

TITLE 15

SUBDIVISION REGULATIONS

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CHAPTER 15.04

SUBDIVISION REGULATIONS

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15.04.01 Definitions

Alleys means a minor public right-of-way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

Building line means the line within a property which defines the minimum horizontal distance between the building and the adjacent property line.

City Engineer, City Attorney, City Clerk/Treasurer, Director of Public Works Any office referred to in this chapter by title, i.e., City Attorney, City Clerk/Treasurer, City Engineer, Director of Public Works, etc., shall mean the person so elected or retained in this position by the city, or his duly authorized representative.

Collector street means a street which is continuous through several residential districts and is intended as a connecting street between residential districts and thoroughfares or business districts.

Commission or Planning Commission means the official City Planning Commission as appointed by the Mayor.

Cul-de-sac means a street having but one outlet to another street, and terminated on the closed end by a vehicular turnaround.

Dead-end street means a street, other than a cul-de-sac, with only one outlet.

Engineer means a person duly authorized under Ark. Code Ann. 17-30-101, *et seq.* (2001 Repl.) to practice the profession of engineering in the state.

Extraterritorial limits means that area recognized by state statutes as the extraterritorial limits of the city.

Final plat means any plat of any lot, tract or parcel of land requested to be recorded of record in the deed records of the county.

Local street means 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.

Lot means 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.

Marginal access street means a street situated adjacent to a major street or highway that provides local traffic a route to travel that avoids the higher speed and traffic volume of the major street or highway.

Master plan means the Comprehensive Plan of the city and adjoining areas as adopted by the Planning Commission and City Council, including all its revisions. The plan indicates the general locations recommended for various land uses, transportation routes, public and private building, streets, parks, and other public and private developments and improvements.

Pavement width means 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.

Preliminary plat means 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.

Replating means the resubdivision of any part of a previously platted subdivision, addition, lot or tract.

Street means a public right-of-way, however designated, which provides vehicular access to adjacent areas.

Street width means the shortest distance between the lines which delineate the rights-of-way of a street.

Subdivider or developer means any person or any agent thereof, dividing or proposing to divide land so as to constitute a subdivision. 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.

Subdivision means the division of any lot, tract or parcel of land situated within the corporate or extraterritorial limits of the city, into two 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, alleys or other portions intended for public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto. It also includes resubdivision or replatting of land, lots or tracts.

Surveyor means a licensed state land surveyor or a registered public surveyor as authorized by state statutes to practice the profession of surveying in the state.

Thoroughfare streets means the principal traffic thoroughfares continuous across the city, which are intended to connect remote parts of the city or areas 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.

Utility easement means an interest in land granted to the city, to the public generally, and/or to a private utility corporation, for installing or maintaining utilities across, over or under private land, together with the right to enter thereon with machinery and vehicles necessary for the maintenance of the utilities. (Ord. No. A-347, Sec. 3, June 18, 1973.)

15.04.02 Penalty Any person who shall violate any of the provisions of this title, or who shall fail to comply with any provisions hereof within the corporate or extraterritorial limits of the city, shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine not to exceed Two Hundred Dollars (\$200.00). Each day that such violation continues shall constitute a separate offense and shall be punishable accordingly. (Ord. No. A-347, Sec. 25, June 18, 1973)

15.04.03 Authority and purpose The Planning Commission has fulfilled the requirements set forth in state statutes as a prerequisite to the adoption of these requirements.

The purpose of this title is to promote the health, safety and general welfare of the city and its citizens. This chapter is designed to provide for the harmonious development of the city, to secure a coordinated street system having the best relationship between various parts of the

city, to provide for the convenient, safe movement of traffic, and to achieve individual property lots of maximum utility. (Ord. No. A-347, Secs 1-2, June 18, 1973.)

15.04.04 Special provisions

- A. No building, repair, plumbing or electrical permits shall be issued by the city for any structure on a lot in a subdivision for which a final plat has not been approved and filed for record, nor for any structure on a lot within a subdivision in which the standards contained herein or referred to herein have not been complied with in full.
- B. The city shall not repair, maintain, install or provide any streets or public utility services in any subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein or referred to herein have not been complied with in full.
- C. The city shall not sell or supply any water or sewerage service within a subdivision for which a final plat has not been approved or filed for record, nor in which the standards contained herein or referred to herein have not been complied with in full.
- D. When directed by the City Council, the City Attorney shall institute appropriate legal action to enforce the provisions of this title or the standards referred to herein with respect to any violation there which occurs within the city, within the extraterritorial jurisdiction of the city, or within any area subject to all or a part of the provisions of this title.
- E. If any subdivision exists for which a final plat has not been approved or in which the standards contained herein or referred to herein have not been complied with in full, and the City Council shall pass a resolution reciting the fact of such non-compliance or failure to secure final plat approval, and reciting the fact that the provisions of subsection A, B, and C of this section will apply to the subdivision and the lots therein, the City Clerk/Treasurer shall, when directed by the City Council, cause a certified copy of such resolution under the corporate seal of the city to be filed in the deed records of the county. If full compliance and final plat approval are secured, after the filing of such resolution, the City Clerk/Treasurer shall forthwith file an instrument in the deed records stating that subsection A, B, and C no longer apply.
- F. Provided, however, that the provisions of this section shall not be construed to prohibit the issuance of permits for any lots upon which a residence building exists and was in existence prior to June 18, 1973, nor to prohibit the repair, maintenance, or installation of any street or public utility services for, to or

abutting any lot, the last recorded conveyance of which prior to passage of this ordinance was by metes and bounds, and/or any subdivision, or lot, therein, recorded or unrecorded, which subdivision was in existence prior to June 18, 1973.

