

## **TITLE 15**

### **SUBDIVISIONS**

#### **Chapters:**

- 15.04 Subdivision Regulations
- 15.08 Comprehensive Development Plan

#### **CHAPTER 15.04**

### **SUBDIVISION REGULATIONS**

#### **Sections:**

- 15.04.01 General provisions
- 15.04.02 Definitions
- 15.04.03 Procedure for subdivision plat approval
- 15.04.04 Improvements and design standards
- 15.04.05 Administration

#### **15.04.01 General provisions**

- A. **Title** These regulations shall be known, cited, and referred to as the Subdivision Regulations of the city of West Fork, Arkansas (hereinafter these regulations). (Ord. No. 302, Sec. 1.)
- B. **Policy**
  - 1. It is declared to be the policy of the City to consider the subdivision of land and the subsequent development as subject to the control of the City pursuant to the official plans and regulations of the City for the orderly, planned, efficient and economical development of the City.
  - 2. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided until adequate public facilities exist or are provided for and provisions have been made for drainage.

**C. Purposes**

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1. To protect and provide for the public health, safety, and general welfare of citizens of the City.
  2. To guide the future growth of the City in accordance with the officially adopted Plans.
  3. To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other dangers, and to prevent overcrowding and congestion.
  4. To protect and conserve the value of land and improvements and to minimize conflicts.
  5. To establish reasonable standards of design and procedures for subdivisions and resubdivisions, and to ensure proper legal descriptions and monumenting of land.
  6. To prevent pollution of air, water and soil, to preserve natural beauty and ensure appropriate development with regard to natural features, and to provide open spaces for existing and future generations.

**D. Authority** These subdivision regulations are adopted pursuant to Act 186 of 1957 General Assembly of the State of Arkansas as amended.

**E. Jurisdiction** The jurisdiction of these regulations include all lands within the city limits of the City of West Fork, Arkansas and the surrounding area within the adopted and filed planning area boundary as provided for in Act 186 of 1957 as amended.

**F. Interpretation** The interpretation and application of these regulations shall be held to be minimum requirements and shall be construed broadly to promote their purposes.

**G. Saving provision** These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue or as affecting the liability of any person, firm, or corporation, or as waiving any rights of the City under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation by lawful action of the municipality except as shall be expressly provided for in these regulations. (Ord. No. 302, Sec. 1.)

15.04.02 Definitions For the purpose of these regulations, certain terms used herein are defined as follows:

**ALLEY.** A minor public way used for utility easements and a secondary means of access to the side or rear of properties abutting a street.

**APPLICANT.** The owner of land proposed to be subdivided or its representative who shall have express written authority to act on behalf of the owner.

**BLOCK.** A tract of land bounded by streets, or by a combination of streets and parks, cemeteries, railroad rights-of way, shorelines of waterways, or boundary lines of cities.

**BOND.** Any form of a surety bond in an amount and form satisfactory to the City. All bonds shall be approved by the City council when required.

**BUILDING.** Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind.

**BUILDING SET-BACK LINE.** A line generally parallel to the street right-of-way line and other property lines, indicating the limit beyond which buildings or structures may not be erected.

**COVENANT.** A restriction on the use of land or property usually set forth in the deed or other document as provided by the subdivider.

**CUL-DE-SAC.** A street having one end open to the traffic and being terminated at the other end by a vehicular turnaround.

**DEED.** A legal document conveying ownership of real property.

**DEVELOPER.** The owner of land proposed to be subdivided or its representative who is responsible for any undertaking that requires review and/or approval under these regulations.

**EASEMENT.** A grant by a property owner for the public, a corporation, or persons to use a strip of land or land in general for a specified purpose.

**FRONTAGE.** That side of a lot abutting a street and ordinarily regarded as the front of the lot except on corner lots the side with the least dimension is ordinarily regarded as the front.

**IMPROVEMENT.** Any permanent structure that becomes part of, placed upon, or is affixed to real estate.

**LARGE SCALE DEVELOPMENT.** The development of land, other than a single-dwelling unit or for agricultural purposes, which is one (1) acre or more and may include but is not limited to multifamily residential, commercial, industrial, recreation, sport and entertainment.

