CITY OF SEARCY

LAND DEVELOPMENT AND SUBDIVISION REGULATIONS

ORDINANCE 92-04
FEBRUARY 1992

AS AMENDED BY ORDINANCES

2005-20

2005-30

2005-34

2008-15

2008-21

2011-01

2016-31

2021-01

CITY OF SEARCY
LAND DEVELOPMENT AND
SUBDIVISION REGULATIONS

CHAPTER I
GENERAL PROVISIONS

SECTION 1 - PURPOSE

A. This title shall be known as the "Subdivision Regulations of the City of Searcy, and it is intended to serve the following purposes:

1. To assist orderly, efficient, and coordinated development within the territorial jurisdiction.

2. To promote the health, safety, and general welfare of the residents of Searcy and environs.

3. To insure conformance of subdivision plans with the public improvement plans of Searcy and environs.

4. To secure equitable handling of all subdivision plans by providing uniform procedures and standards for observance both by subdividers and the City Planning Commission.

SECTION 2 - AUTHORITY

A. The following regulations for the subdividing and developing of land within the corporate limits of Searcy are adopted in accordance with the provisions of Arkansas Act 186 of the General Assembly of 1957 and Arkansas Act 134 of the General Assembly of 1965.

SECTION 3 - JURISDICTION

A. Any subdivider of land within the territorial jurisdiction of the City of Searcy shall submit to the City Planning Commission plats of the subdivisions and plans for indicated improvements according to these regulations. In considering the approval of a plat, the Commission shall observe and enforce the requirements and procedures *set* forth herein.

B. No subdivider proposing to make, or having made, a subdivision within the territorial jurisdiction shall proceed with any construction work on the proposed subdivision except clearing, grubbing, and necessary grading for purposes of obtaining preliminary plat approval before obtaining a Certificate of Preliminary Plat Approval and shall not convey title to any lots or lots before obtaining from the commission a Certificate of Final Plat Approval and acceptance of the plat and filing said plat with the County Recorder.

SECTION 4 - DEFINITIONS

A. As used in these rules and regulations, words in the present tense include the future; words in the singular include the plural; and words in the plural include the singular. The word "Building" includes the word "Structure"; the word "shall" is mandatory and not directory.

For the purpose of this Regulation, certain words used herein are defined as follows:

1. ALLEY OR SERVICE DRIVE: A minor permanent public service way which is used primarily for secondary vehicular service access for the special accommodations of the abutting property and not intended for general traffic circulation.

2. ALIGNMENT: The designated or optimally engineered location for the centerline of the street or roadway consistent with proper grade and curvature criteria. (2008-15)

3. BASE COURSE: The layer or layers of special material of designed thickness placed on a subbase or a subgrade to support a surface course.

4. BILL OF ASSURANCE: The document containing the limitations or restrictions placed upon the development by the subdivider.

5. BINDER COURSE: A plant mix of graded aggregate and bituminous material which constitutes the lower layer of the surface course.

6. BITIUMINOUS MATERIAL: Substances obtained as residue in the distillation of coal tar, petroleum, etc.

7. BOUNDARY STREET: An existing street abutting on only one (1) side of the parcel of land being subdivided.

8. BOUNDARY STREET IMPROVEMENT: All improvements required by this article in the public right-of-way which abut the subdivision. (2008-15)

9. BUILDING LINE: A line across a lot establishing the minimum *open* space to be provided between the buildings and structures and the street property line.

10. CITY: The City of Searcy, White County, Arkansas.

11. CITY CLERK: The City Clerk or the designated representative of the City of Searcy, Arkansas.

12. CITY ENGINEER The City Engineer, or the designated representative of the City of Searcy, or the Engineering Authority of the City of Searcy, whichever has jurisdiction.

13. COLLECTOR STREET: A street planned to facilitate the collection of traffic from local streets and to provide circulation within the neighborhood areas in a subdivision.

14. COMMISSION: The Searcy Planning Commission.

15. COUNTY: White County, Arkansas.

16. PROJECT ENGINEER: The Project Engineer shall be the Engineer responsible for the preparation of plans and specifications.

17. CUL-DE-SAC: A local street having one end open to traffic and being terminated or closed at one end.

18. DRAIN OR DRAINAGE WAY*:* An approved means, whether natural or constructed, or removing or providing for the removal of surface waters.

19. EASEMENT: *A* grant by the property owner of the *use* of a strip of land by the public, a corporation, or person for specific purposes.

20. ENFORCEMEBT OFFICER: The administrative officer designated by the Searcy City Council to administer these regulations.

21. ENGINEER: A registered engineer licensed to practice in the State of Arkansas.

22. FINAL PLAT: A finished drawing showing completely and accurately all legal and engineering information and certification necessary for recording with the bill of

assurance included as a separate document.

23. FRONTAGE ROAD: A street, parallel to and adjacent to a major highway or thoroughfare which provides access to abutting properties.

24. GENERAL PLAN: The complete plan, or any of its parts, for the development of all or part of the territorial jurisdiction area as adopted by the City of Seamy as is rim or may hereafter be in effect.

25. HEALTH DEPARMENT: The Searcy Health Department, the White County Health Department, or the Arkansas State Board of Health, whichever has jurisdiction.

26. IN LIEU CONTRIBUTION: A cash contribution for required boundary street improvements instead of immediate construction. (2008-15)

27. LOCAL STREET: A street designed to provide the principal means of access to abutting property in a subdivision.

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

29. LOT, CORNER: A lot abutting upon two or more streets at their intersection.

30. LOT SPLIT: A large lot or unplatted land that is subdivided into lots that do not require the installation of utilities, dedication of streets, alleys, or easements and that do not require new public services.

31. LOT, THROUGH: A lot other than a corner lot abutting upon two or more streets.

32. MASTER STREET PLAN: The official street plan for the city.

33. ONE-HALF STREET SECTION: The area to the legal centerline of the required roadway. Where a clearly defined right-of-way does not exist, the Department of Engineering Services shall establish the centerline location.

34. PAVEMENT STRUCTURE: The combination of subbase, base. course, and surface course placed on a subgrade to support the traffic load and distribute it to the roadbed.

35. PLANNED UNIT DEVELOPMENT: A development planned as a unit, which may include residential and nonresidential *uses,* open space; and whose setback, side yard, or lot area requirements may be modified in accordance with a development plan as specified in accord with the zoning ordinance, and approved by the Planning Commission.

36. PLAT,FINAL: A map or chart indicating the subdivision or resubdivision of land intended to be filed for record

37. PLAT, PRELIMINARY: A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate unquestionably its workability in all aspects but is not in final form for recording as the details are not completely computed.

38. PUBLIC RIGHT-OF-WAY: That line which has been established as the edge of public transportation rights, not necessarily the edge of the pavement of the street or road.

39. PUBLIC STREET OR ROAD: A street or road established for or dedicated to the public use.

40. ROADBED: The graded portion of a street or road within the top and side slopes, prepared as a foundation for the pavement structure and shoulders.

41. SHOULDER: The portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles for emergency use and for lateral support of base and surface courses.

42. STAFF: The employees of the City of Searcy, Arkansas, assisting the Planning Commission in administering the Regulations.

43. STREET: A dedicated and accepted right-of-way for vehicular traffic which affords the principal means of access to abutting property.

44. STREET, COLLECTOR: A street which collects traffic from local streets and connects with minor and major arterials.

45. STREET, CUL-DE-SAC: A street with a single common ingress and egress and with a turnaround at the end.

46. STREET, FREEWAY: A limited access highway with no grade crossings, which serves corridor movement into and through communities, designed to serve long trip lengths.

47. STREET, LOCAL: A street which provides access to abutting property and access to the higher order system of collector and arterial streets.

48. STREET, MAJOR ARTERIAL: A street with access control, channelized intersections and restricted parking, which collects and distributes traffic to and from minor arterials.

49. MINOR ARTERIAL: A street which collects and distributes traffic to and from collector streets, functioning primarily as the interconnecting system within an urban area.

50. SUBBASE: The layer or layers of specified or selected material of designated thickness placed on a subgrade to support a base course.

51. SUBDIVIDER: Any person, individual, firm, partnership, association, corporation, estate or trust, or any other group of combination, acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as herein defined, including any agent of the subdivider.

52. SUBDIVISION: A subdivision shall include all divisions of a tract or parcel of land into two or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale or building development and shall include all divisions of land involving the dedication of a *new* street or a change in existing streets provided, however, that the following shall not be included within the definition nor be subject to the subdivision rules and regulations of this municipality:

    The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards or ordinances of the municipality;

    The division of land into parcels greater than five (5) acres where no street right-of-way dedication is involved;

    The public acquisition by purchase or dedication of parcels of land for the widening or opening of streets or other improvements.

53. SUBGRADE: The top surface of a roadbed upon which the pavement structure and shoulders are constructed. The basement soil in excavations (cuts), embankments (fills), and embankment foundation to such depth as may affect structural design.

54. SURVEYOR: A registered land surveyor licensed to practice in the State of

Arkansas

55. TERRITORIAL JURISDICTION: All land lying within the Planning Area of the Searcy Planning Commission, established by the Searcy City Council, as prescribed by the Arkansas Statutes.

56. TRANSPORTATION PLAN: The approved Master Street Plan.

CHAPTER II
PROCEDURES FOR PLAT APPROVAL

SECTION 1 - PROCEDURAL REQUIREMENTS

A. Pre-application Consideration - Sketch Plat

1. Whenever any subdivision of a tract of land is proposed to be made, the subdivider, or the agent, shall submit to the Planning Commissions a letter of intent, sketch plans, and data concerning existing conditions within the site and in the vicinity, which shall convey the intentions of the subdivider as to the proposed layout and type of development.
2. No fees shall be collected for pre-application consideration, the purpose being to acquaint the subdivider with the plans and policies in effect that would be significant to the proposed subdivision.
3. Within five (5) days after the next regularly scheduled Planning Commissions meeting, the Planning Commission shall inform the subdivider that the plans and data as submitted or as modified do or do not meet the objectives of these regulations. When the Planning Commission finds the plans and data do not net the objectives of these regulations, the Commission shall express the reasons therefore.

B. Application for Certificate of Preliminary Plat Approval

1. Whenever any subdivision of a tract of land is proposed to be made, the subdivider shall first submit to the Enforcement Officer an application for a Certificate of Preliminary Plat Approval which shall consist of the following:
   a. ~~A letter of request~~; A Request for Planning Commission Action. (2016-31)
   b. Plats, plans, and data as specified in Section 2, Plat Specifications, concerning existing conditions within the site and its vicinity, which shall convey the intentions of the subdivider as to the proposed layout and type of development;
   c. c. A filing fee of $15.00 per proposed lot in the phase to be developed in the preliminary plat.
2. When a subdivision is to be developed in stages, the preliminary plat shall be submitted for the entire development. A final plat may be submitted for each stage.

C. Procedure for Approval of the Preliminary Plat

1. ~~At least ten (10) days before the regular meeting of the Planning Commissions, the subdivider shall file with the Enforcement Officer ten (10) copies of the preliminary plat~~. No later than the end of the first business day of the month preceding the month on which Planning Commission Action is requested, the subdivider shall file with the Code Enforcement Office three (3) full size and twelve (12) reduced copies of the preliminary plat. The submittal shall be accompanied by a Request for Planning Commission Action provided by the Code Enforcement Office. (2016-31)
2. ~~Upon receipt of the preliminary plat, the Enforcement Officer shall check the plat for conformance with the requirements of these regulations, and copies of the preliminary plat shall be furnished to members of the Commission for their review~~. The staff shall review and submit comments to the subdivider and permit amendments up to ten (10) business days prior to the Planning Commission meeting on which the plat is to be reviewed. (2016-31)
3. The Planning Commission may contact all affected agencies such as the City Council, the Searcy Board of Public Utilities, the Fire Department, the School Board, the County Judge's office, the Arkansas State Highway and Transportation Department, the Post Office, and the Public Utilities to notify the agencies of the proposed subdivision for review and comment.