- G. Building permits for new residential construction will be issued after curbing and gutters have been constructed and the subgrade covered with a flexible base material. Occupancy permits will be issued when utilities and streets are complete and accepted by the city.
- H. Conditions of occupancy permits: Deferment of final street improvements will be accepted only under the following conditions:
1. The property is adequately served by all-weather facilities for ingress and egress for pedestrian and vehicular traffic, including fire apparatus.
 2. The property is served by all essential permanent utilities, such as water, sewage, electricity and gas.
 3. The reason for non-completion at this time is beyond the control of the builder, and is one which makes it impossible and impractical to proceed.
 4. The work can be completed in 12 months or less.
 5. The occupancy of the deferred properties will not be seriously handicapped in the use of the properties by the deferment of the work, nor will postponement endanger, mar, or destroy work previously completed (such as provision of adequate drainage outfall, for example.)
 6. Issuance of occupancy permits: Acceptance of the foregoing conditions must be in writing, and signed by both the developer and the prospective occupant with the understanding that the developer and the developer alone is responsible for the final completion of the street improvements before a permit for occupancy will be issued; further, that it is clearly understood that the city is completely absolved from any difficulty that might arise due to improper alignment and grade of curbs and gutters as they tie into both the driveway approach, and the street improvements of the new subdivision.
- I. As a condition precedent to the approval of any plat or development, the City Engineer, Commission, or the City Council can impose any reasonable requirement in the public interest to the approval or recommendation of approval of any plat or development within the city or its extraterritorial limits. (Ord. No. A-347, Sec. 20, June 18, 1973.)

15.04.05 Industrial or commercial subdivision An industrial or commercial subdivision shall be processed for approval in the same manner as provided for a residential subdivision. The minimum right-of-way width of a local street in an industrial or commercial subdivision shall be 60 feet, and all other streets shall conform to the standards for major and secondary streets prescribed by the thoroughfare plan and this title. (Ord. No. A-347, Sec. 21, June 18, 1973.)

15.04.06 Modification of regulations For specific types of land subdivisions the Commission may modify the subdivision regulation design requirement, and minimum improvements as set forth in this title. The purpose of any modification to these regulations will be to allow diversification and flexibility in the relationship of various land uses and between buildings, structures, and open spaces in planned building groups, while ensuring substantial compliance to the overall land use density and other zoning and platting regulations; also to allow appropriate development of semi-rural subdivisions with regards to their geographical location within the extraterritorial limits of the city. Modification of these regulations may be made for the following types of subdivisions:

- A. Subdivisions planned under the provisions of the zoning ordinance for community unit development or planned development, and which may include residential subdivisions involving the cluster, townhouse, or patio house concept for planning residential areas.
- B. Subdivisions identified by the nature of their semi-rural location and which conform to the following standards:
 - 1. The minimum street right-of-way width shall be 70 feet, or greater if required for proper drainage. Centered within the designated right-of-way shall be a paved street surface of 30 feet in width, constructed in accordance with the city's paving standards. Surface drainage shall be handled by open ditch, channel or other approved methods rather than a standard curb and gutter section.
 - 2. The subdivision shall be served by an approved water supply and distribution system and an approved wastewater disposal system which may be by municipal sewer, septic tank, or separate treatment system facilities. If the water and sewer system are not connected to the city systems, then the plans for these facilities shall be approved by the State Department of Health.
 - 3. The minimum area of each lot shall be one acre and each lot shall have adjacent to the rear lot line a dedicated alley or easement, either for present or future use.

4. The proposed subdivision shall comply with the city's Comprehensive Plan.
5. To assure compliance with the land use plan for the city and its environs, each subdivision shall be accompanied by restrictions or covenants which are to be filed of record with the final plat.
6. In cases where the semi-rural estate plan is not located within the corporate limits, then review of the subdivision plat shall be coordinated with the county which shall approve the final plat prior to filing of record.
7. Before an addition can be annexed into the city by request of the property owners or the developer, the streets and utilities shall meet all requirements of this title pertaining to subdivisions developed within the city limits. If these streets and utilities are not in accordance with these standards then the property owners in the addition shall be responsible for the expense of improving these facilities to city standards. (Ord. No. A-347, Sec. 3, June 18, 1973.)

15.04.07 Installation costs The purpose of this section is to define how costs of subdivision development are to be apportioned between the city and the developer.

A. Streets

1. **General** The developer shall pay the entire cost of constructing all streets that do not exceed 37 feet between the backs of curbs. The 37 feet wide street is recognized as the standard collector pavement width in the city. If any security other than cash is put in escrow to cover the future paving assessments, as is hereinafter required, the security shall contain a provision for increasing the amount of the security at a rate of four percent *per annum*. This increase shall be for the purpose of offsetting any increase in construction cost that occurs prior to the time that the improvements are actually constructed.
2. **Local streets** The developer shall pay the entire cost of constructing all local streets.
3. **Collector streets** The developer shall construct collector streets as part of the subdivision.
4. **Boundary streets**
 - a. **Existing streets** When the proposed subdivision abuts upon an existing paved street that does not have curbs and gutters, the developer shall put a cash deposit, or other security satisfactory to

the city, in escrow with the city to cover the future assessment paving programs. This deposit shall amount to the cost of curbs and gutters and one-half of the cost of paving a standard width street. The actual unit prices to determine the amount placed on deposit shall be the unit prices received under the terms of the bidding documents. This deposit shall be made in lieu of the actual construction in all cases and shall be made prior to the city's acceptance of the subdivision streets and utilities.

- b. **New streets** New boundary streets that are platted for the primary purpose of providing traffic routes into and through the subdivision shall be constructed by the developer as part of the subdivision development.
- 5. **Marginal access streets** The developer shall pay the entire cost of constructing marginal access streets.
 - 6. **Thoroughfare streets** All thoroughfare street design and construction will be handled by the city. The developer shall put a cash deposit, or other security satisfactory to the city, in escrow with the city to cover the future assessment paving programs. This deposit shall amount to the cost of curbs and gutters and one-half of the cost of paving a standard width street. The actual unit prices to determine the amount placed on deposit shall be the unit prices received under the terms of the bidding documents. This deposit shall be for one side of the street only and shall be doubled if both sides of the thoroughfare street will be in the proposed subdivision.
- B. **Street signs** The developer shall pay for street signs and their installation. The city will install the signs.
 - C. **Sidewalks** The developer shall pay for all sidewalks.
 - D. **Water distribution system** The developer shall pay all costs of the water supply and distribution system, except oversized mains which the city requires for future development of the area.
 - 1. The city may require larger mains than are necessary to serve the subdivision in order to provide for future development of the area. If larger lines are required, the developer shall be entitled to participating aid from the city on the oversized lines.
 - 2. An eight-inch nominal inside diameter water main has been established by the city as the standard size of water main for purposes of determining the extent of participating aid from the city. The city will only participate in

the cost of water lines which are sized larger than eight inches in diameter for reasons of providing for future development. This does not apply to line sizes larger than eight inches for the purpose of serving future sections of the same subdivision.