**LOT.** A portion of a subdivision, or any parcel of land intended as a unit of transfer of ownership or for development.

**LOT SPLIT.** A minor subdivision of land involving the conveying or contract to convey parcels (lots) of land, for the purpose of adjusting parcel line or creating no more than two (2) new parcels not previously recorded in the office of Circuit Clerk. Two kinds of lot splits are defined:

A. Correctional Lot Split - The conveying or contract to convey a portion of a parcel (lot), for the purpose of correcting an error or other reasons where no new parcel is created.

B. Limited Lot Split - The conveying or contract to convey a portion of a parcel (lot) creating no more than two (2) new lots not previously recorded in the office of Circuit Clerk.

**MASTER PLAN.** A comprehensive plan for development adopted by the City Council pursuant to State law, and including any part of such plan separately adopted and any amendments thereto.

**MAJOR STREET PLAN.** A plan for streets adopted by the City Council classifying all streets by type and function and setting standards for those streets.

**PARCEL.** A lot or tract of land recorded in the office of Circuit Clerk.

**PLAT.** A map representing a tract of land showing the boundaries, lots, streets, easements, etc., of a subdivision and may be called sketch, preliminary or final.

**REGISTERED ENGINEER.** An engineer properly licensed and registered in the State.

**REGISTERED SURVEYOR.** A land surveyor properly licensed and registered in the State.

**RESUBDIVISION.** Any change in a map of a recorded subdivision plat.

**RIGHT-OF-WAY.** A strip of land acquired by legal means and intended to be occupied by a form of transportation, utility or other similar use.

**RIGHT-OF-WAY WIDTH.** The distance between property lines forming the right-of-way measured at a right angle to the property line or that roadway width required by the Major Street Plan for each class of road.

**STREET.** Any vehicular way that: (1) is an existing state, county or city roadway; (2) is shown upon a plat approved pursuant to law; (3) is approved by other official action; (4) is known on a plat duly filed and recorded in the county recording office; and includes the land between the street lines, whether improved or unimproved.

**STREET ARTERIAL.** Connects freeway/expressway, rural highways at the edge of the city, and major urban activity centers. Traffic is composed predominantly of traffic across or through the city. Access may be controlled through medians or by the limitation of curb cuts.

**STREET ARTERIAL MINOR.** Connects higher functional class facilities, activity centers, region of the city and major county roads at the edge of the city. Traffic is composed predominantly of trips across and within regions of the city. Provides service to traffic at a somewhat lower level of travel mobility than arterials with minimal control of access. Ideally does not penetrate neighborhoods.

**STREET COLLECTOR.** Provides traffic circulation within neighborhoods, commercial and industrial areas. Collects traffic from local streets in neighborhoods and channels it into the arterial system. Connections between arterials should be indirect or should not be allowed in order to discourage use by traffic from outside the neighborhood.

**STREET FREEWAY-EXPRESSWAY.** A high speed, multi-lane (may be divided) facility with a high degree of access control. This facility provides for through traffic movements and is not intended for direct local access.

**STREET LOCAL.** A street designed to provide vehicular access to abutting property and to discourage through traffic.

**SUBDIVIDER.** A person, firm or corporation undertaking to develop a subdivision as defined by these regulations.

**SUBDIVISION.** Any land platted or unplatted, which is divided or proposed to be divided for the purpose of development., into four (4) or more new lots, parcels, tracts, etc., within the planning area jurisdiction as shown on the. approved and filed planning area map when any or all of the following is involved:

- A. Sale or contract to sell whether immediate or future;
- B. Provision of access and or utilities to the lots or parcels; and
- C. The construction of new buildings.

The division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new streets, easements, utilities or new buildings (except for agricultural purposes) shall not be considered a subdivision.