4. In considering a submittal, the Planning Commission and Enforcement Officer may recommend such changes as necessary to meet the intent of these rules and regulations and to serve the best interests and needs of the community.

5. The subdivider, in the letter of application, may request direct action on the application by the Commission at its next regular meeting. In such case, the Commissions need not take action and any application received less than ten (10) days before its meeting. 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.

6. A disapproved preliminary plat may be resubmitted to the Commission after changes have been made to correct deficiencies.

7. Approval of a preliminary plat shall be given by the Commission by the issuance of a Certificate of Preliminary Plat Approval, or if the application is disapproved, the applicant shall be so notified in writing and the reasons shall be enumerated.

8. Approval or disapproval of the preliminary plat by the Commission shall take place within forty-five (45) days from the submission of the preliminary plat unless the Commission, in writing, requires additional time. Failure to act shall be deemed approval.

9. One copy of the approved preliminary plat shall be retained in the Commission's files, and one copy endorsed with the Certificate of Preliminary Plat Approval shall be returned to the subdivider.

10. Approval of the preliminary plat shall be governed by the following qualifications:

    a. Approval of a preliminary plat is only tentative pending submission of the final plat.

    b. Approval of the preliminary plat shall be effective and binding upon the Commission for one year and thereafter as long as work is actively progressing on installation of required improvements.

11. The Planning Commission may grant a six-month extension of approval if the subdivider can show that unusual circumstances prevented the initiation of the subdivision within one year and that conditions in the area of development have not changed substantially.

12. Receipt by the subdivider of the executed Certificate of Preliminary Plat Approval is authorization to proceed with the preparation of any necessary plans and specifications for the installation of any improvements required subject to the approval of agencies having authority.

13. Upon preliminary approval, the subdivider may proceed to install all required improvements and for this purpose may secure from the appropriate authorities the necessary permits. If final plat approval is desired before completion of installation of improvements, the subdivider shall post with the City one of the following:

    a. A surety bond which shall

        1. Be in an amount determined by the City Engineer to be sufficient to complete the improvements and installations for the subdivision in compliance with the Rules and Regulations;

        2. Run to the City;

        3. Be with surety by a company entered and licensed to do business in the State of Arkansas; and

4. Specify the time for the completion of improvements and installations.

b. A cash or escrow deposit in the full amount as determined by the City Engineer necessary to complete the improvements and installations for the subdivision in compliance with the Rules and. Regulations. Such cash may be withdrawn in direct proportion to the amount of work completed as approved by the Commission.

c. A personal guarantee from the developer with a letter of certification from a supporting bank that adequate funds are available to the developer to complete the project. The guarantee shall:

1. Be in an amount determined by the City Engineer to be sufficient to complete the improvements and installations for the subdivision in compliance with the Rules and Regulations;

2. Be committed to the City;

3. Be with a bank insured by the Federal Deposit Insurance Commission:

4. Specify the time to the completion of improvements and installations.

D. Application for Approval of the Final Plat

1. Whenever the provisions of these rules and regulations have been complied with, and while the Certificate of Preliminary Plat Approval is in effect, the subdivider may submit to the Planning Commission an application for review and approval of the final plat which should consist of the following:

a. ~~A letter of application requesting review and approval of the final plat~~. A Request for Planning Commission Action (2016-31)

b. The final plat and other documents specified in Section 2, Plat Specifications.

E. Procedure for Approval of the Final Plat

1. At least ten (10) days before the regular meeting of the Planning Commission, the subdivider shall file with the Enforcement Officer ten (10) copies of the final plat.

2. Whenever the final plat has been submitted to the Planning Commission and the final plat conforms to the approved preliminary plat and provisions of Section 2, Plat Specifications, the Commission shall approve the plat for recording with the County Recorder, or disapprove it with reasons, in writing.

3. The Commission may request a registered engineer, or registered land surveyor, to check the final plat for correctness, charging the cost to the subdivider, if the plat is found to be in error.

4. The Commissions need not take action on any application received by the Commission less than ten (10) days before its meeting.

5. Failure of the Commission to act within forty-five (45) days from receipt of an application shall be deemed approval of the final plat. Such failure to act shall be so noted by the Staff on the plat to be filed for record.

6. If the final plat is disapproved, the applicant shall be so notified in writing and the reasons therefore shall be enumerated.

7. Approval of the final plat shall be indicated by the Commission Chairman and the Secretary signing the Certificate of Final Plat Approval on the plat when all required improvements have been certified under the provisions of this regulation as being installed.

F. Certificate of Final Plat Approval

1. The Secretary of the Searcy Planning Commission shall execute a Certificate of Final Plat Approval on the plat upon certification by the City Clerk or the City Engineer that the City has received the following:

   a. A certificate submitted by the subdivider and approved by the City Engineer stating that all improvements and installations to the subdivision required for its approval under the terms of these Rules and Regulations have been made, added, or installed in accordance with these specifications.

G. Approval of the Final Plat

1. Approval of the final plat by the Planning Commission shall not be deemed acceptance of any of the dedications shown on the plat, it being contemplated that such acceptance will be made by the City or the County as prescribed by law.

H. Filing of Plat

1. Upon recording of the approved Final Plat, a reproducible film or linen print of the final plat with all certificates endorsed shall be returned to the Commission for its files.
2. The recorded final plat shall be on film, non-ammonia mylar and sepia, or reproducible of good quality, no larger than 24" x 36", if scale will permit.

SECTION 2 - PLAT SPECIFICATIONS

A. Before the Planning Commission may accept plats for review and approval, the subdivider shall submit the information indicated on the following schedule for the respective plats.

B. The original plat shall be drawn on film, non-ammonia mylar to a scale 1" = 100', or reproducible of good quality no larger than 24" x 36", if scale will permit.

C. Schedule

The following delineates the information to be submitted on the plat or separately with the plat. Information submitted with the preliminary plat is not required to be resubmitted unless there is a change or modification of the information.

SPECIFICATIONS	SKETCH PLAT	PRELIMINARY PLAT	FINAL PLAT	LOT SPLITS
Letter of Intent/Transmittal.	X	X	X	X
Name of proposed subdivision, graphic scale, and north point	X	X	X	X
Name and address of subdivider	X	X	X	X
Name and address of owner of	X	X	X	X
Exact boundary of property with legal description giving acreage.		X	X	X
Vicinity map locating streets and highways, section lines, railroads, schools, parks, and other significant features within one-half mile of the proposed subdivision.	X	X	X	X
Proposed use of all land.	X	X	X	
Zoning, existing and proposed.	X	X	X	X

SPECIFICATIONS

	SKETCH PLAT	PRELIMINARY PLAT	FINAL PLAT	LOT SPLITS
Contour intervals to sea level datum of not more than two (2) feet when the slope is less than four percent (4%) and not more than five (5) feet when the slope is greater than four percent (4%), referenced to a United States Geological Survey or Coast and Geodetic Survey bench mark or monument		X		
Natural features within and surrounding the proposed subdivision including drainage channels, bodies of water, wooded areas, and other significant features.		X		
Cultural features within and surrounding the proposed subdivision, including existing and platted streets, bridges, culverts, utility lines, pipe lines, power transmission lines all easements, park areas, city and county lines, section lines, and other significant information.		X		
Name of owners and names of recorded subdivisions abutting the proposed subdivision		X		
Names of owners of unsubdivided property abutting the proposed subdivision.		X		

	SKETCH PLAT	PRELIMINARY PLAT	FINAL PLAT	LOT SPLITS
Proposed lot layout, including lot lines with dimensions, lot numbers, block numbers, street and alley lines with proposed street names, right-of--way widths.		X	X	
Lands to be dedicated for public use.		X	X	
Location and descriptions of all monuments and stakes.			X	
Location and dimensions of all easements and rights-of-way.		X	X	X
Lot lines showing radii of curves, tangents, bearings, and dimensions.		X	X	X
Building setback lines.		X	X	X
Existing and proposed covenants and restrictions or bills of assurances.		X	X	X
Location, size, and profile of water and sewer lines with elevations on connections to existing lines.		X	X	
Location of existing and proposed hydrants.		X	X	
Source of water supply.		X	X	X
Drains and drainage ways, and the location, size, and construction of drainage ways and structures including typical cross sections and centerline profile of all drains and drainage ways.		X	X	
Typical cross sections of all streets.		X	X	

	SKETCH PLAT	PRELIMINARY PLAT	FINAL PLAT	LOT SPLITS
Certificates of approval of required improvements from City Engineer, and letters from all utility companies, which will have lines in the proposed subdivision stating the utilities have been installed or that plans have been drawn up and said utilities will be installed as soon as possible.			X	

SECTION 3 - LARGE SCALE DEVELOPMENTS **(2008-21)**

A. Application

1. This section of the Subdivision Code sets out requirements for the review and approval of commercial and large scale developments not covered elsewhere in these regulations. Any commercial or other large-scale development meeting any one of the following criteria shall be reviewed by the Planning Commission prior to issuance of a building permit or other city permit:
2. Buildings or developments in any zoning district placed on a single plot of real property containing two acres or more, excluding residential developments other than those described in Section A.4 below.
3. On any size lot and in any zoning district, a development containing a building or buildings with a combined square footage of 20,000 square feet or more, excluding residential developments other than those described in Section A.4 below.
4. All multi-family housing developments with more than 20 units.
5. Any building or establishment in any zoning district designed or intended for the sale of petroleum or other flammable products or any commercial or industrial use intended for the storage of hazardous materials as determined by the Searcy Fire Department.
6. Routine commercial developments not meeting any of the criteria listed above shall not require Planning Commission approval. However the staff may require Planning Commission approval prior to the issuance of a building permit in the event that a building permit submittal is subject to any of the following issues.
    a. The location of access lanes serving the property may, in the opinion of the staff, create problems with existing traffic facilities.
    b. The layout of the property may, in the opinion of the staff, interfere with the quiet use of neighboring properties.
    c. The staff determines that any aspect of the proposed development may be detrimental to the health, safety, or welfare of the community.
    d. A proposed development in a commercial, industrial, or R-1 Residential District proposed to be located on a street that, due to insufficient right-of-way, poor condition, or substandard design, does not meet the standards for the classification to which that street is assigned in the Searcy Street Plan.

B. Procedure

1. ~~The Developer of the commercial or large-scale development shall prepare and file with the Planning Commission an application for approval of development. Said application shall be filed at least twenty (20) days prior to a regular meeting of the Planning Commission~~. No later than the end of the first business day of the month preceding the month on which Planning Commission Action is requested, the subdivider shall file with the Code Enforcement Office three (3) full size and twelve (12) reduced copies of the large-scale development. The submittal shall be accompanied by a Request for Planning Commission Action

provided by the Code Enforcement Office. (2016-31)

2. The application shall not be accepted until the Developer has paid the application fee as established by the City Council.

3. The application for approval of the development shall consist of a letter (describing the intended uses of the buildings), a site plan, and such other data and information that may be desirable to support the Planning Commission's approval. Twelve (12) copies of the site plan, prepared by a registered engineer or licensed surveyor, shall be included with the application. The application must be signed by the owner of the property (supported by a deed of record), and any person representing the owner or developer before the Commission.