3. Six-inch lines will be acceptable when engineering calculations verify that a larger line is not necessary to serve the area, and that a larger line will not be necessary to serve a future development.
4. The amount of participation by the city will be determined by taking alternate bids for the oversized line and fittings versus the cost of an eight-inch line and equivalent fittings. The city will pay the difference in cost between the oversized line and the eight-inch line as determined by the alternate bids.
5. For water service connections made by the city, the city will provide the corporation cock and make the connection. The plumber shall be responsible for excavating and backfilling a suitable pit for the city to work in while making the connection. The plumber shall pay the standard tap fee for the size of connection made.

E. **Sewage collection and treatment system** The developer shall pay all costs of the sewage collection and treatment system, except oversized collection lines which the city requires for future development of the area.

1. The city may require larger lines than are necessary to serve the subdivision in order to provide for future development of the area. If larger lines are required, the developer shall be entitled to participating aid from the city on the oversized lines.
2. An eight-inch nominal inside diameter sewer line has been established by the city as the minimum size of sewer line for purposes of determining the extent of participating aid from the city. The city will only participate in the cost of sewer lines which are sized larger than eight inches for reasons of providing for future development. This does not apply to lines sized larger than eight inches for the purpose of serving future sections of the same subdivision.
3. The amount of participation by the city will be determined by taking alternate bids for the oversized line versus the cost of an eight-inch line. The city will pay the difference in cost between the oversized line and the eight-inch line, as determined by the alternate bids.

- F. **Extensions of water and sewer lines** All water and sewer line extensions to the subdivision paid for by the developer.
- G. **Storm drainage system** The developer shall pay all costs of the drainage system except as follows:
1. The cost of off-site drainage facilities required to carry water from the subdivision to the major storm sewer system or creek or outfall channel shall be paid by the developer unless additional water is taken into the system between the subdivision and the point of discharge. The city will participate in the cost of that portion of off-site sewer that carries additional water on a ratio of the additional water carried, as determined by the City Engineer.
 2. The cost of oversized facilities to handle water coming into the subdivision, except water from other land owned by the same developer. The city will participate in the cost of such oversized storm sewers on the ratio of additional water carried, as determined by the City Engineer.
 3. The city's share of these costs will be prorated to the developer of the land from which the runoff water originates when that property is developed.
- H. **Laboratory testing services** The city will pay all fees for laboratory testing required by this title.
- I. **Engineering and surveying** The developer shall pay all fees and charges for engineering and surveying services required by this title.
- J. **All other costs** The developer shall pay all other costs that are not specifically covered by this section. (Ord. No. A-347, Sec. 13, June 18, 1973.)

CHAPTER 15.08

PLATS

Sections:

15.08.01	Pre-application conference
15.08.02	Preliminary plat
15.08.03	Final plat
15.08.04	Acceptance of final plat by sections
15.08.05	Replating
15.08.06	Floodplain zoning

15.08.01 Pre-application conference Prior to the filing of a preliminary plat, the developer shall meet with the City Engineer to familiarize himself with the city's development regulations and the relationship of the proposed subdivision to the Comprehensive Plan for the city. At such meeting, the general character of the development will be discussed, and items will be included concerning zoning, utility service, street requirement, and other pertinent factors related to the proposed subdivision. At the pre-application conference the developer may be represented by his engineer and surveyor. (Ord. No. A-347, Sec. 4, June 18, 1973)

15.08.02 Preliminary plat

A. Procedure for conditional approval of preliminary plat

1. On reaching conclusions as recommended in 5.16.01, the developer shall have prepared a preliminary plat of the proposed subdivision for submission to the Planning Commission.
2. Four copies of the preliminary plat as described in B of this section shall be submitted to the Planning Commission office at least 15 days prior to the Commission meeting at which the plat is to be considered. The plat shall be transmitted by letter, which shall include a formal request for consideration by the Commission.
3. A fee of Five Dollars (\$5.00) per plat, plus Fifty Cents (\$.50) per lot shall be collected by the city when a preliminary plat is submitted to the city for approval. The plat will not be reviewed or considered in any respect until such fee has been collected.

B. Form and content of preliminary plat The plat shall be drawn to a scale of one inch equals 100 feet. It shall show or be accompanied by the following information:

1. The name of the owner and developer.
2. The name and seal of the registered public surveyor responsible for the survey and contour information on the plat.
3. The title or name of the subdivision, which must not be so similar to that of an existing subdivision as to cause confusion.
4. North point, date, scale.
5. The location, name and width of all existing and dedicated streets, alleys and easements within or adjacent to the proposed subdivision or within a distance of 200 feet of the proposed subdivision. If there are not adjacent existing or dedicated streets and alleys within 200 feet of the proposed subdivision on any side, then a map on a smaller scale showing the outline and ownership of adjacent properties, locations of the nearest subdivisions, and existing or dedicated streets and alleys must accompany the preliminary plat.
6. All physical features of the property to be subdivided, including location and size of all water courses, ravines, bridges, culverts, existing structures, drainage area in acres draining into the subdivision, and other features pertinent to the subdivision. This information shall be shown on the contour map.
7. The location, size, type and approximate depth of all existing utilities shall be shown. Invert elevations of all existing sewer lines and drainage structures shall be shown.
8. The preliminary plat shall be submitted on a contour map with all elevations referenced to mean sea level. The contours shall be shown at intervals of not more than five feet for terrain with an average slope of two percent or more, and at an interval of two feet for terrain with slope less than two percent.
9. The plat shall show the actual boundary survey; however, the layout of the proposed subdivision lots, blocks and streets may be scaled dimensions. The acreage to be subdivided shall be shown.
10. The proposed plan for the subdivision shall be shown, including all proposed streets and their names, alleys, easements, blocks, lots, building lines, etc., with principal dimensions. The width of rights-of-way for streets and alleys and the proposed pavement width shall be shown.