**SURVEY.** The process of precisely ascertaining the area, dimensions, and location of a piece of property.

**TRACT.** A lot. The terms tract and parcel are used interchangeably with the term lot. (Ord. No. 302, Sec. 2.)

15.04.03 Procedure for subdivision plat approval

**A. Lot Split**

1. General Procedure. Lot splits are considered a minor subdivision of land subject to these regulations and the review and approval of the Planning Commission. Two types of lot splits are allowed before a subdivision plat must be filed and they are Correctional and Limited.

2. Correctional Lot Split. When a person wants to convey a portion of a lot to adjoining lots where no new lot (s) are created and all lots at the conclusion of the lot split meet the zoning ordinance, major street plan and state law requirements, then the following process is provided:

- a. Complete and file a lot split application along with the fee with the enforcement official;
- b. Submit a survey of all lots involved in the split;
- c. Submit necessary easements; and
- d. Submit necessary right-of-way dedication.

The enforcement official shall check the lot split and all documents submitted and when all requirements have been met the enforcement official shall stamp the survey, "Correctional requirements met no plat required". The enforcement official shall have the survey signed by an officer of the Planning Commission and may then release the lot split. If any of the requirements of a. through d. above are not complied with, the enforcement official shall submit the lot split to the Planning Commission for their review and approval. If the Planning Commission denies the lot split the applicant may appeal their decision to the City Council by submitting a letter of appeal to the City Clerk within fifteen days of the date of Planning Commission denial.

Following Planning Commission or City Council approval the same process of stamping and signing the survey shall be followed.

3. Limited Lot Split. When a person wants to convey one or two lots from an existing lot all of which meet the zoning ordinance, major street plan and state law requirements at the conclusion of the lot split, then the following process is provided:

- a. Same process as Correctional Lot Split, a. through d., Section 3:A.2.
- b. once a lot has been split under the lot split provision any subsequent divisions of any of the lots involved in the original split shall go through the subdivision process. This requirement does not apply to correctional lot splits.

**B. Preliminary plat**

1. General Procedure. When a person wishes to subdivide land within the planning area jurisdiction of the City, the following procedure shall be followed:

- a. Fill out preliminary plat application and file with enforcement official;
- b. Pay preliminary plat fee;
- c. File ten (10) copies of preliminary plat at least nine (9) working days prior to the Planning Commission meeting.

2. Plat Requirements. The preliminary plat shall include the following information.

- A. Name and address of the owner, developer, engineer or surveyor;
- B. Subdivision name, date, scale - written and graphic, north arrow, acreage and zoning (subdivision name shall not duplicate any other existing subdivision name);
- C. Legal description of the property with dimensions and angles sufficient to locate the property on the ground including section, township and range;
- D. Lots and blocks shall be identified;
- E. Location of all existing stakes and monuments;
- F. Vicinity map showing location of plat and relation to surrounding development and streets;
- G. Topography at the engineer's discretion best suited to the land;
- H. Location and names of existing or platted streets and utility easements within or abutting the subdivision;
- I. Location of prominent physical features;
- J. Names of adjacent subdivisions and owners of adjacent lands;
- K. Location and size of utility lines, watercourses, bridges, culverts, wooded areas, lakes, flood-plains, and underground installations within or adjacent to the subdivision;
- L. General drainage plan;
- M. Location and dimension of all proposed lot lines, lot and block numbers, building lines, street lines, easements, dedications and reservations;
- N. Proposed use of all land in the subdivision;
- O. Protective covenants - if any;
- P. Location and dimension of sidewalks and location of street lights.