C. Site Plan Requirements.

1. The site plan shall be prepared by an engineer or surveyor.
2. The site plan shall include the following:
   a. Name of development, type of activity, current zone;
   b. Name and address of owner(s);
   c. Bearings and distances of boundary from an actual survey of the property.
   d. Street names, class per Master Street Plan, rights-of-way, centerlines, and easements bordering or traversing the property;
   e. Building outline, sidewalks, curbs, drives, parking, and striping;
   f. Exterior lighting quantity, direction, and pattern;
   g. Exterior speaker location(s) and direction(s);
   h. Proposed curb cuts for development and curb cuts of adjacent properties, including those across the street, street intersections; these items shall be dimensioned relative to each other;
   i. Identify all adjoining property by activity and business name, if applicable;
   j. Drainage improvements and drainage runoff quantities (cubic feet per second), prepared by a Professional Engineer, with points of entry and exit for the development, show flood hazard area;
   k. Utility plan and Health Department approval;
   1. Green-spaces and landscaping.
   m. Letter from the Searcy Board of Public Utilities stating the status of water and sewer service.

D. Planning Commission Procedure.

1. The Planning Commission shall review the application at the next regularly scheduled meeting after receiving the completed application with all required attachments. If the Commission determines that the development is appropriate, as submitted, then it shall approve it. The Commission may require the developer the change the plan as submitted, and may disapprove applications that conflict with any of the provisions of the Land Subdivision and Development Code.

2. Upon obtaining approval from the Planning Commission, the developer may

commence construction after obtaining a building permit and any other required permits.

3. 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 contrary 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 Attorney, or Mayor.

E. Expansion of Existing Buildings

Expansions of existing buildings shall be considered large-scale developments only when they meet one of the following.

1. The size of the buildings or land involved in the expansion meets the requirements of the definition contained in Section 7.1.
2. The expansion creates the need to change the existing design of the development's access.
3. Changes have occurred to adjacent properties that would require new site analysis of the proposed development.

CHAPTER III

DESIGN STANDARDS AND IMPROVEMENTS

SECTION 1 - GENERAL PRINCIPLES OF DESIGN

A. The street or road layout shall conform to the approved Master Street Plan, other parts of any adopted Genera/ Development Plan or Comprehensive Plan for the City, and other adopted regulations.

B. Whenever a tract to be subdivided embraces any part of a collector street or road or higher type thoroughfare designated on the Master Street Plan, any part of such public way shall be platted by the subdivider in the general location and at the width indicated on the Plan. If a Setback Ordinance is in effect, such streets must comply exactly with alignments specified.

C. Proposed local streets or roads shall be continuous and in alignment with existing, planned or platted streets or roads with which they are to connect unless approved layout design is intended to discourage through traffic for safety purposes.

D. Proposed streets shall be extended to the boundary lines of the tract to be subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the City, such extension is not necessary or desirable for the coordination of the layouts or the most advantageous to the future development of adjacent tracts. Cul-de-sacs should be considered favorably where topography necessitates or where they are appropriate for the type of development contemplated. Cul-de-sacs shall not exceed five hundred (500) feet in length measured along the centerline from the intersection at origin through the end of the circle to the end of the right-of-way.

E. Wherever a dedication or platted and recorded substandard street, half-width street, or alley exists adjoining the tract to be subdivided, additional right-of-way or the other half-width of such street or alley to meet required widths shall be platted.

F. Half streets shall be prohibited.

G. Alleys should ordinarily be platted (1) in the rear of all lots to be used for business and (2) in the rear of residential lots fronting on primary streets.

H. No final plat of land within the force and effect of such existing zoning code shall be approved unless it conforms to such code. Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building codes, or other official regulations, codes, or ordinances, the most restrictive shall apply.

I. <u>Blocks</u>

1. Intersecting streets determining block lengths shall be provided at such intervals as to serve cross traffic adequately.

2. Residential blocks shall be of sufficient width to allow for two tiers of lots, with alley or utility easement if required, except where one tier of lots fronts on major streets or highways, backs on railroads, streams, steep grades, parks, or backs on to the perimeter of a subdivision. In such cases, additional lot depth shall be provided for a buffer or planting strip.

3. Blocks intended for business or industrial use shall be of such width as maybe best suited for the plated use of the property, taking into consideration the probable arrangement of parking, truck loading, maneuvering space, and rail access.

4. When a tract is subdivided into larger than normal lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and opening of future streets and appropriate re-subdivision with provision for adequate utility connections for such re-subdivision. Easements for future openings and extension of such streets may, to the direction of the Commission, be made a requirement of the plat.

J. Lots

1. Lot sizes shall meet or exceed the requirements of the zoning regulations as to lot area including width and depth. Each lot shall be a buildable site after taking into account all yard spaces required by the zoning regulation.

2. Residential lots not served by a public sewer shall be at least one hundred (100) feet wide and 20,000 square feet in area to provide for a septic tank and tile field.

3. Side line of lots shall be at right angles to straight street lines and radial to curved street lines unless approved by the Planning Commission.

SECTION 2 - MINIMUM DESIGN REQUIREMENTS

A. Minimum Right-of-Way for Streets, Alleys. Cul-de-sacs and Easements For Utilities

1.	Local Street	Fifty (50) feet wide
2.	Collector Street	Sixty (60) feet wide
3.	Minor Arterial Street	Seventy (70) feet wide
4.	Alleys and Service Drive	Ten (10) feet on residential Twenty feet (20) on Commercial
5.	Major Arterial Streets	Eighty (80) feet wide.

6. Cul-de-sac: A right of way width of not less than fifty (50) feet shall be provided. All dead-end streets shall terminate in a circular right-of-way with a minimum diameter of one-hundred (100) feet.

7. Easement For Utilities: Where required, the easement shall be at least ten (10) feet wide centered on rear or side lot lines.

B. Minimum Street Pavement Width

1.	Local Street	27' Back of curb to back of curb.
2.	Residential Collector Street	30' Back of curb to back of curb).
3.	Commercial Collector Street	27' Back of curb to back of curb.
4.	Minor Arterial Street	45' Back of curb to back of curb.
5.	Major Arterial Street	61' Back of curb to back of curb.

C. Design Speed and Sight Distance

Design speed is the safe speed of a vehicle that can be maintained over a specified section of a street when conditions are favorable. The design speed is determined by the physical features of a street.

1. The design speed for residential collector streets shall be thirty (30) miles per hour maximum.
2. The design speed for local streets shall be twenty-five (25) miles per hour or less.
3. The stopping distance for residential collector streets shall be two hundred (200) feet minimum.
4. The stopping sight distance for local streets shall be one hundred and fifty (150) feet.
5. The design speed and stopping sight distance for all arterial streets shall be a special design.

D. Street Grades and Curves

1. The desirable maximum grade for collector streets and local streets is 5 percent in flat terrain and 7 percent in hilly terrain; in unusual cases, a maxi m.= grade of 12 percent may be allowed for short distances, not to extend more than three hundred (300) feet, on paved streets with curb and gutter.
2. Grades shall be at least 0.5 percent to insure drainage.
3. Grades on all streets shall not exceed 6 percent within one hundred (100) feet of an intersection.

4. a. The centerline radius for all collector streets shall be a minimum of 250 feet.

   b. The centerline radius for all minor arterials shall be a minimum of 400 feet.

   c. The centerline radius for all major arterials shall be a minimum of 750 feet.

   NOTE: Maximum grades on all residential and collector streets maybe varied by the City Engineer.

E. Intersections

1. a. Curb returns on all, local streets shall have a turning radius of twenty-five (25) feet.

   b. Curb returns on all collector streets shall have a turning radius of thirty-five (35) feet.

   c. Curb returns on all minor arterial streets shall have a turning radius of thirty-five (35) feet.

   d. Curb returns on all major arterial streets shall have a minimum turning radius of fifty (50) feet at local aril collector intersections and thirty-five (35) feet turning radius at all minor and major arterial street intersections.

2. Streets shall intersect as close to a ninety (90) degree angle as possible. Minimum radii of curb returns shall be increased where the angle of intersection is less than ninety (90) degrees.

3. At Alley intersections, curb returns should *have* arcs at least ten (10) feet in radius.

4. Intersections of more than four (4) approaches at one point shall not *be* allowed.

5. Intersections of minor streets with a major street or highway shall be at least 1,000 feet apart.

F. General Design of Streets, Sidewalks Street Signs, Alleys, Curbs and Gutters

1. Streets shall be graded to twenty-four (24) inches beyond the back of curb.

2. Curbs and gutters shall be required and shall be installed by the subdivider an each side of the street surface. They shall be constructed with Portland Cement Concrete.

3. Curb cuts may be prohibited on major streets as determined by the City Engineer.

4. Curb cuts shall *be* prohibited within twenty-five (25) feet of a local street intersection and fifty (50) feet of an arterial street intersection

5. Curb cuts on the same lot shall not be closer together than forty (40) feet.

6. Sidewalks, if constructed, should be constructed of Portland Cement Concrete four (4) inches in thickness and not less than four (4) feet in width.

7. Alleys and service drives shall be graded to the full width of the right-of-way except when the alley or service drive is unopened and unused by the public.

8. Standard City street signs as shown in Exhibit A shall be installed by the City and billed to the developer, who shall be responsible for the payment of such bill.

9. No street names shall be used which duplicate or may be confuses with the names of existing streets either in spelling or pronunciation. Whenever existing streets are extended in line the extension shall carry the existing street name.

10. Where a subdivision abuts or contains an existing or proposed major street or highway the Planning Caroni scion may require a parallel service drive or access to a rear service drive.

11. Monuments shall be installed according to the following:

a. A 3/8", 1/2", or 5/8" diameter steel re-bar 24" long shall be set in concrete at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, at angle points in boundaries of subdivision, and at angle points endpoints of curve in each street and shall be set flush with the finished grade.

b. All other corners shall be marked with 3/8", 1/2", or 5/8" diameter steel re-bar not less than 18" long and driven flush with the finished grade.

c. Any variance from ll.a. or l1.b. shall be approved by the City Engineer.

SECTION 3 - IMPROVEMENTS

A. Residential Driveways:

1. General Design and Construction Methods

a. All parts of entrances and exits on street right-of-way shall be confined within the owner's property frontage.

b. Location of access driveways shall be selected to provide maximum safety for street users. Frontage of one hundred (100) feet or less shall be limited to one driveway. Normally, no more than two driveways should be provided to any single property tract, exceptions may be made where frontage exceeds four hundred (400) feet.

c. Radii for all access driveways should not be less than five (5) feet.

d. Drainage along street ditches shall not be altered or impeded. Drainage structures shall be no less than 18" reinforced concrete pipe. Size must be approved by the City Engineer. Driveways constructed with swale type ditches for drainage shall be prohibited except where there is no alternative.

e. Driveways shall be constructed of a dust-free, hard surface, comparable to the requirements for alleys, which are contained in these Regulations.

f. The grade at driveways shall be constructed to conform to the slope of the street shoulder from the edge of the surface to the shoulder line. It is suggested that it be sloped downward a minimum 1/4" per foot and a maximum of one inch (1") per foot for a distance necessary to place the low point of the driveway eight inches (8") below the shoulder elevation. If valley gutters are used, the lowest point of the gutter should be a minimum of eight inches (8") below the shoulder elevation and a valley gutter of at least four feet (4') in width maintained.

g. Driveway at entrance or street should be no more than twenty four feet (24') in surface width and no less than twelve feet (12').

B. Utility Services

After grading is completed and approved, and before any base is applied, all of the underground work and all service connections shall be installed completely and approved. Sanitary sewer service lines and all water service lines must be stubbed out from under streets in new subdivisions before construction of streets.

1. Water Supply

a. Water mains no smaller than six inches in diameter properly connected with the City water supply system or with an alternate supply approved by the State Health Department shall be constructed in such a manner to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection.

b. The sizes of the water mains, the location and types of valves and hydrants, the amount of soil cover over the pipes and other features of the installation shall be approved by the Superintendent of the Searcy Board of Public Utilities or the City Engineer and shall conform with accepted standards for municipal water systems.

