

ORDINANCE NO. 2022 - 32

**AN ORDINANCE AMENDING PORTIONS
OF THE SEARCY SUBDIVISION AND DEVELOPMENT
CODE (ORDINANCE NO.92-04); DECLARING
AN EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, the Planning Commission for the City of Searcy, Arkansas, has, recommended certain changes to the Searcy Subdivision and Development Code, adopted by Ordinance Number 92-04 on February 11, 1992; and

WHEREAS, after proper advertisement and notice, a public hearing was conducted before the City of Searcy, Arkansas Planning Commission on October 4, 2022, at which time all public views on these issues were heard; and

WHEREAS, upon the conclusion of the said public hearing, the Planning Commission for the City of Searcy has recommended to the City Council the amendments to the Subdivision and Development Code; and

WHEREAS, the City Council has reviewed and requested code changes.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SEARCY, ARKANSAS:

SECTION 1. Chapter II of the Subdivision and Development Code of the City of Searcy, Arkansas be amended as follows:

Section 1.B.1: Amend to read: “Whenever any subdivision of a tract of land is proposed to be made, the subdivider shall first submit to the Planning Office an application for a Certificate of Preliminary Plat Approval which shall consist of the following:”

SECTION 2. Chapter II of the Subdivision and Development Code of the City of Searcy, Arkansas be amended as follows:

Section 1.C.1: Amend to read: “A Request for Planning Commission Action, in a form provided by the Planning Office, along with the filing fee, shall be provided no later than the end of the first business day of the month preceding the month in which Planning Commission Action is requested. 5 business days from the first of the month preceding the month in which Planning Commission Action is requested, the applicant shall submit 2 full size and 1 digital PDF copies of the Preliminary Plat.”

SECTION 3. Chapter II of the Subdivision and Development Code of the City of Searcy, Arkansas be amended as follows:

Section 1.C.2: Amend to read: “The staff shall review and submit comments to the subdivider. Any amendments based on staff comments must be filed with the Planning Office no later than 7 business days before the Planning Commission meeting at which the plat is to be

reviewed. If amendments are required, the subdivider shall submit 2 full size and 1 digital PDF copies of the amended plat along with 10 11x17 copies for Planning Commission review. If no amendments were required, the subdivider shall submit 10 11x17 copies of original submittal for Planning Commission review.”

SECTION 4. Chapter II of the Subdivision and Development Code of the City of Searcy, Arkansas be amended as follows:

Section 1.C.5: Amend to read: “Planning Commission approval or disapproval of a preliminary plat shall be reported to the subdivider in writing within five (5) days after the meeting at which it was considered.”

SECTION 5. Chapter II of the Subdivision and Development Code of the City of Searcy, Arkansas be amended as follows:

Section 1.C.9: Amend to read: “One copy of the approved preliminary plat shall be retained at the Planning Office, and one copy endorsed with the Certificate of Preliminary Plat Approval shall be returned to the subdivider.”

SECTION 6. Chapter II of the Subdivision and Development Code of the City of Searcy, Arkansas be amended as follows:

Section 1.E.1: Amend to read: “A Request for Planning Commission Action, in a form provided by the Planning Office shall be provided no later than the end of the first business day of the month preceding the month in which Planning Commission Action is requested. 5 business days from the first of the month preceding the month in which Planning Commission Action is requested, the applicant shall submit 4 full size and 10 11x17 copies as well as a digital PDF and CAD (.dwg) copy of the Final Plat.”

SECTION 7. Chapter II of the Subdivision and Development Code of the City of Searcy, Arkansas be amended as follows:

Delete Section 1.E.4

SECTION 8. Chapter II of the Subdivision and Development Code of the City of Searcy, Arkansas be amended as follows:

Section 3.B.1: Amend to read: “A Request for Planning Commission Action, in a form provided by the Planning Office shall be provided no later than the end of the first business day of the month preceding the month in which Planning Commission Action is requested.”

SECTION 9. Chapter II of the Subdivision and Development Code of the City of Searcy, Arkansas be amended as follows:

Section 3.B.3: Amend to read: “5 business days from the first of month preceding the month in which Planning Commission Action is requested, the applicant shall submit 2 full size sets and 1 digital PDF copy of plans as described in Section C below as well as all other data and information that may be desirable to support the Planning Commission’s approval.”

SECTION 10. Chapter II of the Subdivision and Development Code of the City of Searcy, Arkansas be amended as follows:

Add Section 3.B.4: “The staff shall review and submit comments to the applicant. Any revisions based on staff comments must be filed with the Planning Office no later than 7 business days before the Planning Commission meeting at which the Large Scale Development is to be reviewed. If revisions are required, the applicant shall submit 2 full size and 1 digital PDF copies of the revised plans along with 10 11x17 copies for Planning Commission review. If no revisions were required, the applicant shall submit 10 11x17 copies of original submittal for Planning Commission review.”

SECTION 12. Chapter II of the Subdivision and Development Code of the City of Searcy, Arkansas be amended as follows:

Section 3.D.3: Amend to read: “The approval from the Planning Commission shall be limited to the type of building/development stated within the letter accompanying the application. Should the developer decide to build or develop on the property in a manner inconsistent with the use as stated in the letter and site plan accompanying the application, the applicant must submit a new application to the Planning Commission for approval. Should the developer build or develop the property for a use contradictory to the use stated in his application, the approval previously granted by the Planning Commission shall become null and void, and the developer shall cease construction/building on the property upon receipt of notice from the city Building Official, City Engineer, City Planner, City Attorney, or Mayor.”

SECTION 13. The regulation of land development and ensuring of good civic design in accordance with a comprehensive plan and the continued utilization of lands within the Planning Area of the City of Searcy in accordance therewith being necessary for the preservation of the public peace, health, safety, and welfare, an emergency is hereby declared, and this ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED THIS 11th DAY OF OCTOBER, 2022

**/s/ Kyle Osborne
Mayor of Searcy**

ATTEST:

**/s/ Jerry Morris
City Clerk**