

ORDINANCE 248

AN ORDINANCE DIRECTING THE GREENLAND PLANNING COMMISSION TO CEASE GRANTING LOT LINE ADJUSTMENTS AND LOT SPLITS PURSUANT TO TITLE 15, CHAPTER 15.12, SECTION 15.12.08, OF THE GREENLAND MUNICIPAL CODE DECLARING AN EMERGENCY TO EXIST AND FOR OTHER PURPOSES

WHEREAS, it has come to the attention of the City Council that property owners may be abusing the City's "Lot Split" procedure to create unauthorized subdivisions within the City.

WHEREAS, such a practice will negatively impact the City both in terms of the provision of services, aesthetics, and the safety of persons in the unauthorized subdivision and surrounding areas.

WHEREAS, the Planning Commission needs sufficient time to study various alternatives to correct the City's "Lot Split" procedures without creating unnecessary hardship or burdens on citizens and residents of the community.

WHEREAS, a reasoned solution developed by the Planning Commission following a thorough study and investigation into options and alternatives will best serve the City and its inhabitants.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENLAND, ARKANSAS, that:

Section 1: The City Planning Commission shall not authorize nor approve lot splits or lot line adjustments pursuant to Section 15.12.08 of the Greenland Municipal Code until the Planning Commission has met the terms and conditions of Sections 2 and 3 hereof and the City Council has complied with Section 5 hereof.

Section 2: The Planning Commission shall undertake to study the application of

Section 15.12.08 of the Greenland Municipal Code, its good points, its potential for abuse in creating unauthorized subdivisions, and study potential options or alternatives to address weaknesses they determine exist.

Section 3: That the Planning Commission shall formulate and propose to the City

Council their findings and recommendations for:

- a) retaining the current Section 15.12.08 regulating lot splits and lot line adjustments;
- b) amendments to the current Section 15.12.08 to mitigate actual or perceived weakness;
- c) a replacement Section 15.12.08 to correct and improve the City's lot split/lot line adjustment procedure; or
- d) propose such other action for the Council as they may determine appropriate to address this issue.

Section 4: That lot split/lot line adjustments authorized or approved by the Planning

Commission prior to September 11, 2006, are not affected by this Ordinance.

Section 5: After receiving the findings and recommendations of the Planning

Commission the City Council will either repeal this moratorium on lot splits/lot line adjustments

or adopt such other ordinances as will properly allow future lot splits or lot line adjustments;

unless an entirely new subdivision ordinance, which addresses lot splits and lot line adjustments,

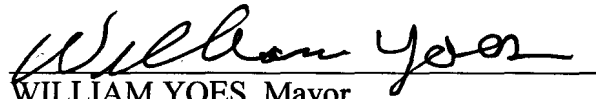
is considered and adopted this moratorium shall be reviewed by the City Council in October of

2007.

Section 6: That there is at least one parcel of property within the City of Greenland

where a pattern of development has commenced using the current lot split procedure with every indication that the result will be an unauthorized subdivision with several lots that do not have paved access, designed drainage systems, planned utility service, adequate travel and turnaround room for trash and emergency vehicles or fire hydrants. The creation of such a situation will cause harm to potential purchasers who will assume that these protections and amenities are or will be provided. This will produce an adverse impact on the health, safety and welfare of our current and future residents and citizens. Therefore, an emergency is hereby declared, this Ordinance shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this 21st day of September 2006.


WILLIAM YOES, Mayor

ATTEST


DONNA CHEEVERS, Recorder/Treasurer