2. Sanitary Sewers

a. When the subdivision is located within three hundred (300) feet of a public sewerage system, sanitary sewers shall be installed in such a manner as to serve all lots shown on the subdivision plat with connection to the public sewer system.

b. When the subdivision cannot be served by existing public sanitary sewers, the method (s) of disposal of sewage shall be described in the submittal for preliminary plat approval. The lots must contain adequate area for the installation of approved septic tank and tile lines and must be approved in writing by the State Health Department.

3. Location of Utilities

   a. Use Exhibit B as the required location of utilities unless approved otherwise by the City Engineer.

4. Backfilling and Compaction of Utility Ditches

   When a utility line has been installed in or across a city street whether a new street in a new subdivision or in an existing street, the backfill shall be made in the accordance with the following to secure good compaction as shown in Exhibit C.

   a. Select sands or gravels or other low plasticity index (PI) granular fill shall be place in eight inch (8") thick lifts and be compacted to within three percent (3%) of optimum moisture content to 95 percent of Modified proctor density as per ASTM D-1557. The select fill shall not have a plasticity index (PI) in *excess* of fifteen (15). At the contractor's option a select sandy gravel (GM) or (SP) may be utilized if approved by the City Engineer.

   b. Backfilling may be done with soil removed from the ditch if it is suitable for compaction; otherwise sand or other suitable material must be used.

   c. All service lines must be compacted with a mechanical tamper beginning at the bottom of the ditch or by jet type water pressure, compacting in layers, under the direction of the City Engineer.

   d. Backfilling with loose dirt and compacting on tap will not be permitted.

SECTION 4 - MODIFICATION AND EXCEPTIONS

A. In any particular case where the subdivider can show that by reason of exceptional topographic, other physical conditions, or locations, compliance with any suggested principals of design contained in this Chapter could cause practical difficulty or undue hardship; the City may relax such requirements to the extent deemed just and proper, so as to relieve such difficulty or hardships.

B. In the case of a subdivision of less than (5) lots and where all lots can be adequately served by existing streets situated in a locality where conditions are well-defined, the City may exempt the subdivider from complying with same or all of the suggested principles of design stipulated in this Chapter.

C. When a subdivider wishes to subdivide large lots or unplatted land into lots that do not require the installation of utilities, dedication of streets, alleys, or easements and no new public services are required, no sketch plat or preliminary plat is required. A final plat of the proposed subdivision shall be filed for the approval of the Planning Commission.

   When the Planning Commission is satisfied that the proposed subdivision does not require additional utilities, services, or dedications and that it does not violate the spirit of these regulations or the Master Street Plan, it shall approve the plat for filing with the County and City Recorders.

SECTION 5. INCIDENTAL AND RURAL SUBDIVISIONS **(2005-34)**

5.1 Incidental Subdivisions

For the purposes of these regulations, Incidental Subdivisions are appropriate to all areas within the Searcy Planning Area, both within the Corporate Limits and beyond. They include the following:

A. Lot Splits in which a single lot, tract, or parcel is being split into two lots meeting minimum lot requirements.

B. Minor subdivisions containing no more than ten (10) lots, in which all lots front a public street. Minor subdivisions shall not include any subdivision that is part of a larger tract to be developed in phases.

C. Lot re-combinations in which all lots front a public street.

D. Re-plats of existing lots or lot line adjustments in existing subdivisions.

E. One-lot subdivisions which convert a metes and bounds description into a subdivision plat suitable for filing at the White County Recorder's office.

5.2 Approval Guidelines for Incidental Subdivisions.

A. The Planning Commission hereby acknowledges approval of the following Incidental Subdivisions, said pre-approval subject to certification by the City Engineer that the following criteria have been met:

(1) No public improvements, including streets, alleys, utility mains or other appurtenances are required.

(2) No vacations of streets, alleys, setback lines, access control or easements are required or proposed.

(3) Such action will not result in any significant increases in public service requirements, nor will interfere with maintaining existing public service levels.

(4) There is adequate street right-of--way as required by these regulations and the Master Street Plan.

(5) All easement requirements have been satisfied.

(6) Any lot created by the subdivision shall front on a public street that has been certified by the Fire Chief as meeting the requirements for a Fire Apparatus Access Lane as defined by the Arkansas State Fire Prevention Code.

(7) No substandard sized lots or parcels shall be created.

(8) No waivers or variances from these regulations are requested.

(9) The City Engineer has determined that approval of the plat will not adversely affect drainage on adjacent properties or upon the city's overall storm water drainage system.

10) The City Engineer has not made any other finding in which professional judgment would dictate that the plat be reviewed by the full Planning Commission.

5.3 Review and Approval of Incidental Subdivisions

A. Application Procedure: Request for Incidental Subdivision plat approval shall be made by the owner of the land to the City Engineer. Eight (8) copies of a drawing to scale of the lots involved shall accompany the application.

B. Approval - The City Engineer shall, in writing, either certify the proposed Incidental Subdivision within thirty (30) days of application or notify the owner that it is scheduled for consideration at the next Planning Commission meeting. If certified, and after all conditions have been met, the City Engineer shall have four copies of the plat signed by the Planning Commission Chairman. The City Engineer shall retain two copies for the City's files and provide two copies to the applicant, including a copy for recordation with the White County Recorder.

C. Plat Specifications - The final plat for an Incidental Subdivision shall be prepared on bond paper at a scale of 1" - 40' or larger and shall conform to all requirements for submission of a regular final plat as outlined in Section 3. Additionally, a digitized version compatible with AutoCAD 2000, or a later version, shall be submitted by disc or electronically.

D. Fees - The applicant shall submit all necessary fees and meet all submittal requirements at the time of the filing as described in Chapter VII Section 2.

5.4 Rural Subdivisions

A. Standards: Rural Subdivisions are appropriate in certain situations in the areas outside the Corporate Limits of the City of Searcy but within the city's Planning Area Boundary. Further, Rural Subdivisions must meet the following standards:

(1) Rural Subdivisions shall be restricted to those developments in which it is not economically feasible to connect to the wastewater collection system of the Searcy Utility Department as stated in the unanimous written opinion of the City Engineer, the Utility Department Manager, and the City Planner.

(2) A minimum of 90 percent the total lots in a Rural Subdivision shall have a minimum lot frontage of 200 feet at the building line.

(3) In order to file a plat for a Rural Subdivision, the owner must obtain written approval of the City Engineer of a drainage plan prepared by the owner's Professional Engineer. This plan may include the requirement for underground drainage in cases where the. City Engineer determines that it would be necessary in order that the proposed subdivision will not adversely affect drainage on adjacent properties or upon the city's overall storm water drainage system.

B. Application: The application process for plat approval for a rural subdivision shall be in accordance with preliminary and final plat application for other subdivisions.

C. Improvements: Required improvements for a Rural Subdivision shall be the same as for other subdivisions with the exception of the following:

(1) The Planning Commission may grant waivers for required curbs and gutters for Rural Subdivisions in cases where strict compliance would create an undue hardship to the development involved without a corresponding benefit to the general public.

(2) If the owner requests a waiver from the required curbs and gutters, a drawing of the proposed ditch-section must accompany the Preliminary Plat and must be approved by the City Engineer for standards of drainage and maintenance.

(3) If the owner requests a waiver from the required curbs and gutters, the Bill of Assurances for the proposed subdivision must contain a section outlining requirements for sizing the drainage culverts for individual driveways and

specifying that the responsibility for culvert maintenance rests with the property owner.

(4) If the owner requests a waiver from the required curbs and gutters, the proposed street right-of-way must reflect adequate width for proper maintenance provided, however, that the right-of-way shall not be reduced below that specified in the Master Street Plan.

(5) Pavement width for streets in a Rural Subdivision shall be 24 feet or wider if open ditches are used and 27 feet, back of curb to back of curb, if curbs and gutters are used.

(6) Sub-base and base requirements for streets in Rural Subdivisions shall be the same as specified herein for streets in other subdivisions.

(7) In all locations where drainage easements exist and the drainage way consists of open ditches, there shall be an additional easement adjacent to the drainage easement dedicated to the public for the purpose of a maintenance access. The easement width required shall be a minimum of fifteen (15) feet. The City Engineer may require a wider access easement if needed.

SECTION 6 — BOUNDARY STREET IMPROVEMENTS (**2008-15**)

A. Administration

1. The planning commission shall be responsible for requiring improvements in the public right-of-way consistent with this ordinance, with regard to subdivisions and all other affected developments.
2. The City Treasurer's office shall be responsible for receiving, recording, depositing, and reporting in-lieu cash contributions as determined by the planning commission. The City Treasurer's office shall maintain a boundary street improvement account and shall furnish a yearly report summarizing the account to the Mayor and City Council. This report shall include both the principal and the interest earned for the accounting period.

B. Developments included

The following property classifications shall comply with this article:

1. Subdivisions
2. Large scale developments
3. Schools and institutional developments

C. Plat Approval

No plat, site plan or building permit shall be approved unless the developer has complied with the provisions of this ordinance.

D. Improvements Included

When a proposed subdivision abuts an existing public street right of way, the developer will be responsible for installing boundary street improvements as defined by this section. Boundary street improvements shall include the following:

1. Reconstruction of one-half section of the abutting street if the existing street is not up to city standards.
2. Widening of one-half section of the abutting street to city standards.
3. Reconstruction or construction of the entire street section of the street if the existing street is not up to city standards and is located wholly within the proposed subdivision.
4. Curb and gutter for the length of the project boundary that adjoins the street.
5. Sidewalks as required by the subdivision regulations.
6. Standard drainage piping and drainage structures.
7. One hundred (100) percent of bridge and box culvert construction. (Waivers may be granted in the case of arterial streets.)
8. Other standard roadway or drainage improvements required by ordinance or as may be required to conform to accepted engineering principles, as identified by the City Engineer and relayed to the Planning Commission.

E. Right-of-way dedication

The subdivision plat or site plan will reflect right of way dedication for one-half of the right of way for affected boundary streets.

F. Master Street Plan

Right-of-way dedication and boundary street improvements shall be in accordance with the Master Street Plan adopted for the planning area jurisdiction of the City of Searcy.

G. In-lieu requirements

In-lieu cash contributions may be allowed solely at the discretion of the city in situations including, but not limited to, the following:

1. The horizontal alignment of the existing street pavement or right-of-way is such that the required minimum radius centerline alignment is not obtainable without participation of adjacent properties being developed.

2. The proposed horizontal centerline alignment of the existing pavement does not coincide with either the existing centerline of the right-of-way, or the land line, the discrepancy being so large as to:

   a. Necessitate the construction of more than one-half the street width.

   b. Necessitate construction of new curb within the projected edge of the existing pavement.

3. The vertical alignment of the existing pavement is such that:

   a. The required safe stopping sight distance is not obtainable without extension of construction past the limits of the project.

   b. A reasonably smooth pavement or a properly crowned and shaped cross section is not obtainable within the length and width requirements of the project.

   c. Under the constraints of good engineering practice, maximum permissible centerline grades or minimum permissible gutter grades cannot be obtained within the length and width limits of the project.

4. The location of the existing or proposed street in the one-percent floodplain precludes the construction of street and drainage facilities.

5. A subdivision is so located that the presence of a drainage way necessitates construction of a drainage structure which would be unfeasible as half street construction.

6. The state of adjacent land development along the street precludes further acquisition of improvements through plat processes.

7. The length of the property boundary along the right-of-way is less than three hundred (300) linear feet and is not located at an intersection.

