee at an appointed time to discuss the submitted plat and to answer questions concerning said plan, grading,

utilities/services, and drainage report. The applicant shall address all comments of the technical plat review committee and resubmit the plan, grading, and drainage report (if required) by the date/time set on the City of Greenland, Arkansas, "Meeting and Submittal Schedule", which is usually the last page of the LSDAP.

NOTE - the Meeting and Submittal Schedule is amended periodically, check with the city engineer to verify you have correct, current "Meeting and Submittal Schedule". The re-submittal shall contain ten (10) copies of the plans, one digital copy, and a written response to all comments of the technical plat review committee. Submission of all these items shall constitute a formal filing of a large-scale development plan with the City.

D. Planning Commission

1. Large-scale development plan Provided the Notification requirements as set forth below have been met, within sixty (60) days after acceptance for review of the large-scale development plan, the Planning Commission shall conduct a public hearing to review said plan. The applicant or his/her representative, who has been designated in writing and who has full authority to make decisions in the applicant's absence, shall be present at the Public Hearing to address all questions by the Planning Commissioners. Failure to appear at the public hearing may result in the plan being tabled. Following the public hearing the Planning Commission shall approve, approve with conditions, disapprove, or table the large-scale development plan. If the large-scale development plan is tabled, it will be placed on the agenda of the next Planning Commission meeting.
2. a) WRITTEN NOTIFICATION PROCESS: The applicant shall mail written notice (substantially similar to the Letter of Notification portion of the LSDAP) of the public hearing by certified mail, return-receipt requested, to all adjacent property owners within 300-feet of the perimeter of the exterior boundary of the proposed development to the address of the owner as shown in the records of the Washington County Assessor's Office. Adjacent property owners include those across easements and rights-of-way (excluding interstates). Applicants must notify the adjacent property owners at least fifteen (15) days prior to the scheduled public hearing and the Planning Commission meeting at which time the proposed development is to be discussed and reviewed. Said notice shall state the date, time and place of the public hearing, as well as pertinent information about the proposed development.

Prior to placement of the item on the Planning Commission agenda, the following items must be submitted to the City of Greenland by the date/time set on the City of Greenland, Arkansas, "Meeting and Submittal Schedule", which is usually the last page of the LSDAP.

NOTE-the "Meeting and Submittal Schedule" is amended periodically, check with the city engineer to verify you have correct, current "Meeting and Submittal Schedule".

- A copy of the Notice sent to each adjacent property owner;
- A completed and signed Certificate of Mailing (substantially similar to the Certificate of mailing portion of the LSDAP); and
- The signed return-receipt requested cards, any notices returned by the USPS as undeliverable, and the certified mail receipt forms stamped by the USPS for all notices not returned.

b) SIGN POSTING PROCESS:

- Signs advising passersby that a public hearing concerning the proposed development and stating the time, date and place of the public hearing shall be posted on the subject property as required by the GMC;
- Signs shall be posted by the appointed designee of the City of Greenland;
- The appointed designee of the City shall be responsible for the retrieval of signs after the public hearing. If the public hearing/Planning Commission meeting on the large-scale development plan is postponed, the sign(s) shall remain on the premises until after the date of said public hearing/Planning Commission meeting on the plan.
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**FAILURE TO STRICTLY FOLLOW THE WRITTEN NOTIFICATION PROCESS AND THE SIGN POSTING PROCESS** may be grounds for postponement of the public hearing and/or the associated Planning Commission meeting to consider the proposed plan - A repeat failure to strictly follow the written notification process or the sign posting process may result in a denial of the proposed plan.

3. If the applicant desires to develop only a portion of the total area intended for development, the Planning Commission shall require large-scale development plan approval for the entire area to ensure that the purpose and intent of these regulations are complied with. Each phase shall be clearly defined on the large-scale development plan.

4. Non-Large-Scale Development Plan Submittal as required by the GMC.
- E. Plans and Specifications After the approval of the large-scale development plan by the Planning Commission but before improvements are started, the applicant shall submit engineering plans, a final drainage report, and specifications for the streets, grading, and storm drainage improvements including, but not limited to, profiles, specifications, and cross-sections along with grading and storm drainage plans and computations, pursuant to and in compliance with other applicable ordinances to the City Engineer for review and written approval prior to commencement of improvements. No work shall begin without prior approval of the City Engineer.
  - F. Fees When the developer submits a large-scale development plan to the city, he/she shall remit a fee of in the amount set forth on page 3 of the LSDAP.
  - G. Appeal
    1. Any interpretation/decision of the City Engineer may be appealed to the Planning Commission by the applicant provided the applicant does so by filing his or her written appeal notice with the Recorder-Treasurer within fifteen (15) days of the interpretation/decision by the engineer.
    2. Any decision of the Planning Commission with the exception of a variance decision by the Board of Adjustments, of this section, may be appealed by the applicant or other interested party to the City Council provided the applicant or other interested party does so by filing his or her written appeal notice with the Recorder-Treasurer within fifteen (15) days of the decision of the Planning Commission.
  - H. Approved Project Plan Term The approval of a project plan shall be effective for a term of one (1) year from its date of approval. Subject to the provisions of 15.30.05 A.4. thereafter, if construction of the improvements or any portion thereof has not been completed, the approval of the project plan shall lapse. Provided, however, prior to the lapse of the original project plan approval, the applicant may seek an extension of approval of the project plan for a certain period of time, not to exceed an additional one (1) year, upon written request to the Planning Commission stating good cause therefor and certifying that no change has occurred which would materially affect the project plan.
  - I. Enforcement
    1. No building permit shall be issued until the project plan has been approved and the required improvements are constructed and certified.

2. The City Engineer may authorize adjustments in the approved plan during construction provided the adjustments conform to the purpose and intent of the project plan.
- J. Penalty It shall be unlawful for any person, firm, organization or corporation to develop/disturb land which would require a large-scale development plan without complying with the requirements of this Chapter. It shall be unlawful for any person, firm, organization or corporation to alter or tamper with an approved public or private drainage system or detention basin or dispose of trash or debris or other construction material into a private or public drainage system. Any person, firm or corporation violating this Ordinance shall be subject to a fine not to exceed Five Hundred Dollars (\$500.00). Each day will be considered a separate violation. (Ord. No. 2007-8, Sec. 3.) (Ord. No. 332, Sec. 3.)

15.30.06 Excess Fee Along with the submission of a large-scale development plan, owners and/or applicants shall complete the LSDAP provided by the City, provide all documents requested, and remit a non-refundable review fee as set by the LSDAP. In the event engineering review fees and costs exceed the fee as set by the LSDAP, the owners and/or applicants shall reimburse the City of Greenland for all additional expenses incurred. Any required excess fee must be paid before the City will issue a Certificate of Occupancy for the first building that is part of the project. Any excess fee is in addition to the standard submittal fee as set by the LSDAP. (Ord. No. 332, Sec. 3.)