3. Review By Planning Commission.

- A. The proposed preliminary plat shall be placed on the next Planning Commission agenda following the nine (9) day filing requirement and provided all filing and plat requirements have been met.
- B. The Planning Commission shall review the preliminary plat along with any comments of the enforcement official, utility companies, city departments, adjoining property owners or others within the immediate area, developer and the developers engineer. The Planning Commission shall approve, approve with conditions or disapprove the preliminary plat. Within ten (10) days following the Planning Commission action the developer shall be notified in writing and provided reasons for disapproval or conditions of approval. Failure of the Planning Commission to act on the preliminary plat within sixty (60) days of the date of the Commission meeting at which the subdivision was scheduled to be heard, shall be deemed approval of the preliminary plat and the developer shall be so notified.
- C. If a developer desires to develop only a portion of the land, a preliminary plat shall be required for the entire property under ownership, then a final plat may be processed for that portion desired for construction.
- D. The approval of the preliminary plat shall be effective for one (1) year following the date of approval by the Planning Commission. The Planning Commission may extend the one year period if requested in writing by the developer. If a final plat has not been submitted for approval within sixty (60) days following the expiration of the preliminary plat, then the developer shall resubmit a preliminary plat.
- E. The Planning Commission may review and approve, approve with conditions or disapprove an amendment to a preliminary plat submitted by a developer during the period an approved preliminary is in effect. The Planning commission action on an amendment does not change the effective approval period of the original preliminary plat unless so requested by the developer in the amendment.
- F. Approval of the preliminary plat authorizes the developer to:
  - 1. Prepare plans, profiles and specifications f or streets, storm drainage, water and sewer.
  - 2. Submit plans, profiles and specifications f or review and approval by the appropriate City official; or
  - 3. Prepare and submit the final plat provided the requirements of Section 4: I. are a part of the final plat process.



- G. Approval of a final plat on a portion of an approved and active preliminary plat as authorized in c. above, has the effect of continuing the approval period of the original preliminary plat to the period of time it takes the developer to submit final plats on all of the land, not to exceed ten (10) years unless approved by the Planning Commission.
- H. Any decision of the Planning Commission may be appealed to the City Council. An appeal letter shall be submitted to the City Clerk within fifteen (15) days of the Planning Commission decision. The City Council may uphold, reverse with conditions, or reverse any decision of the Planning Commission.

**B. Final Plat**

1. General Procedure. After approval of a preliminary plat and while the preliminary plat is in the effective approval period and all required improvements have been installed and approved, the developer may submit a final plat, or a final plat may be submitted while the preliminary plat approval is in effect and no improvements have been installed provided the developer follows the process in Section 4:I. The following procedure shall be followed:

- a. Fill out final plat application and file with enforcement official;
- b. Pay final plat fee;
- c. File ten (10) copies of final plat at least nine (9) working days prior to the Planning commission meeting.

2. Plat Requirements. The final plat shall include the following information:

- A. Name of the subdivision, date, scale written and graphics, north arrow, acreage and zoning.
- B. Legal description with section, township and range and dimensions and bearings sufficient to locate all lines on the ground;
- C. Names and addresses of owner, developer, engineer or surveyor;
- D. Scale of the final plat shall be either 1"=100' or 1"=200';
- E. Location and dimensions of all streets, alleys, easements, areas of public use and flood plain within and adjacent to the subdivision;
- F. Building set-back lines with dimensions;
- G. Dimensions and number or letter of all lots and blocks with the subdivision.
- H. Location and description of all monuments;

- I. Certificate of ownership and dedication;
- J. Certificate of accuracy of engineer and surveyor;
- K. Signature block for the Planning Commission;
- L. Signature block to certify approval of streets, sidewalks, street lights, easements, setbacks, grading and drainage by the City;
- M. Signature block to certify acceptance of dedications by the City Council;
- N. Signature block for Water and Sewer Superintendent to certify State Health Department approval of water and sewer plans;
- O. Certificate of guarantees in lieu of improvements received and approved by City Council.

3. Review By Planning Commission.

A. The proposed final plat shall be placed on the next Planning Commission agenda following the nine (9) day filing requirement and provided all filing and plat requirements have been met.

B. The Planning Commission shall review the final plat and when satisfied that all conditions of preliminary plat approval have been met and all concerns of utility companies, municipal departments and citizens have been addressed, the Planning Commission may approve the final plat. If there are conditions or concerns that the developer agrees to meet the Planning commission may give conditional approval subject to the conditions or concerns being complied with by the developer. If there are conditions or Planning Commission concerns that the developer refuses to meet the Planning commission may disapprove the final plat. Within ten (10) days following the Planning Commission action the developer shall be notified in writing and provided reasons for disapproval or conditions of approval. Failure of the Planning Commission to act on the final plat within sixty (60) days of the date of the Commission meeting at which the final plat was schedule to be heard shall be deemed approval of the final plat and the developer shall be so notified.