11. The proposed plan for all water, sanitary sewer and drainage utilities shall be shown, using different colors for each utility.
12. A designation of the proposed uses of land within the subdivision and any zoning amendments requested shall be shown.
13. If the proposed subdivision is a portion of a tract which is later to be subdivided in its entirety, then a tentative master plat of the entire subdivision shall be submitted with the preliminary plat of the portion first to be subdivided. The master plat shall conform in all respects to the requirements of the preliminary plat; except, it may be on a scale of not more than one inch to 400 feet.
14. The following notice shall be placed on the preliminary plat: "Preliminary Plat, for Inspection Purposes Only. In No Way Official or Approved for Record Purposes."
15. The following certificate shall be placed on the preliminary plat:

Approved for Preparation of Final Plat

 Chairman, City of Crossett
 Planning Commission

 Date

C. Processing of preliminary plat

1. The City Engineer and Street Superintendent shall check the preliminary plat as to its conformity with the Comprehensive Plan, Master Street Plan, land use plan, zoning districts, and the standards and specifications set forth or referred to herein.
2. The City Engineer and the Street Superintendent shall transmit in writing the preliminary plat data to the Commission with their suggestions as to modifications, additions or alterations of such plat data. This shall be transmitted to the Commission in writing.
3. Within 30 days after the preliminary plat is formally filed the Commission shall approve or disapprove such plat, or conditionally approve it with modifications. The Commission shall inform the developer in writing of the action taken.
4. The Commission's conditional 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, sewer and other required improvements and utilities, and to the preparation of the final plat. Conditional approval of a preliminary plat shall not constitute automatic approval of the final plat.

5. Conditional approval of a preliminary plat shall be effective for a period of 12 months unless reviewed by the Planning Commission in the light of new or significant information which would necessitate a revision of the preliminary plat. If the Commission should deem changes in a preliminary plat as necessary, it shall so inform the developer in writing.
6. If no development has occurred which would affect the proposed plat, after 12 months of effective approval the Commission may, upon the formal application of the developer, extend the approval 12 additional months. (Ord. No. A-347, Sec. 3, June 18, 1973.)

15.08.03 Final plat

A. Procedure for approval of final plat

1. The submission of a preliminary plat and its conditional approval by the Commission shall be a condition precedent to the preparation of a final plat.
2. All changes, alterations, and modifications required on the preliminary plat shall be incorporated into the final plat.
3. The final plat may constitute only that portion of the approved preliminary plat which the developer purposed to record and develop at that time, provided that such portion conforms to all requirements of these conditions.
4. The final plat and four prints thereof shall be submitted to the Commission office at least 15 days prior to the Commission meeting at which the final plat is to be considered. The plat shall be transmitted by letter, which shall include a formal request for consideration by the Commission.
5. No fee shall be required for the final plat.
6. The final plat shall be accompanied by a letter from each private utility company stating that all easements are satisfactory for the installation and maintenance of their respective utilities. The letter shall be accompanied by a print of the final plat showing the proposed utility plans.

B. **Form and content of final plat** The final plat shall be drawn in India ink on linen tracing cloth or mylar film. The scale shall be one inch equals 100 feet. The original and four prints shall be submitted to the Commission. The drawing shall be neat, legible, and suitable for filing for record in the office of the Circuit Clerk of Ashley County. Patching and pasting of paper or other attachments is not acceptable. Allowance shall be made for a one-half-inch border at the top, bottom and right edges of the sheets, and a 1 ½ inch border at the left edge of the tracing sheets. When more than one sheet is used for a plat, a key map showing the entire subdivision on a smaller scale shall be shown on the first sheet. The 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 proposed subdivision and adjacent subdivision.
4. The names of all streets.
5. The numbers of lots and blocks, in accordance with a systematic 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 in adjacent subdivisions shall be shown in dashed lines.
8. Location of proposed 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, and other surveying information necessary to reproduce the plat on the ground shall be shown. The linear and curvilinear dimensions shall be shown in feet and decimals of a foot. The angular dimensions 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 the chords and arcs of curves shall be shown. All curve information shall be shown for the centerline of the street based on arc definitions. 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 definitions.

10. All survey monuments shall be shown on the plat.
11. A certification that all taxes and fees have been paid.
12. A certification by the surveyor or engineer who made the survey and prepared the plat shall be placed on the plat as follows:

KNOW ALL MEN BY THESE PRESENTS:

THAT I, _____, do hereby certify that I 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 subdivision regulations of the city of Crossett, Arkansas.

Signature: _____

Date: _____

The surveyor or engineer shall affix his seal on the plat adjacent to the certification.

13. Certificate of approval by the City Planning Commission (to be placed on the plat in a manner that will permit the completion of the certificate by filling in the blank spaces):

Approved this _____ day of _____, by the City Planning Commission of the city of Crossett, Arkansas.

Chairman

Secretary

C. Processing of final plat

1. The City Engineer shall check the final plat for conformity with the requirements of this title and transmit his recommendations to the Commission in writing.
2. Within 30 days after the final plat is formally filed, the Commission shall approve or disapprove the plat.

3. After acceptance of the final plat by the Planning Commission, the developer shall within ten days cause such plat to be recorded in the deed records of Ashley County. (Ord. No. A-347, Sec. 6, June 18, 1973.)