8. The City Engineer determines that in-lieu cash contributions would be in the best interest of the city.

H. In-lieu contributions

In lieu of constructed improvements, the developer shall contribute to the city a cash payment equal to one hundred (100) percent of the City Engineer's estimate of the cost of

construction of the required boundary street improvements. Adjustments may be made by the City Engineer where deemed appropriate. In-lieu contributions shall be reimbursed with interest, as determined by the City Treasurer's office, when not expended for the specific required improvements within five (5) years from the date of permit approval. Funds will be expended on the same street except that intersecting streets may be included when improvements to such intersecting streets are necessary to provide adequate drainage or traffic flow between the intersecting street and the original street. Such improvements to intersecting streets shall not exceed beyond 100 feet from their intersection with the original street. The City Council must approve all refunds and may, at its discretion, refund proceeds before the five (5) year deadline.

I. Appeals

Any person aggrieved by an action or omission of the Planning Commission or the city department administering the provisions of this ordinance shall have the right of appeal to the City Council.

CHAPTER IV

MINIMUM STANDARD FOR CONSTRUCTION

SECTION 1 - POLICY

A. It is the policy of the City of Searcy, Arkansas, to require the employment of sound engineering procedures and the use of proper materials in the construction of streets and appurtenant structures and improvements within the area of jurisdiction of the City and the planning jurisdiction of the Planning Commission. The following minimum specifications and designs shall be employed in the construction of streets within the City jurisdiction.

SECTION 2 - ENGINEERING AND SUPERVISION

A. All grading, curb and gutter, and pavement work shall be designed, laid out, and supervised by a registered professional engineer or registered professional lard surveyor with the approval of the City Engineer. 'The City reserves the right to request the review by a registered professional engineer at the expense of the developer. Said engineer shall submit to the City and/or Planning Commission complete sets and plans and specifications of the proposed project for approval before work of any kind commences with a certification that all designs have met the minimum standards and specifications.

SECTION 3 - CITY ACCEPTANCE OF WORK

A. Hereafter, no street not now accepted by the City for maintenance and upkeep shall be so accepted by the City until it has been curbed and guttered on both sides of the street from intersection to intersection, and such street paved, all to be done in accordance with the standards set out hereafter.

SECTION 4 - GENERAL REQUIREMENTS

A. Earthwork/Site Preparation and Soil. Testing

In order to insure that streets are built on suitable roadbeds that will reduce maintenance costs and insure long life of the streets after construction, the following will need to be considered.

1. Clearing, Grubbing, and/or Scalping - The right-of-way of proposed streets shall be cleared of all trees, stumps, hedge, brush, roots, logs, weeds, rubbish, sod, refuse, dumps, sawdust piles, lumbering slash, and other materials as specified by the City.
2. Organic Soil - Any organic soil shall be removed within three feet of the subbase area.
3. Stumps - Stumps may be allowed to remain in an area where fills of four feet or more will be placed. Stump holes remaining after removal of trees shall be backfilled and compacted as determined by the City.
4. Rock Excavation. - All material which cannot be excavated without blasting or the use of rippers shall be excavated to a minimum depth of eight inches below subgrade.
5. Slopes - All slopes in excavation and fill shall be a minimum of two horizontal to one vertical unless otherwise approved by the City. Rock slopes shall be left in a safe manner to prevent future sliding and protect street areas from falling rocks.
6. General - The right-of-ways shall be free of holes, ditches or other abrupt changes in elevations that resulted from the clearing, grubbing, and/or scalping operations.
7. Soil Testing - A soil test shall be made for all new streets. The purpose of the soil test is

to classify subgrade soils, locate water tables, and aid in designing pavement structures. At least one sample shall be taken every three hundred feet (200') within the limits of the street right-of--way and not less than three feet (3') below the proposed grade line. are water is encountered in the first boring, the hole shall *be* left open for a mini um of twelve (12) hours to allow the water to rise to its final level and then be measured. Additional borings shall be made within one hundred feet (100') of the hole where water is discovered and tested in a similar manner. Results of these tests shall be reported to the City for their use in evaluating the proposed construction plans.

SECTION 5 -SUBGRADES

A. The subgrade for new pavement shall be free from all organic matter, roots, brush, and vegetable matter. The top eight inches (8") of the subgrade shall be rolled and compacted to a density of not less than ninety-five percent (95%). Such density shall be determined by compaction tests taken by a reputable testing laboratory at intervals of not more than three hundred linear feet (300 LF) centerline and at such other locations as may be designated by the City. All such tests shall be done and performed at the sole expense of the contractor and/or developer and the results of all tests shall be certified by the laboratory to the City.

B. In the event any portion of the subgrade shall fail to *meet* the minimum standards, the contractor shall immediately proceed to perform such work as shall be required to bring that portion of the subgrade up to the minimum standards herein set cut including the making of any additional compaction tests which the City may deem necessary. If determined by the City to be advisable, all further construction may be stopped until the defective area or areas have been satisfactorily corrected.

C. The subgrade for concrete pavement shall be uniformly compacted. Compacting can be accomplished with a steel-wheel roller, a tamping roller, or a rubber-tired roller of adequate weight. To obtain a uniform subgrade, the subgrade soil shall be compacted at or slightly above standard optimum moisture content.

SECTION 6 - SUBBASE

A. Base Course

1. After preparation of the subgrade, the road-bed shall be surfaced with material of no lower classification than crush rock, stone, or gravel.

2. Selected material shall consist of a satisfactory sandy type soil or mixture of sandy soil and stone or gravel. The maximum size of gravel or stone particle shall not be greater than three inches (3"). The material furnished shall be free from sod, stumps, logs, roots, or other perishable or deleterious matter.

B. Subbase

1. The subbase course for streets shall generally be eight inches (8") thick for asphalt streets and four inches (4") thick for concrete streets, unless otherwise directed by the City Engineer, but a minimum subbase depth of four inches (4").

2. Subbase material should consist of crushed or uncrushed bank gravel or crusher run crushed stone. The material furnished shall not contain more the five percent (5%) by weight of shale, slate, and other deleterious matter. It shall be reasonably well graded from coarse to fine so that it can be compacted to a dense stable surface.

3. The subgrade shall be free from an excess or deficiency of moisture at the time of placing the subbase.

4. The subbase shall not be placed on a frozen subgrade.

5. Untreated subbases shall have a minimum density of 105 percent of AASHTO T99.

6. The stone base course shall be placed in four-inch layers, watered as necessary, and compacted to 100 percent AMMO T99. The contractor shall be responsible for keeping the stone base free of contamination from clay or other foreign materials. The base shall be tested by a reputable testing laboratory at the expense of the contractor and/or developer and the results of all tests shall be certified by the laboratory to the City.

7. The spreading shall be done the same day that the material is hauled, and it shall be performed in such manner that no segregation or course and fine particles nor nests or hard areas caused by chiming the crushed stone on the subgrade will exist.To ensure proper mixing, the subbase material shall be bladed entirely across the road bed before being spread.Care must be taken to prevent mixing of subgrade or shoulder material with the subbase material in the blading and spreading operations.

8. *C*ompaction of the crushed stone will be done by the *use* of vibrating rollers. The required crown and grade shall be maintained by blading so that the base will form a smooth and uniform surface. The following bases *are* acceptable:

   1. Gravel or crushed stone.

   3. AHDGB 203 AHD SB-2 or 3

   3. FHA Data Sheet Sk 101-201.

SECTION 7 - TABLE OF THICKNESS

The following table has been incorporated in these specifications as a basis of standardizing the paving requirement in and around the City of Searcy, Arkansas.

RIGID PAVEMENT

Wheel Loads	Type of Street	Portland Cement Concrete Base Thickness	Portland Cement Concrete Pavement Thickness
6,000 # or less	Residential	4"	5"
8,000 # or less	Commercial	7"	7"
10,000 # or less	Arterial	7"	8"
Over 10,000 #	Special Design		

FLEXIBLE PAVEMENT

Wheel Loads	Type of Street	2" Hot Mix Asphalt Base Thickness
6,000 # or less	Residential	8"
8,000 # or less	Commercial	10"
10,000 # or less	Arterial	12"

Over 10,000 #	Special Design

ALLEYS ONLY

Wheel Loads	Type of Street	Double Seal	1" Hot Mix Asphalt
		Base Thickness	
6,000 # or less	Residential	6"	6"
8,000 #	Commercial	7"	6"

Note: The thicknesses are based on a subgrade that would be classified as a medium compressible clay with some sand and silt, which is a poor subgrade.

All concrete used in the construction of streets, curbs and gutters, sidewalks, and drainage structures shall contain fiberglass fibers (fiber-mesh) to prevent cracking. Fiber-mesh shall be applied in the following manner: one and one half (1 and 1/2) pounds of high tech fiber, 3/4 inch in length, per cubic yard of concrete. The fiber-mesh shall be thoroughly mixed into the concrete before the concrete reaches the job site.

Thicknesses of both flexible and rigid type pavements may be determined from soils tests and bearing tests shall include soils analysis with identifying soils groups and subgrade Modulus "K" for Rigid Type Pavements and soils analysis with identifying soils groups and C. factors for Flexible Type Pavements.

When the above tests are not run by a reputable testing laboratory, the above thicknesses shall be used without deviation whatsoever.

All concrete streets are to contain 5 1/2 sack mix: per cubic yard. There shall be no traffic allowed to pass through or upon the said concrete streets within 14 days after said street has been poured.

SECTION 8 - MATERIALS AND METHODS FOR CONSTRICTING RIGID PAVEMENTS

A. Sand and gravel or stone aggregates are used with Portland Cement to make Portland Cement Concrete and;

B. Portland Cement is used to stabilize the in-place or selected solid to make soil-cement.

1. Portland Cement Concrete shall be a 28-day compressive strength of not less than three thousand (3,000) pounds per square inch, a slump of not more than three (2) inches and contain a minimum of five and five/tenths (5.5) sacks of cement per cubic yard of concrete. Concrete compression test cylinders shall be made at intervals of not more than three hundred (200) linear feet and at such other reasonable times and locations as may be specified by the City. All such test cylinders shall be delivered to and tested by a reputable testing laboratory and the results thereof shall be certified by the testing laboratory to the City. The expense of making and testing all such cylinders and certifying the results thereof shall be paid by the contractor and/or the developer.

2. Jointing, reinforcing, forming, placing, finishing and curing shall be in accordance with the recommendations of the engineer and/or the Portland Cement Association.

3. Soil-cement materials shall be tested and soil-cement shall be constructed in accordance with the recommendations of the Portland Cement Association and/or the consulting engineer.

SECTION 9 - MATERIALS AND METHODS FOR CONSTRICTING FLEXIBLE BASE

A. The term flexible base shall be used to describe bases that are constructed of clay gravel, crushed stone, sandy clay gravel, and other granular bases and sealed with asphaltic cement. The gradation of the base materials other than stone shall conform to Class GB-2 of the State of Arkansas Specifications and shall meet all other requirements as set forth for those Materials and Construction set out in Section 202.

B. The gradation of the base materials for crushed stone shall conform to Class SB-2 of the State of Arkansas Specifications for Crushed Stone Bases and shall meet all other requirements as set forth in Section 203 for those Materials and Construction Methods.

SECTION 10 - SURFACES

A. The surfaces included in these specifications shall be applied to the flexible and soil-cement base courses.

1. Double Seal Coat. This surface shall consist of two (2) applications of bituminous materials and mineral aggregates. The first application shall be at the rate of 0.30 to 0.50 gallons of medium or rapid curing asphalt per square yard applied evenly with a pressure distributor, followed by an even application thirty (20) to fifty (50) pounds of mineral aggregate per square yard, rolled and broomed. Mineral aggregates shall conform to the State of Arkansas Specifications, Section 506 for Bituminous Surface Courses, Class No. 8. The second application will be at the rate of 0.30 to 0.50 gallons asphalt per square yard with following application of thirty (30) to fifty (50) pounds of mineral aggregate per square yard, rolled and broomed. The second application mineral aggregates shall meet Class No. 9 of the Arkansas Highway Specifications for Bituminous Surface Courses, Section 506. The roller shall have a weight of not less than two hundred (200) pounds per inch of tread.