C. Approval of the final plat authorizes the:

- 1. Enforcement officer to have the final plat signed by all requiring signatures;
- 2. City Council to proceed with acceptance of street dedications; and
- 3. Developer to file the final plat in the Circuit Clerks office.

D. Any decision of the Planning Commission may be appealed to the City Council following the same process as set forth in the preliminary plat process.

**D. Large scale development**

1. General Procedure. When a person wishes to develop land in the city limits of West Fork or the filed planning area boundary that falls under the definition of a large scale development then the following procedure shall be followed:

- a. File an application for large scale development with the enforcement official;
- b. Payment of fee;
- c. Submit a survey of the property showing:
  - 1. Existing lot lines with dimensions,
  - 2. Zoning of the property,
  - 3. Existing right-of-way on adjoining streets;
  - 4. Existing and proposed access,
  - 5. Proposed parking,
  - 6. Water courses and proposed drainage,
  - 7. Existing and proposed easements,
  - 8. Location of existing and proposed structures,
  - 9. Location of existing and proposed utilities.
  - 10. Vicinity map.
- d. Submit any necessary dedications and easements and
- e. Submit plans for any necessary street or drainage construction.

2. Review By Planning Commission. The Planning Commission shall review the proposed large scale development and when satisfied that all requirements of this ordinance, municipal departments, utility companies and concerned citizens have been met, may approve,, approve with condition or disapprove the large scale development. The applicant shall be notified in writing within ten (10) days of the date of the Planning Commission meeting, of the action of the Planning Commission. If approved with conditions or disapproved the conditions or reasons for disapproval shall be included in the written notification. Any decision of the Planning Commission may be appealed to the City Council following the same procedure as set forth in the preliminary plat process. (Ord. No. 302, Sec. 3.)

15.04.04 Improvements and design standards

**A. General** In addition to the requirements established in these regulations all subdivision plats shall comply with the following:

1. The zoning ordinance, building code, adopted plans, flood prevention ordinance, Arkansas State Health Department regulations, Arkansas State Highway and Transportation Department regulations and addressing ordinance;
2. Plat approved may be withheld if the subdivision, lot split or large scale development is not in conformity with the above laws, regulations and policies.

**B. Adequate Public Facilities** No plat shall be approved unless the Planning Commission determines that public facilities and services are adequate to support and serve the area of the proposed subdivision. All public improvements, easements and rights-of-way shall be extended to the boundary of a parcel on which development is proposed to provide for a logical extension of the public infrastructure.

**C. Water** All habitable buildings and buildable lots shall be connected to an approved water system capable of providing water for health and emergency purposes including adequate fire protection. All water systems shall be approved by the Arkansas State Health Department, the West Fork Water Commission and shall meet their standards.

**D. Sewer** All habitable buildings and buildable lots shall be served by an approved means of wastewater collection and treatment. All sewer systems shall be approved by the Arkansas State Health Department, the West Fork Sewer Commission and shall meet their standards.

**E. Storm Drainage** The developer of a subdivision shall make adequate provisions for storm and flood water runoff. The storm water drainage system shall be separate and independent of the sanitary sewer system. All storm water systems shall meet the specification set out in the, "Minimum Standards For Street Construction", Ordinance No. 70, December 14, 1971, the minimum standards of the Arkansas State Highway and Transportation Department and shall be approved by the City of West Fork.

**F. Streets** The financing, construction and dedication of all streets are the responsibility of the developer. All local streets shall be constructed to meet the specifications set out in the, "Minimum Standards For Street Construction", Ordinance No. 70, December 14, 1971. All State and U.S. Highways shall meet the standards established by the Arkansas State Highway and Transportation Department.

The following general standards are established for street and related facility construction.