15.08.04 Acceptance of final plat by sections

- A. A developer, at his option, may obtain approval of a portion or a section of a subdivision provided he meets all the requirements of this title with reference to such portion or section in the same manner as is required for a complete subdivision. If a subdivision and the final plat thereof are approved in sections by the Commission, each final plat of each section shall carry the name of the entire subdivision, but shall bear a distinguishing letter, number or subtitle. Block numbers shall run consecutively throughout the entire subdivision, even though such subdivision may be finally approved in sections.
- B. When the proposed subdivision constitutes a unit of a larger tract owned by the developer which is intended to be subsequently subdivided as additional units of the same subdivision, the preliminary and final plats shall be accompanied by a layout of the entire area, showing the tentative proposed layout of streets, blocks, drainage, water, sewer and other improvements for such areas. The overall layout, if approved by the Commission, shall be attached to and filed with a copy of the approved subdivision plat in the permanent files of the City Engineer. Thereafter, plats of subsequent units of such subdivision shall conform to such approved overall layout, unless changed by the Commission. However, except where the developer agrees to such change, the Commission may change such approved overall layout only when the Commission finds:
 1. That adherence to the previously approved overall layout will hinder the orderly subdivision of other land in the area in accordance with the provisions of this title; or
 2. That adherence to the previously approved overall layout will be detrimental to the public health, safety or welfare, or will be injurious to other property in the area. (Ord. No. A-347, Sec. 7, June 18, 1973.)

15.08.05 Replatting

- A. Property shall not be replatted which has been previously platted by a common dedication, except with the written consent of all property owners within 200 feet.
- B. The replat shall meet all requirements for a new subdivision that may be pertinent.
- C. A fee of Five Dollars (\$5.00) per replat shall be collected for each replat that does not require a preliminary plat. If a preliminary plat is required, the fee for the

replat shall be the same as required for a preliminary plat. The replat will not be reviewed or considered in any respect until such fee has been collected. (Ord. No. A-347, Sec. 8, June 18, 1973)

15.08.06 Floodplain zoning

- A. The city strongly discourages the platting of property for construction purposes that is in a natural floodplain or other area that is subject to flooding.
- B. The city will not be financially liable for any damages due to flooding, and the city will put a notice of potential damage from flooding notification on any building permit issued for any such property. (Ord. No. A-347, Sec. 9, June 18, 1973)

CHAPTER 15.12

REQUIRED IMPROVEMENTS

Sections:

- 15.12.01 Water or sewage utilities
- 15.12.02 Improvements outside corporate limits
- 15.12.03 Parks and recreational areas
- 15.12.04 Improvements
- 15.12.05 As-built drawings
- 15.12.06 Formal acceptance by city

15.12.01 Water or sewage utilities If a proposed subdivision is located beyond the drainage area of the sewage collection system, or beyond the area of the water distribution system, and these utilities cannot be extended to the area, the developer shall be required to furnish with his final plat satisfactory evidence, including (but without limitation) the results of soil tests and borings, and statements from local and state health authorities, water engineers, and other proper officials, that water satisfactory for human consumption may be obtained from surface or subsurface water sources on the land, and that soil conditions are such that satisfactory sewage disposal can be provided by the use of approved septic tanks or other approved methods. (Ord. No. A-347, Sec. 22, June 18, 1973.)

15.12.02 Improvements outside corporate limits The city shall at no time lay, build, construct or erect, or participate by any manner, means or degree, in the laying, building,

construction or erecting of any water line sewer line, drainage structure, street, or other facility required by this title on any property located beyond and outside the corporate limits of the city except to provide service to an area already within the city limits. (Ord. No. A-347, Sec. 23, June 18, 1973.)

15.12.03 Parks and recreational areas The city reserves the right to negotiate with the developer to acquire property within the subdivision for parks and recreational areas. The location of these areas will be in general accordance with the Comprehensive Plan for the city. (Ord. No. A-347, Sec. 10.)

15.12.04 Improvements The developer shall place these improvements in all new subdivisions located within the city limits, or those subdivisions which are outside of the city limits and desire to be annexed, or are subject to annexation by law. The satisfactory installation of these improvements shall be a precedent to the final approval and acceptance of the subdivision by the city.

A. Streets:

1. Compacted subgrade.
2. Compacted flexible base.
3. Prime coat
4. Tack coat.
5. Curb and gutter.
6. Hot mix – hot laid asphaltic concrete pavement.
7. Street signs.

B. Water supply and distribution system:

1. Water supply and treatment facilities if not connected to city system.
2. Water mains.
3. Fire hydrants.
4. Service connections.
5. Valves, fittings and miscellaneous parts required to complete the system.

C. Sewage collection and treatment system:

1. Sewage collection lines.
2. Manholes.
3. Lift stations.
4. Cleanouts and other miscellaneous elements required to complete the system.
5. Sewage treatment facilities if not connected to the city system.
6. Service connections.

- D. Storm drainage system:
 - 1. Storm sewer lines.
 - 2. Inlets.
 - 3. Manholes.
 - 4. Junction boxes.
 - 5. Drainage channels.
 - 6. Box culverts.
 - 7. Valley gutters and other miscellaneous elements required to complete the system.

- E. Sidewalks (where required).
(Ord. No. A-347, Sec. 11, June 18, 1973.)

15.12.05 As-built drawings Upon the completion of construction, and prior to the city's acceptance the developer shall furnish the City Engineer with a complete set of reproducible as-built drawings and a set of prints made therefrom. Each sheet of these drawings shall be plainly marked "as-built" and shall be signed by the engineer who prepared the plans and supervised the construction. (Ord. No. A-347, Sec. 18, June 18, 1973.)

15.12.06 Formal acceptance by city

- A. After the City Engineer has inspected the work and indicated to the developer that the streets and utilities are acceptable to the city, the developer shall give a formal notice of completion to the city. This notice shall be in writing, and shall be accompanied by the as-built drawings, payment and performance bonds, and all fees that are due.

- B. Upon receipt of the as-built drawings, payment and performance bonds, and all fees due, the City Engineer will issue a notice of acceptance of the streets and utilities and will present the final plat to the Planning Commission for approval. (Ord. No. A-347, Sec. 19, June 18, 1973.)