2. Hot Asphaltic Concrete. The hot asphaltic concrete shall meet and conform to specifications as outlined in the State of Arkansas Specifications 605 Asphaltic Concrete Hot Mix Surface Course and Mineral Aggregates meeting Type 3 Specifications. Section 607 on Material and Equipment for Hot Mix Surface Courses shall also be strictly adhered to.

3. Resurfacing Existing Streets. There shall be no resurfacing of existing paved streets, except concrete or brick, until satisfactory evidence has been submitted by a registered professional engineer or reputable testing laboratory that the existing base materials meet the hereinbefore stated minimum thickness test of not less than nine (9) test holes uniformly staggered per three hundred (300) foot block to obtain a true picture of existing base.

SECTION 11 - CURBS AND GUTTERS

A. Exhibit D illustrates the required curb design.

B. All curbs and gutters shall be of 3,000# compressive strength Portland Cement Concrete at twenty-eight (28) days. One (1) inch contraction joints shall be every eighteen (18) feet and expansion joints every seventy-two (72) feet. Should crushed stone aggregates by used, the spacing may be twenty (20) and eighty (80) feet respectively. Curing shall be done with white pigmented membrane or wet burlap for seven (7) days, and started immediately after the concrete has received its initial set.

C. All curbs and gutters shall be muled and finished with a broom finish and backfilled as soon as possible after forms are removed to prevent undermining.

SECTION 12 - TESTS AND SPECIFICATIONS

A. Concrete pavement. The engineer shall make all necessary daily tests such as slump, air content, thickness and surface variations. All daily compression test cylinders shall be tested by a reputable testing laboratory and charged to the contractor.

B. Soil-Cement pavement. The engineer shall make daily density and field density, thickness and surface variation tests. Only current ASTM or Arkansas State Highway methods shall be employed.

C. Flexible pavement. Tests of all materials in the base and wearing surface shall be made during and after the paving is completed in order to control and determine the quantity, quality and thickness of the various materials used.

Testing shall be done by a reputable testing laboratory and at the sole expense of the contractor and/or developer. Only current ASTM or Arkansas State Highway methods shall be employed. At least one (1) test for every three hundred (200) linear feet of base shall be made for density and thickness of base course; and for each three hundred (300) tons of asphaltic surface material, but not less than one (1) test per day shall be made.

SECTION 13 - BONDS AND INSURANCE

A. Public liability and property damage insurance. The contractor shall furnish public liability insurance in an amount of not less than One Hundred Thousand ($100,000) Dollars for injuries including accidental death to any one person and for an amount of not less than Five Hundred Thousand ($500,000) Dollars for any one accident. Property damage insurance shall be in an amount of not less than One Hundred 'Thousand ($100,000) Dollars each accident If a combined bodily injury and property damage limit is used, the limit shall not be less than ago Hundred Fifty Thousand ($250, 000) Dollars each occurrence and Five Hundred Thousand ($500,000) Dollars general aggregate.

B. Maintenance Warranty. The contractor shall furnish the City with a one (1) year Maintenance Warranty for all pavement related items, which shall go into full force and effect from the date of the City's acceptance of the project in full. The City and/or the engineer shall make periodic inspection of the project and shall notify the contractor of any failures that require immediate replacement.

Prior to the end of the one (1) year period covered by the Maintenance Warranty, the City officials with the engineer shall make an inspection of the work and shall notify the contractor of all defects which must be corrected and accepted by the City. The contractor will be required to correct all deficiencies within three (3) months. If the Contractor fails to complete repairs as directed by the City Engineer, the City of Searcy shall have the right to make all repairs at the expense of the Contractor.

ORDINANCE 2011- 01

AN ORDINANCE AMENDING PORTIONS OF THE SUBDIVISION REGULATIONS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, land development in the City includes the design of drainage measures and facilities to prevent the flooding of adjacent and downstream properties; and

WHEREAS, the regulations found within the subdivision code of the City of Searcy do not, at present, provide for such design; and

WHEREAS, the Planning Commission has directed the preparation of revised regulations governing drainage in new developments within the planning area of the city; and

WHEREAS, the Planning Commission, after holding a duly authorized public hearing, has recommended specific revisions to the City Council.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Searcy, Arkansas:

Section 1. Chapter V of the Subdivision Regulations of the City of Searcy, Arkansas, is repealed and restated to read as follows:

"CHAPTER V -- DRAINAGE

SECTION 1 – GENERAL REQUIREMENTS

A. Applicability. All construction and subdivision developments or redevelopments shall submit a stormwater management and drainage plan, with stormwater calculations, before any plans will be processed for review by the staff or by the planning commission. The city engineer must approve the stormwater management plan before any planning commission, building permit, or notice to proceed shall be issued.

B. Exemptions. The following are exempted from mandatory review by the City Engineer but shall be reviewed by the Building Official who may forward any plans to the City Engineer in cases where conditions are indicated that could cause stormwater management problems...

1. An individual single-family dwelling, new or existing.

2. An individual duplex dwelling, new or existing.

3. A new non-residential structure to be located on a lot of 15,000 square feet or less.

4. An existing non-residential structure on which additional improvements are less than 500 square feet and which has been identified by the City Engineer as located on a lot or parcel that is free from current drainage issues.

C. Regulations. The following regulations shall govern the design, installation, and review of stormwater management plans and features.

1. Every residential, commercial and industrial subdivision shall make adequate plans and provisions to accommodate, control and dispose of stormwater by means of drains, sewers, catch basins, culverts, detention facilities and other facilities as deemed necessary by the city engineer, or as required by any other city ordinance. No work shall begin until plans are approved by the appropriate departments of the city. Plan approval shall be based on the requirements of the approved preliminary plat and other applicable city standards.

2. Facilities for storm drainage and detention of stormwater shall be designed and constructed so as to not increase the rate of stormwater runoff onto adjoining property or downstream systems to that which existed prior to the development. This requirement is subject to the following considerations.

   a. The requirement shall be satisfied when the City Engineer attests that the drainage plan submitted by the applicant's engineer meets or exceeds applicable standards and practices currently promulgated by the profession. Neither the City Engineer nor the applicant's engineer shall be held responsible for rainfall events or storm conditions that cannot be treated by those applicable standards and practices.

   b. If existing conditions on the subject property are, in the opinion of the City Engineer, presently causing drainage problems downstream, the design of the drainage and detention of stormwater shall first treat those existing conditions as well as those associated with new construction.

3. On-site detention facilities or other appropriate and approved means to control the increased runoff from development, based on a one in ten-year storm design frequency, shall be incorporated into the subdivision drainage plans. On-site detention facilities included as part of the drainage plan shall be maintained by the subdivider, owner of record or property owners association. The bill of assurance shall specifically state the party who shall be responsible for the maintenance of the detention facility. Maintenance shall include removal of sediment when the basin's function is impaired, mowing, removal of debris, and reseeding or re-sodding. If the subdivider, owner or property owners association neglect or refuse to maintain the detention facility after having been officially notified by the city in writing to do so, the city is authorized to perform the maintenance and to charge the cost to the subdivider, owner or property owners association. In instances where on-site detention is deemed inappropriate by the City Engineer, based upon submission of proper proof by the engineer of record, due to local

topographical or other physical conditions, land area limitations, and inaccessibility to an existing drainage system for outlet control, the city may allow the subdivider or owner of the property, as an option to on-site detention, to provide payment of a one-time stormwater payment-in-lieu of fee. Unless otherwise directed, the mayor shall determine the stormwater payment-in-lieu of fee based on a prorated formula of $2,500.00 per acre for all multifamily, commercial, and industrial development and $250.00 per lot for single-family detached residential. The requirement for detention or stormwater payment-in-lieu of fee shall apply to all development including previously approved preliminary plats, and development with staged (phased) construction, in which case it shall apply to the entire development. In instances where city staff determines that a proposed development will create a flooding problem downstream, the city will require detention or improvement of the downstream system as a condition for approval of the development. The city may participate in the acquisition of downstream easements. Stormwater payment-in-lieu of fees are to be deposited with the city prior to final plat approval unless otherwise directed by the mayor.

4. Funds generated from the payment of stormwater payment-in-lieu of fee shall be used for the specific purposes of better management of and improvements to the downstream drainage systems to which the payment applies.

5. Stormwater may not be diverted from one major watershed to another.

6. If any area or lot is within a designated floodplain or floodway, the final plat shall have a floodplain statement indicating the panel number, date and 100-year floodplain contour and/or floodway limit of the flood insurance rate map (FIRM) applicable to the area. In order to protect the public interest, floodways in every subdivision shall be kept free of incompatible urban development. Floodways, as defined by the current FIRM, or as modified by a detailed engineering analysis accepted by the Army Corps of Engineers, Federal Emergency Management Agency (FEMA), and city staff, shall be either designated on the plat as a drainage easement, or at the option of the landowner, dedicated to the public.

7. During construction of the subdivision and during the maintenance bond period, the subdivider shall provide all necessary maintenance and erosion control measures to keep ditches and drainage systems free of debris and sediment. The submitted subdivision construction documents should include the appropriate details and specifications pertaining to erosion control. Erosion control measures shall include temporary or permanent seeding, sodding, mulching, staked straw bales, silt fences, temporary diversion ditches, silt basins, terracing and ditch checks. Information on erosion and sediment control is available from the Arkansas Department of Environmental Quality.

SECTION 2 – FACILITY DESIGN SPECIFICS

A. Facilities for storm drainage shall be of adequate capacity, and designed in accordance with not less than a one in ten-year storm design frequency for single-family detached residential subdivisions, and one in 25-year storm design frequency in multifamily, commercial and industrial subdivisions (except in the city center commercial area, where one in 50-year design will be used). Developments where the upstream drainage area contributing runoff is less than 200 acres may be designed using the rational method for calculating runoff. Developments where the upstream drainage area contributing runoff is between 200 and 2,000 acres shall be designed using the U.S. Soil Conservation Services TR-55 method of calculating runoff. For developments where the upstream drainage area is greater than 2,000 acres, the U.S. Army Corps of Engineers HEC-1 program shall be used. A professional engineer licensed in the state shall prepare all such calculations. Provisions shall be made for stormwater emergency overflow in subdivisions having enclosed systems. This system shall be an aboveground system consisting of swales or other drainage mechanisms with the capacity to carry excess water to an approved drainage facility, not carried by the underground system. This system shall have the capacity for a one in 100-year storm design frequency.

B. In determining a drainage plan for a development, the project engineer shall assume a fully developed watershed in calculating the stormwater runoff. The engineer shall refer to city zoning maps to determine the classification of development planned for the undeveloped area in determining a "C" factor. The minimum runoff coefficient ("C" factor) for single-family detached residential areas is 0.50. (Refer to the following runoff coefficient tables for the "C" factor.)

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TABLE 1
RUNOFF COEFFICIENTS FOR RATIONAL METHOD

TABLE INSET:

		Runoff Coefficients Frequency		
Land Use Types		*10*	*25*	*100*
Residential:				
	Single-family (detached)	.50(.30-.60)	.65	.70
	Single-family (attached)	.60(.40-.70)	.65	.75
	Multifamily	.70(.60-.80)	.75	.80
	1/2 AC lots or larger	.40(.25-.50)	.45	.65
Commercial:				
	All commercial zones	.85(.70-.95)*	.90	.95
Industrial:				
	Light areas	.80(.50-.85)	.82	.85
	Heavy areas	.85(.60-.90)	.87	.90
	Parks and cemeteries	.30(.10-.40)	.40	.60
	Playgrounds	.35(.20-.40)	.50	.70
	Schools and churches	.60(.50-.75)	.65	.75
	Off-site flow analysis (when land use is not defined)	.55(.45-.65)	.67	.70

**Note:* The range of runoff coefficients is based on soil type: The low value is for sandy soils, while the high value is for clay soils. The given runoff coefficient outside the parentheses is to be used for design unless the engineer of record receives approval from the city engineer for another value located within the given coefficient range.