1.	Right-of-Way	(Minimum)
	Arterial	80 feet
	Collector	60 feet
	Local	50 feet

- 2. Percent Grade (Maximum)
  - Arterial 8
  - Collector 10
  - Local 12
  
- 3. Pavement Width (Excluding Curb & Gutter)
  - Arterial 48 feet
  - Collector 36 feet
  - Local 24 feet
  
- 4. Cul-De-Sac
  - Maximum Length 660 feet
  - Turnaround Radius (ROW) 50 feet
  - Turnaround Radius (Pavement) 38 feet
  
- 5. Sidewalk (Minimum)
  - Width 4 feet
  
- 6. Intersections
  - Angle (Minimum) 75 degrees
  - Grade Within 100 feet (percent) 0-4
  - Distance to Curb Cut
    - Arterial 50 feet Collector 50 feet
    - Local 40 feet
    - Site Distance (Minimum) 70 feet
  
- 7. Curb Radius (Minimum)
  - Arterial 40 feet
  - Collector 30 feet
  - Local 20 feet
  
- 8. Distance Between Reverse Curves 100 feet
  
- 9. Local Street Jogs (Minimum) 150 feet
  
- 10. Distance Between Curb Cuts
  - Arterial 50 feet
  - Collector 40 feet
  - Local 15 feet
  
- 11. Street names are subject to the approval of the Planning Commission and the requirements of the street addressing ordinance.

12. Street lights shall be placed at each intersection and shall have a maximum spacing of 300 feet.
13. Street name signs and their installation are the responsibility of the developer.

**G. Monument** Reinforced concrete monuments 4 inch by 4 inch by 30 inches with appropriate markings shall be located at quarter section corners and subdivision corners. Metal stakes a minimum of one half inch diameter by 30 inches long shall be placed at all lot corners, points of tangency, points of curvature and angles in property lines or easements, all monuments shall be shown on the final plat, lot split survey and large scale development plan.

#### **H. Lots and Blocks**

##### 1. Lots

Lots shall be arranged so that there will be no foreseeable difficulties in securing building permits to build on all lots in compliance with the Zoning Ordinance and Health Regulations and in providing reasonable driveway access from an approved street.

In general side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation will give a better street or lot plan.

Corner lots shall be large enough to allow the minimum front yard setback to be observed from both streets.

Double frontage lots shall be avoided except where necessary to provide separation from arterial streets or to overcome specific topographic or orientation problems.

Driveway access to arterial streets shall be avoided and if it can't be avoided the Planning Commission may require combined driveway access to reduce the number of possible hazard spots.

##### 2. Blocks

Blocks shall have sufficient width to provide two tiers of lots of appropriate depth except when backing to arterial streets, railroads, waterways or similar features.

Blocks should not be shorter than 500 feet or longer than 1500 feet. If blocks must be longer than 1500 feet the Planning Commission may require an easement through the block for pedestrian traffic.

I. **Guarantees in lieu of Installation of Improvements** The Planning Commission may approve the final plat prior to the installation of all required improvements if the subdivider:

Deposits cash or a performance bond (such shall be in an amount equal to the estimated costs of the improvements as determined by the Planning Commission) upon satisfactory completion of the improvements, the subdivider may withdraw any deposits.

Enter into an agreement or contract with the City.

J. **Subdivision Improvement Guarantee** The developer shall guarantee to the City that all public improvements are free from defect for a period of two years following the acceptance by the City of the dedication of the last completed public improvement. Should any defect occur during the guarantee period its repair or replacement shall be the responsibility of the developer.

K. **Reserve Strips** The creation of reserve strips to deny access to public improvements from adjacent property shall not be permitted.

L. **Off-Site Improvements** The Planning Commission may require the developer to install of f -site improvements where the need f or such improvements is created in whole or in part by the proposed subdivision. Required off-site improvements shall be the responsibility of the developer unless the City Council agrees to share with the developer in their cost.

#### 15.04.05 Administration

A. **Variances** Whenever the tract to be subdivided is of such unusual size, shape or topography or surrounded by such development or conditions that the provisions of these regulations shall result in substantial hardship on the subdivider, the Planning Commission may vary or modify such requirements to the end that the subdivision may be developed consistent with public welfare and safety.

"Agricultural purposes" referred to in the definition of a subdivision means the use of a major portion of the tract for horticulture, nurseries, orchards, forests and forestry, apiaries, field crops, breeding or raising livestock or poultry, riding stables, or other similar activities.