CHAPTER 15.16

DESIGN STANDARDS

Sections:

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- 15.16.02 Streets
- 15.16.03 Alleys

- 15.16.04 Easements
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- 15.16.07 Water supply and distribution systems
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- 15.16.14 City Engineer
- 15.16.15 Plans and specifications
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- 15.16.17 Modifications

15.16.01 Generally

- A. The subdivision shall conform to the Comprehensive Plan of the city.
- B. There shall be no reserve strips controlling access to land dedicated or intended to be dedicated to public use. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.02 Streets

A. **Generally**

1. **Street layout** Adequate streets shall be provided by the developer, and the arrangement, character, extent, width, grade and location of each shall conform to the thoroughfare plan of the city and shall be considered in their relation to existing and planned streets, to topographical conditions, to public safety and convenience, and in their appropriate relationship to the proposed uses of land to be served by such streets. The street layout shall be devised for the most advantageous development of the entire neighborhood.
2. **Projection of streets** Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper projection of streets into such unsubdivided areas.
3. **Standard pavement width** The standard residential pavement width on which the developer shall be required to construct all street improvements shall be 27 feet back to back of curb. Collector streets shall have a width of 37 feet back to back of curb. All street paving over this width shall be subject to participating aid by the city.

4. **Half-streets or adjacent streets** No new half-streets shall be platted except where the portion of the new street is the projection of an existing collector or thoroughfare street.
5. **Dead-end streets** Dead-end streets shall be prohibited except as short stubs to permit future extension into adjacent land not yet subdivided. In this case the streets shall extend to the boundaries of the land being subdivided.
6. **Cul-de-sacs** In general, streets leading to cul-de-sacs shall not exceed 500 feet in length, and the cul-de-sac shall have a turn-around right-of-way of not less than 100 feet in diameter in residential areas and 200 feet in commercial and industrial areas. The back of curb radius for residential cul-de-sacs shall be 31 feet and the back of curb radius for industrial cul-de-sacs shall be 90 feet.
7. **Curbs and gutters** Curbs and gutters shall be installed by the developer on both sides of all interior streets. Provisions for curb and gutter shall be made on boundary streets in accordance with Section 15-16-02(11).
8. **Street names** Names of new streets shall not duplicate or cause confusion with the names of existing streets, unless the new streets are a continuation of or in alignment with existing streets, in which case the names of existing streets shall be used.
9. **Street lights** Street lights shall be installed by the Arkansas Power & Light Company and approved by the city.
 - a. **Local streets** In general, local streets shall have 0.2 horizontal footcandles maintained average, with a maximum uniformity ratio of one to six.
 - b. **Collector streets** In general, collector streets shall have 0.6 horizontal footcandles maintained average, with a maximum uniformity ratio of one to three.
10. **Street signs** The city shall install street signs at the developer's expense, at all intersections within the subdivision. This fee shall be paid prior to acceptance of the streets and utilities.
11. **Boundary streets**
 - a. New local, collector, marginal access and thoroughfare streets that will serve as boundary streets to a proposed subdivision shall

conform to the applicable sections of this title for right-of-way and pavement width.

- b. No new half-streets shall be platted except as defined, or where required to accommodate previously platted half-streets. The developer shall make available by dedication that portion of right-of-way from his property that is a projection of a major or thoroughfare street.
- c. When the proposed subdivision abuts upon an existing street or half-street that does not conform to the requirements of this title for right-of-way, the developer shall dedicate right-of-way sufficient to make the right-of-way on his side of the street conform to the general plan for this street and this title.
- d. When the proposed subdivision abuts upon an existing paved street that does not have curbs and gutters, the developer shall put a cash deposit, or other security satisfactory to the city, in escrow with the city to cover future assessment paving programs. This deposit shall be based upon the developer paying for curbs and gutters and one-half of the cost of paving a standard width street. This deposit shall be made in lieu of the actual construction in all cases.
- e. Boundary streets that are platted for the primary purpose of providing traffic routes into and through the subdivision shall be constructed as a part of the subdivision development.

12. **Relationship of adjoining streets and land** The system of streets designated for the subdivision, except in unusual cases, must connect with streets already dedicated in adjacent subdivisions, and where adjacent connections are not platted, must, in general, be the reasonable projection of streets in the nearest subdivided tracts, and must continue to the boundaries of the tract subdivided, so that other subdividers may connect therewith. Reserve strips of land controlling access to other property or to any street or alley, or having the effect of restricting or damaging the adjoining property for subdivision purposes, or which will not be taxable or accessible for special improvements shall not be permitted in any subdivision.

13. **Marginal access streets** Where a subdivision abuts or contains an existing or proposed major street, railroad, or highway, the Commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary

for adequate protection of residential properties and to afford separation of through and local traffic.

14. **Block length and width** In general, intersecting streets determining the block lengths and widths shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets. Where no existing subdivision controls, the blocks shall not exceed 900 feet in length nor be less than 400 feet in length. Where no existing subdivision controls, the block width or depth shall not exceed 350 feet, nor be less than 200 feet. When possible, the block widths and lengths shall be such as to allow two tiers of lots back to back.

B. Local street design criteria

1. **Terrain classification**

- a. Ordinary terrain: Cross slope range of 0 percent to 8 percent.
- b. Rolling terrain: Cross slope range of 8.1 percent to 15 percent.

2. **Development density**

- a. Low: Two to four dwelling units per acre.
- b. Medium: Five to seven dwelling units per acre.
- c. High: Over seven dwelling units per acre.

3. **Street right-of-way width** The right-of-way of local streets shall be 50 ft.

4. **Pavement width** Local streets shall be 31 feet wide from back of curb to back of curb.

5. **Minimum centerline radius** The minimum centerline radius shall be 175 feet.

6. **Maximum street grade**

- a. Ordinary terrain: 4.0 percent.
- b. Rolling terrain: 8.0 percent.

7. **Minimum street grade** The minimum grade for local streets shall be 0.40 percent.

8. **Design speed**

- a. Ordinary terrain: 25 mph.
- b. Rolling terrain: 25 mph.