_____

~~C.~~ All open drainage ditches shall conform to any requirements set forth in the Master Street Plan or to standard engineering practice. This applies to open ditches in industrial subdivisions when the ditch is within the street right-of-way. Open drainage ditches along lot lines of residential property shall not be permitted unless approved by the city engineer.

D. The minimum allowable pipe size shall be 18 inches in diameter unless otherwise approved by the city engineer. Reinforced concrete pipe (RCP) shall be a minimum type III classification and shall be used for all drainage facilities at street crossings. High-density polyethylene (HDPE), and reinforced concrete pipe (RCP) may be used in underground drainage facilities which are not located at a street crossing. High-density polyethylene (HDPE) may be used in street crossings, provided there is sufficient street cover as approved by the City Engineer.

E. No head water or head pressure will be allowed in determining flow capacity of pipe culverts and box culverts that may cause a flooding condition.

F. All pipe culverts and box culverts shall have concrete headwalls at the inlet and outlet ends or flared end sections with concrete paved or riprap slope protection. Rip rap velocity Dissipaters for slope protection should be of sufficient size and quantity to prevent erosion.

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TABLE 2

RUNOFF COEFFICIENTS FOR RATIONAL METHOD COMPOSITE ANALYSIS

TABLE INSET:
(This table may be used only with permission from the City Engineer.)

			Runoff Coefficients Frequency		
Character of Surface			10	25	100
Undeveloped Areas:					
	Historic flow analysis, greenbelts, agricultural, natural vegetation clay soil:				
		Flat, 2%	.30	.33	.37
		Average, 2--7%	.40	.44	.50
		Steep, 7% or greater	.50	.55	.62
		Sandy soil			
		Flat, 2%	.12	.13	.15
		Average, 2--7%	.20	.22	.25
		Steep, 7% or greater	.30	.33	.37
Streets:					
	Paved		.90	.92	.95
Drives and Walks:			.90	.91	.92
Roofs:			.90	.92	.95
Lawns:					
	Clay soil:				
		Flat, 2%	.18	.20	.25
		Average, 2--7%	.22	.28	.35
		Steep, 7%	.35	.45	.60
	Sandy soil				
		Flat, 2%	.10	.25	.40
		Average, 2--7%	.15	.30	.45
		Steep, 7%	.20	.35	.50

SECTION 3. STREET RELATED

A. All street-related storm drains shall conform to specifications set forth in the Master Street Plan or Subdivision Code.

B. All roadway pavements shall be designed to eliminate cross flow of drainage across the pavement cross-section or crossing the crown of the street, except as outlined in Section 3 (F) below.

C. All street crowns on residential streets (as defined in the master street plan) shall be six inches, including a one-inch gutter slope to the curb.

D. Pipe culverts crossing city-owned street rights-of-way shall extend to the right-of-way lines. If side ditches are present, the pipe culverts shall extend as far to the right-of-way line as possible without obstructing the side ditch flow. Box culverts and bridges which cross city-owned street rights-of-way need not extend to the right-of-way lines on each side but shall be of sufficient width to accommodate the required vehicle roadway section, shoulders and pedestrian walkways. Box culverts having a clear span of less than six feet shall not qualify as a box culvert in the above provision but shall extend across the street from right-of-way line to right-of-way line.

E. All driveways within city-owned street rights-of-way shall be paved with reinforced concrete. Where a new driveway ties into an existing vertical street curb and the vertical portion of the curb is to be removed, it shall be saw-cut, not broken. When the curb is saw-cut, the driveway shall provide a smooth transition from the gutter line or an optional one-inch lip at the gutter line, and shall be sloped towards the street with a minimum six-inch fall to the bottom of the street gutter. No concrete, asphalt or other material shall be placed in the curb gutter to access a driveway.

F. No valley gutters or swaled pavements shall be permitted at street intersections except on local streets as defined by the master street plan, and only then due to topographical conditions and when the drainage calculations are approved by the City Engineer. All approved valley gutters shall be reinforced concrete pavement not less than six inches thick.

G. Curb inlets shall be designed to adequately accommodate the design storm volume of flow in the gutter and shall have a throat inlet capacity of 1.5 times the design gutter flow. Curb inlets shall be spaced so that at no point shall the gutter ponding between inlets be greater than half the width of the outer lane of the street. Maximum inlet spacing shall be 500 feet beginning at changes in the direction of the flow in the street gutter.

H. Breaks in the curb with concrete aprons curb cuts may be allowed in lieu of inlets where approved by the City Engineer and where the discharge flows directly into an existing drainage facility. Erosion control structures such as flumes, concrete splash pads, etc., must be provided to adequately control the resulting erosion.

SECTION 4. EASEMENTS

A. Where a major watercourse, channel or stream traverses a subdivision, a storm drainage easement shall be provided for access of vehicles and equipment for its maintenance. Such easement shall conform substantially to the lines of the watercourse as it enters and leaves the property. The width and construction of the easement shall be based on requirements of the city engineer, but in no case shall the easement be less than ten feet on either side of the centerline of the watercourse.

B. There shall be no structural encroachments into drainage easements. If drainage facilities or drainage easements are an enclosed (underground and covered) drainage system, then fences, parking lots, driveways, alleys and the like may encroach into or traverse the drainage easement.

C. No utilities, except for utility crossings, shall be allowed to encroach into defined drainage easements.

D. Wherever possible, drainage easements should be kept separate from utility facilities and easements.

SECTION 5. LOT DRAINAGE

A. In single-family subdivisions, the project engineer or subdivider shall submit, along with the other necessary construction drawings and documents, a subdivision lot drainage plan. This plan shall generally indicate how the project engineer or subdivider proposes that each individual lot shall drain after it has had a residential structure built on the lot. This requirement should not be construed as providing a specific drainage plan for each lot. Instead, this plan shall be used by city staff as a tool to assist the individual homebuilders in the final grading of the lot to provide the necessary lot drainage.

B. Single-family residential home builders shall, at the time of a building permit application, submit a plot plan indicating how the builder proposes to grade the lot and provide proper lot drainage. This individual lot drainage plan shall conform to the subdivision lot drainage plan as described in this subsection.

C. In order to avoid the potential for damage due to local flooding, all lots shall have the lowest livable finished floor elevation of any building a minimum of six inches above the finished elevation grade, except basement floors. The finished elevation grade shall be measured from and include topsoil and sod and/or other ground covers. Where practical, the finished floor as defined herein should be a minimum of 12 inches above the adjacent street’s top-of-curb elevation.

D. All lots shall be provided with adequate drainage and shall be graded to drain surface water away from foundation walls. The grade away from foundation walls shall fall a

minimum of six inches within the first ten feet except as restricted by lot lines, where the fall will be a minimum of six inches regardless of the horizontal distance available.

E. Lot owners shall not extend the downspouts of roof gutters, French drains or other type of stormwater drains to the edge of the property lines unless the discharge empties directly into an approved drainage facility (open drainage ditch, storm sewer manhole, street gutter, or areas zoned open-space). Lot owners shall not connect their stormwater drains to any existing city-owned underground drainage pipe.

F. In those instances where the roof gutters, French-drains or other types of stormwater drains cannot discharge into one of the facilities referenced in this subsection and is therefore directed to an abutting property, the minimum distance from the point of discharge to a side yard property line shall be one foot less than the minimum side yard setback requirement as specified in the zoning code. The minimum distance from the point of discharge to a rear yard property line shall be ten feet."

Section 2. All portions of the Subdivision Regulations of the City of Searcy, and all amendments thereto not specifically amended or revised by this Ordinance are hereby reaffirmed, remain unaltered and remain in full force and effect.

Section 3. The provisions of this Ordinance are separable and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of the Ordinance which can be given effect without the invalid provisions or portions.

Section 4. Emergency Clause. Whereas the proper drainage in the city and the orderly growth of the City of Searcy is of great importance, and the economic and physical well-being of the City is being hampered by any delay in the effective date of this Ordinance, and this Ordinance being necessary for the immediate protection of the public health and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage.

Adopted this 11th day of January, 2011.

The City of Searcy, Arkansas

By: _____
David Morris, Mayor

Attest:

_____
Searcy City Clerk-Treasurer

CHAPTER V
DRAINAGE

SECTION 1 - GENERAL REQUIREMENT

The capacity of all storm sewers, drains and drainage ways shall be determined by using a rational approach giving due consideration to rainfall intensity, soil characteristics, proper runoff coefficients, slope, and the hydraulic properties of the pipes and conduits used. Interceptors should be placed at intervals not to exceed six hundred (600) linear feet except under special conditions as approved by the City Engineer. The minimum design velocity shall not be less than two and one-half (2 1/2) feet per second, and the maximum design velocity shall not exceed ten (10) feet per second.

A. Drainage

A drainage system shall be designed and constructed by the subdivider to provide for the proper drainage of the surface water of the subdivision and the drainage area of which it is a part. The system shall be constructed in accordance with standards approved by the City.

In designing a drainage system the subdivider shall be guided generally by the following standards.

1. All streets shall be provided with an adequate storm drainage system consisting of curbs, gutters, and storm sewers or side ditches and culverts as approved by the City Engineer.

2. Drainage structures shall be designed using a rainfall intensity of four inches (4") per hour.

3. Facilities for storm drainage shall be of adequate capacity and design to accommodate the potential runoff from its entire upstream drainage area.

4. All surface water drainage shall be transported in reinforced concrete tile, concrete bores, concrete swales, or other facilities approved by the City. Drainage not located under streets may be constructed of 14 gauge galvanized steel material.

5. Drop inlets and underground storm drains of a design approved by the City Engineer shall be employed where the depth of water and gutter lines may be expected to exceed three inches (3") in depth.

6. Where major drainage ways are located within or adjacent to a development, drainage easements of at least fifteen feet (15') will be required.

7. Along major drains the Planning Commission shall require construction of uniform slopes not to exceed a slope of one foot (1') vertical to two feet (2') horizontal. The Planning Commissions may also require the developer to rip-rap or to concrete-line said drainage ways, if deemed necessary.

8. Street drainage shall serve as the primary drainage system and it shall be designed to carry at least the street, adjacent land, and building storm water drainage.

9. In order to insure the maintenance of a properly designed and installed drainage system the following shall be considered:

   a. Drainage swales or ditches along dedicated roadways and within the right-of-way or on the dedicated drainage easements are not to be altered, dug out, filled in, tilled, or otherwise changed. Property owners shall maintain these swales as sodded grassways or other non-eroding surfaces. Water from roofs and parking areas should be contained on the property long enough so that side drainage swales or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only when appropriate sized culverts or

other approved structures are provided. Culverts should be protected especially at the ends by headwalls or metal sections, and if damaged enough to retard the water flow, should be repaired or replaced.

B. Approval of Plans and Specifications

1. Specifications shall be defined as collectively all of the terms and stipulations contained in the written portion of information furnished. One complete set of specifications shall be submitted to the City Engineer by the owner's engineer prior to receiving contractors' bids on the proposed improvements. The main body of the specifications shall include such information and requirements as is necessary to produce and define a first class, workmanlike job.