B. **Severability** If any section, paragraph, clause, phrase or part of these subdivision regulations is for any reason invalid, such decision shall not affect the validity of the remaining provisions of these regulations and the application of those provisions to any persons or circumstances shall be affected thereby.

- C. **Enforcement** In order to carry out the purposes of these regulations and to assure an orderly program of land development after the effective date of these regulations:
1. No plat of any tract of land within the planning area jurisdiction of the Planning Commission shall be accepted by the County Recorder for filing of record unless the plat has been approved by the Planning Commission.
  2. No conveyance by metes and bounds of tracts or lots coming under the definition of subdivision, without compliance with the applicable provisions of this ordinance or amendments thereto, shall be permitted. This provision is aimed at preventing an attempt to circumvent these regulations by conveying by metes and bounds without taking the necessary steps for filing an approved plat.
  3. No dedication of streets shall by itself be accepted by the city unless the usage of the adjoining affected land is shown; if the purpose of opening the street is to make the affected land available for sale as a subdivision, the street may not be accepted until accompanied by the required plat.
  4. No building permit shall be issued for construction, no utilities shall be extended to serve any structures on a lot unless the lot is part of a subdivision, lot split or large scale development approved by the Planning Commission or the lot existed as recorded in the office of the County Recorder prior to Ordinance No. 70, December 14, 1971.
- D. Penalty Any person, firm or corporation which violates any provision of these regulations or amendments thereto shall be guilty of a misdemeanor and on conviction shall be fined not less than One Hundred Dollars (\$100.00). Each day that any violation of these regulations is in effect shall constitute a separate offense and be subject to additional fines of a separate offense and be subject to additional fines of One Hundred Dollars (\$100.00) per day.
- E. Amendments On any proposed amendments to these regulations, the Planning Commission shall hold a public hearing, for which fifteen (15) days advance notice in a local newspaper of general distribution has been published. Following such hearing the City Council may adopt the amendments as recommended by the Planning Commission or as determined by a majority vote of the City Council.



F. Fees When the developer files an application with the city the following fee shall be paid:

Limited Lot Split	\$100
Corrected Lot Split	\$100

**Residential Subdivisions**

<u>Preliminary Plat</u>		<u>Final Plat</u>	
<u># of Lots</u>	<u>Fee</u>	<u># of Lots</u>	<u>Fee</u>
1 to 10	\$300	1 to 10	\$300
11 to 25	\$500	11 to 25	\$500
26 to 50	\$1,000	26 to 50	\$1,000
51 to 75	\$1,500	51 to 75	\$1,500
76 to more	\$2,000	76 to more	\$2,000

**Commercial Subdivisions**

<u>Preliminary Plat</u>		<u>Final Plat</u>	
<u># of Acres</u>	<u>Fee</u>	<u># of Acres</u>	<u>Fees</u>
Less than 3	\$1,500	Less than 3	\$1,500
3 to less than 10	\$3,000	3 to less than 10	\$3,000
10 or more	\$6,000 plus \$1,000 per acre over ten *	10 or more	\$6,000 plus \$1,000 per acre over ten *

\*Any portion of an acre shall be rounded up to the next full acre. For example, 10.3 acres shall be rounded to 11 acres thus being charged \$7,000 for preliminary plat review and \$7,000 for final plat review. (Ord. No. 374, Sec. 1.)

**CHAPTER 15.08**

**COMPREHENSIVE DEVELOPMENT PLAN**

Sections:

15.08.01       Comprehensive Development Plan

15.08.01 Comprehensive Development Plan Be it hereby ordained by the City Council of the city of West fork, Arkansas, that the comprehensive Development Plan, Future Land Use Map and Master Street Plan as recommended by the Planning Commission of the city of West fork and adopted by unanimous vote of the West Fort City Council at its meeting on June 12, 2007, three copies of which shall be kept in the office of the City Clerk, is hereby adopted and incorporated herein as fully as though set out word for word. (Ord. No. 396, Sec. 1.)