C. Collector street design criteria

1. **Terrain classification** Same as for local street.
2. **Development density** Same as for local street
3. **Street right-of-way width** The right-of-way for collector streets shall be 60 feet.
4. **Pavement width** Collector streets shall be 37 feet wide from back of curb to back of curb.
5. **Minimum centerline radius**
 - a. Without superelevation the minimum centerline radius shall be:
 - (1) Ordinary terrain: 375 feet
 - (2) Rolling terrain: 375 feet
 - b. With a superelevation of 0.08 ft. per foot the minimum centerline radius may be decreased to these values:
 - (1) Ordinary terrain: 250 feet.
 - (2) Rolling terrain: 250 feet.
6. **Maximum street grade**
 - a. Ordinary terrain: 4.0 percent
 - b. Rolling terrain: 8.0 percent.
7. **Minimum street grade** The minimum grade for collector streets shall be 0.40 percent
8. **Design speed**
 - a. Ordinary terrain: 30 mph
 - b. Rolling terrain: 30 mph

D. Marginal access streets

1. **Terrain classifications** Same as local street.
2. **Development density** Same as local street.

3. **Street right-of-way width** The right-of-way for marginal access streets shall be 40 feet.
 4. **Pavement width** Marginal access streets shall be 27 feet wide from back of curb to back of curb.
 5. **Minimum centerline radius** Same as local street.
 6. **Maximum street grade** Same as local street.
 7. **Minimum street grade** Same as local street.
- E. **Thoroughfare street design criteria** Specific criteria for designing thoroughfare streets shall be developed for each individual street project. Generally, the recommendations of the thoroughfare plan as they pertain to right-of-way and pavement width, in conjunction with recognized engineering criteria, shall be utilized to establish the design criteria for these streets.
- F. **Intersection design criteria**
1. **Clear sight distance** The clear sight distance along each approach leg shall be 90 feet.
 2. **Vertical alignment within intersection area** In general, intersection areas shall be designed with a flat grade. In particular situations these grades may be permitted:
 - a. Ordinary terrain: flat
 - b. Rolling terrain: 2.0 percent
 3. **Minimum angle of intersection** In general, all streets should intersect at approximately a 90 degree angle, and in no case shall the angle be less than 75 degrees. Not more than two streets shall intersect at one point.
 4. **Minimum curb radius**
 - a. Local-local intersection, 20 feet
 - b. Local-collector intersection, 25 feet.
 5. **Minimum centerline offset of adjacent intersections**
 - a. Local-local, 150 feet.
 - b. Local-collector intersection, 150 feet.
 - c. Collector-collector intersection, 200 feet.

- G. **Laboratory testing of street materials** The city will retain the services of a reputable commercial testing laboratory or will perform the necessary tests on subgrade soils, flexible base material and asphalt. These laboratory tests will be made:
1. Proctor density curves to establish the optimum density-moisture relationship for the subgrade soil and the proposed flexible base material.
 2. Gradation and soil constants (Atterberg limits) tests to determine the suitability of the proposed flexible base material.
 3. Tests during the construction phase to determine if subgrade and flexible base material have been placed as specified.
 4. The proper tests to determine if the asphaltic concrete surfacing meets the requirements of the specifications. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.03 Alleys

A. **Generally**

1. Alleys shall be provided where existing alleys or previously platted alleys would be closed or shut off if an alley was not platted and constructed in the new subdivision. No dead-end alleys will be permitted.
2. Where two alleys intersect within a block, a cutoff of not less than ten feet from the normal intersection of the property lines shall be provided along each property line.
3. Alleys shall be platted approximately parallel to the frontage of the street. If alleys are not straight within each block, or if they do not connect on a straight course with the alleys of adjoining blocks, then an easement shall be provided where necessary on lot division lines for placing guy wires.
4. Aerial overhang easements shall be provided where required by utility companies.

B. **Residential** Alleys with not less than 20 feet of right-of-way width, with a paved surface of not less than ten feet, shall be optional.

C. **Commercial and industrial** Alleys or loading courts shall be provided in blocks to be used for any purpose other than residential. The minimum right-of-way width shall be 20 feet, and such alley or court shall be paved in its entirety. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.04 Easements Utility easements shall be provided as required by the Commission to provide adequate space for the installation and maintenance of all utility lines within the subdivision, and across adjacent property where necessitated by the subdivision of any land. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.05 Lots

- A. The lot size, width, shape, depth, and orientation, and the minimum building setback lines shall be in accordance with the zoning ordinance of the city.
- B. Each lot shall front upon a public street.
- C. Double-frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen reservation of at least ten feet, and across which there shall be no right of access shall be provided along the line of lots abutting such a traffic artery or other similar use.
- D. Side lot lines shall be substantially at right angles or radial to street centerlines. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.06 Sidewalks Four feet wide concrete sidewalks shall be installed as follows:

- A. On the subdivision side of all collector and thoroughfare streets on the boundary of the subdivision if no adequate sidewalk exists on the opposite side of the street.
- B. On the residence side of all marginal access streets whether adjacent to the subdivision or internal.
- C. On one side of all internal collector and thoroughfare streets.
- D. Where deemed necessary by the Commission or the City Council to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities, or to provide pedestrian circulation within the subdivision. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.07 Water supply and distribution systems

- A. All subdivisions shall be provided with water supply and water distribution systems approved by the city and meeting the requirements of the State Department of Health.
- B. 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.

- C. Fire hydrants shall be located so that every building within the subdivision will be within 500 feet of a fire hydrant. The water distribution system and the location of fire hydrants shall be in accordance with the requirements of the State Board of Insurance. Additional fire hydrants that are desired by the city shall be paid for by the city.
- D. The city may require larger water mains than are necessary to serve the subdivision in order to provide for future development for the area. If larger lines are required, the developer shall be entitled to participating aid from the city on the oversized lines. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.08 Sewage collection

- A. All subdivisions shall be provided with an approved sewage collection and treatment system.
- B. Connection with the city's sanitary sewer system shall be required except where the City Engineer determines that such connection will require unreasonable expenditure when compared with other methods of sewage disposal.
- C. When septic tanks are permitted, the developer shall conduct percolation tests under the supervision of a registered professional engineer in accordance with requirements of the State Department of Health in order to determine the adequacy of proposed lot sizes and the soil.
- D. If a sanitary sewage treatment system is to be installed, the plans for such system shall be approved by the State Department of Health prior to approval of the final plat by the Planning Commission.
- E. 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. Recognized engineering design criteria in accordance with the requirements of the State Department of Health shall be used to design the system.
- F. The minimum size sewer line, excluding house service lines, shall be six inches in diameter.
- G. Manholes shall not be spaced more than 400 feet apart and shall be provided at all changes in grade, direction and pipe size.
- H. The city may require larger sewer lines than are necessary to serve the subdivision and future development of the same subdivision, in order to provide for future development of the area. If larger lines are required, the developer shall be

entitled to participating aid from the city on the oversized lines. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.09 Drainage

- A. Storm drainage for residential areas shall be designed for a five-year frequency rainfall, shopping centers and industrial developments for a ten-year frequency, rainfall, and downtown and central business districts for a 25-year frequency rainfall.
- B. The drainage system shall be designed and constructed to handle rainfall runoff that originates in or traverses the subdivision.
- C. 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 side.
- D. In general, rainfall runoff 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.
- E. No open drainage channels shall be constructed within the areas dedicated as public streets and alleys. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.10 House service connections Water and sewer service connections shall be provided for every lot in the subdivision and the city plumbing code shall govern the size and material. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.11 Other utilities The developer shall make arrangements with the appropriate private utility companies for the extension of their respective utility services to and within the subdivision. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.12 Site grading After completion of the streets and utilities, the site shall be cleaned up and graded to drain. (Ord. No. A-347, Sec. 12, June 18, 1973.)

15.16.13 Construction standards

- A. All improvements shall be made in accordance with the standards established by this title that are in effect at the time of the pre-application conference.
- B. The City Engineer has been authorized to promulgate rules, regulations, standards, specifications, and other documents as necessary to establish minimum criteria for the construction of streets and utilities to be constructed within the city and the area within the limits of its jurisdiction. These standards are available from the City Engineer. (Ord. No. A-347, Sec. 14, June 18, 1973.)

15.16.14 City Engineer The City Engineer or his representative shall have the authority to inspect any and all improvements to ensure the fulfillment of the intent of this title. He has the authority to require the removal and/or replacement, at the expense of the developer, of any phase of the work which is not in accordance with the requirements of the plat, plans, specifications or this chapter. (Ord. No. A-347, Sec. 15, June 18, 1973.)

15.16.15 Plans and specifications

A. Generally

1. Prior to the construction of any streets or utilities, the developer shall furnish two complete sets of plans and specifications for such construction to the City Engineer. These documents shall be transmitted in writing.
2. These plans and specifications will be reviewed for conformity with this title and the city standards. The plans and specifications shall be approved in writing prior to any construction.
3. Prior to construction the developer shall present to the city a signed and notarized developer's contract between himself and the city.
4. The City Engineer shall be notified prior to the beginning of construction so that he may inspect the work.

B. Plans generally

1. The plans shall be securely bound and shall consist of a title sheet and such plan-profile and detail sheets as are required to meet the requirements of this title and to properly define the proposed work.
2. The title sheet shall show the name of the subdivision, engineer, date, and an index of drawings.
3. Each plan-profile and detail sheet shall contain this minimum general information: engineer's seal and signature, north arrow, and a title block showing name of the subdivision, scale date, and sheet number.
4. The plan-profiles shall generally be drawn to a horizontal scale of one inch to 100 feet and a vertical scale of one inch to ten feet. The horizontal scale shall always be ten times the vertical scale for plan-profiles.

C. **Plan-profile sheets for streets and alleys**

1. There shall be a plan-profile sheet for typical streets and alleys.
2. The profile shall show the existing ground on each side of the street at the property line, the proposed grade of the top of the curb for each side of the street, location of utilities, and other information necessary to define the work. The existing and proposed street centerline grades may be shown in lieu of property line and curb grades when permitted.

D. **Plan-profile sheets for sanitary sewer and storm sewer**

1. The plans shall show all information necessary to locate and construct the proposed work, and shall show the locations of all manholes, inlets, and other appurtenances of the system.
2. The profile shall show the existing natural ground at the sewer centerline and the proposed grade at the centerline if such grade will not be the same as the existing grade.
3. The size, grade and material of the proposed pipes and the flowlines of all manholes, inlets, etc., shall be shown. Both the flowline and the inside top of the pipes shall be shown in the profile.
4. These plans shall be accompanied by the engineer's calculations when requested by the City Engineer.

E. **Plan for water distribution system** The plan shall show all information necessary to locate and construct the proposed work, and shall show the location of all valves, fittings, fire hydrants, and other appurtenances of the system.

F. **Specifications** The specifications shall be securely bound and shall consist of the following minimum information: general conditions of agreement, special conditions of agreement, and all applicable technical specifications. The special conditions shall contain provisions for time of completion, performance, and payment bonds, and other pertinent requirements. (Ord. No. A-347, Sec. 16, June 18, 1973.)

15.16.16. Final inspection

A. Upon the completion of construction the developer shall arrange a final inspection of all streets and utilities. This inspection shall be attended by the developer, his engineer, the contractor, and the City Engineer.

- B. If the City Engineer determines that the streets and utilities are complete and in accordance with this chapter and the plans and specifications, he shall so inform the developer. The developer shall then transmit in writing to the city a notice of completion, the required bonds and the as-built drawings. (Ord. No. A-347, Sec. 17, June 18, 1973.)

15.16.17 Modifications

- A. The rules and regulations in this title 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 will result from requiring strict compliance. In granting a variance, the Commission shall 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:
1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
 2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
 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.
 4. 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 title.
- B. Such finding of the Commission, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Commission meeting at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this title, so that the public health, safety, or welfare may be secured and substantial justice done. Pecuniary hardship to the developer, standing alone, shall not be deemed to constitute undue hardship. (Ord. No. A-347, Sec. 24, June 18, 1973.)