2. The plan shall be defined as collectively all of the drawings pertaining to the contract and made a part thereof, and also such supplementary drawings as the engineer may issue from time to time in order to clarify the drawings, or for the purpose of showing changes in the work, or for showing details not previously shown. One set of complete plans shall be submitted to the City Engineer prior to receiving contractors' bids on the proposed improvements. The plan shall show the plan, profile and cross-section of the proposed improvements and shall specifically show drainage structures as to location, size, material and gradients.

SECTION 2 - MATERIALS AND METHODS OF CONSTRUCTION

Materials and methods for constructing excavations and fills, pipe culverts and storm sewers, catch basins, drop inlets and junction boxes and other structures shall include the following.

A. Materials

1. Fills. Materials used in the construction of compacted fills for storm sewers and other drainage facilities shall be composed of earth, sand, gravel, or other suitable material meeting the approval of the City Engineer.

2. Pipe. Pipe used in the construction of culverts and storm sewers shall be reinforced concrete or bituminous coated corrugated metal pipe or pipe arch with paved invert.

a. Reinforced Concrete Pipe. Reinforced concrete pipe shall conform to ASTM Designation C76.

b. Fourteen (14) gauge Bituminous Coated Corrugated Metal Pipe or Pipe Arch with Paved Invert. Bituminous coated corrugated metal pipe or pipe arch with paved invert shall be Armco Standard or equal and shall meet requirements for H-15 truck loading plus impact.

3. Rings and Covers and Grates and Frames. Cast iron shall be of good quality and of such character that it shall make the metal of the castings strong, tough, and of even grain. All castings shall be smooth, free from scale and cracks and other defects that might render them unsuitable for the use for which they are intended.

a. Rings and Covers. Rings and covers shall be of two main types: sidewalk and street type. The combined weight of the standard sidewalk type shall be approximately one hundred twenty-five (125) standard pounds, total, and the standard combined weight of the street type shall be approximately two hundred fifty (250) pounds, total.

4. Portland Cement Concrete for Appurtenances. Portland Cement Concrete for appurtenances shall have a minimum compressive strength of not less than two thousand (2,000) pounds per square inch in twenty-eight (28) days. Its maximum slump in place shall not exceed four (4) inches Concrete shall be mixed in accordance with current ASTM requirements.

B. Methods

1. Excavation and Fills; Pipe Culverts and Storm Sewers. All excavation shall be carried to an elevation where foundation materials are satisfactory to the engineer regardless of elevations shown on the plans. Pipe culverts and storm sewers shall be placed wither by hand or by mechanical means and shall be laid and back filled as specified herein.

a. Forming Bed for Pipe. Where pipe is laid below the ground line, the trench shall be excavated to the required depth and the minimum width practicable for the existing working conditions. The bottom of the trench shall be shaped to conform to the bottom of the pipe and to afford a uniform bearing throughout its entire length. Recesses shall be excavated to receive the bells where bell and spigot pipe is used.

When rock is encountered in the trench, it shall be *removed* to a minimum depth of six (6) inches below the pipe, and this excess depth shall be refilled with suitable material and stabilized. Mere pipe is not laid in a trench, a uniform, firm bed shall be made as specified above.

b. Laying the Pipe. Pipe culverts and storm sewers shall be laid to the lines and grades established by the engineer with the hubs and bells upgrade. Spigot ends shall be fully entered into the adjacent hubs or bells. All joints shall be sealed with an approved joint sealer. The insides of all, joints shall be wiped and finished smooth. When corrugated metal pipe or pipe arch sections are used, they shall be joined with a handmade of the same material as the pipe. Any pipe which is not in true alignment or which shows settlement after laying shall be taken up and re-laid by the contractor.

c. Backfilling. The material used for backfilling pipe culverts and storm sewers under improvement shall be at optimum moisture and shall be free from large lumps, clods, or rocks in layers of approximately eight (8) inches and thoroughly compacted to an elevation equal to the spring line of the pipe.

Subsequent layers of backfill material shall be placed uniformly over the contour of the pipe in layers not to exceed eight (8) inches and shall be compacted for the entire depth of the trench. Backfill compaction by puddling or jetting with water shall not be permitted unless it is nonplastic material.

2. Catch Basins, Drop Inlets, and Junction Boxes. Concrete floors for catch basins, drop inlets and junction boxes shall be poured at least twenty-four (24) hours prior to beginning construction on the walls. Floors shall be constructed to the full outside dimensions indicated in the plans. Walls shall be so constructed as to form a tight joint with the floor and around all inlets and the outlet pipes. Walls may be constructed of reinforced concrete meeting current AIM requirements or concrete blocks laid and filled with concrete as required by the engineer.

SECTION 3 - BONDS AND INSURANCE

A. Public liability and property damage insurance. The contractor shall furnish public liability insurance in an amount of not less than One Hundred Thousand ($100,000) Dollars for injuries including accidental death to any one person and for an amount of not less than Five Hundred Thousand ($500,000) Dollars for any one accident. Property damage insurance shall be in an amount of not less than One Hundred Thousand ($100,000) Dollars *each* accident. If a combined bodily injury and property damage limit is used, the limit shall be not less than Two Hundred Fifty Thousand ($250,000) Dollars *each* occurrence and Five Hundred Thousand ($500, 000) Dollars general aggregate.

B. Maintenance Warranty. The contractor shall furnish the City with a one (1) year Maintenance Warranty for all pavement related items, which shall go into full force and effect from the date of the City's acceptance of the project in full. *The* City and/or the engineer shall make periodic inspection of the project and shall notify the contractor of any failures that require immediate replacement. Prior to the end of the one (1) year period covered by the Maintenance Warranty, the City officials with the engineer shall make an inspection of the work and shall notify the contractor of all defects which must be corrected and accepted by the City. The contractor will be required to correct all deficiencies within three (3) months. If the Contractor fails to complete repairs as directed by the City Engineer, the City of Searcy shall have the right to make all repairs at the expense of the Contractor.

Chapter VI

Note:

Chapter VI has been repealed and replaced by Ordinance 2005-30 as follows:

ORDINANCE NO. 2005-30

AN ORDINANCE AMENDING THE SEARCY CODE OF ORDINANCES TO ADOPT REGULATIONS CONCERNING CURB CUTS IN THE CITY OF SEARCY, ARKANSAS; ADOPTING A FEE AND PERMIT SCHEDULE FOR SAID CUTS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the Searcy City Council has been made aware that excavation of curbs and public streets, roads and ways within the City of Searcy, Arkansas, has contributed to a degradation of said streets, roads and ways; and

WHEREAS, the Searcy City Council seeks to reduce the number of cuts in curbs along the public street, roads and ways and limit and improve the manner in which such excavation takes place in an effort to reduce potential traffic hazards, regulate and maximize the value of real property within the City of Searcy and for the benefit the citizenry as a whole; and

WHEREAS, the Searcy City Council finds that the rate of the degradation of said public streets, roads and ways is increasing and that regulation of said curb cuts and cutting of public streets, road and ways is necessary for the immediate protection of the health, safety and welfare of the Citizens of Searcy, Arkansas, and to protect and regulate permitted land uses and declares that an emergency exists

NOW, THEREFORE, be it ordained by the City Council of the City of Searcy, Arkansas, that:

Section 1. The Code of Ordinances of the City of Searcy, Arkansas, is hereby amended by adding a Chapter to be numbered 32 and to be titled "Excavations and Alterations of Street, Roads, Ways and Curbs", which said Chapter reads as follows:

"Article 1 – Opening and Repair

Sec. 32-1-1 Before any opening is made in the curb, gutter, or pavement of any street or in any unpaved street, or in any Right-of-Way, of the City of Searcy, Arkansas, for the purpose of laying, re-laying, removing, replacing, repairing, or servicing any line, pipe, cable, or other utility service facility which is, or is to become, the property of any utility company, the person, firm, or corporation desiring to make such opening shall apply to the City Engineer of the City of Searcy for a permit. The person, firm, corporation, or utility company shall provide the City Engineer for approval a sketch detailing the location of and the scope of the proposed cut or excavation.

Sec. 32-1-2 If the opening contemplated by Sec. 32-1-1 is approved, the City Engineer shall make an estimate of the cost of repairing the opening and shall issue such permit showing such

estimate; provided, however, any emergency excavation that is required on weekends, between the weekday hours of 5:00 P.M. and 8:00 A.M., or on any legal holiday, may be commenced without the obtaining of a permit providing an application for a permit is made prior to 9:00 A.M. on the morning of the first business day following the commencement of the excavation.

Sec. 32-1-3 The City Engineer or his representative, at their discretion, may require that a boring be made in lieu of an open cut where conditions warrant. Any such boring shall also require a permit and the approval of the Engineer or his representative.

Sec. 32-1-4 Any person, firm, corporation, or utility company making an excavation in any paved or unpaved street in the City of Searcy, Arkansas, shall within five (5) days after said excavation shall have been made, unless the time has been extended by the City Engineer or his representative, replace and relay the said street in accordance with the following:

A. Where streets, sidewalks, right-of-ways, or alleys are cut, regardless of type of street, sidewalk, right-of-way, or alley, the excavation shall be repaired as follows:

i. Concrete pavement. The fill shall be tamped in six (6) inch layers so as to obtain maximum compaction. The fill shall be tamped to within seven (7) inches of the top of original pavement. The width of concrete replaced shall be at least twelve (12) inches wider than the trench width so as to allow at least six (6) inches overlap of slab over trench walls. The concrete replaced shall include one and one half pounds of fiberglass fibers (fiber-mesh) per cubic yard of concrete. The fiberglass fibers (fiber-mesh) shall be thoroughly mixed into the concrete before the concrete reaches the job site. The compressive strength of the concrete shall be at least three thousand (3000) psi. The City Engineer may, at his discretion, require any tests to be made that he believes are necessary for the protection of the city including but not limited to density tests on compacted soils or base material, slump tests and compressive strength tests on concrete.

ii. Asphalt pavement. The fill shall be tamped in six (6) inch layers so as to obtain the maximum

compaction. The fill shall be tamped to within seven (7) inches of the top of original pavement. Then five (5) inches reinforced concrete shall be placed on the fill. The concrete replaced shall conform to the same requirements as outlined in sub-section (1) concrete pavement above. After the concrete has been placed on the fill, then two (2) inches of hot mix asphalt shall be placed on the concrete so as to conform to the proper grade and alignment. Cold mix asphalt may be used with the permission of the City Engineer. In the event that asphalt is unavailable, the cut may be filled to the top with concrete. The concrete will must be colored to closely match the surrounding asphalt pavement by mixing a dye with the concrete while it is still in the truck.

iii. Gravel and/or dirt streets. The fill shall be tamped in six inch (6") layers so as to obtain maximum compaction. The fill shall be tamped to within twelve (12) inches of the top of original road bed. The remaining twelve (12) inches must be compacted red clay gravel or crushed SB2 stone.

iv. Alleys. Alleys shall be treated the same as streets with comparable surface. When the alley is unopened and unused by the public, the provisions of this regulation shall not apply.

v. Parking areas/ Shoulders. Cuts made within the public right-of-way and outside of asphalt or concrete surface shall be back filled and tamped in six (6) inch layers to within seven (7) inches of surface and then filled with SB2, or in lieu of the foregoing, the complete excavation shall be filled with SB2 material and rolled.

vi. Sidewalks/Paved trails. Cuts made in sidewalks or paved trails within a public right-of-way shall be backfilled and tamped in six (6) inch layers to the proper grade and the surface shall be replaced with material(s) of a strength and thickness corresponding to the original material(s) including any base material. The minimum thickness for asphalt shall be three (3) inches. The minimum thickness for concrete shall be four (4) inches.

vii. Vegetative areas. For vegetative areas, the excavation shall be filled with native materials and compacted to within at least eight (8) inches of the original surface and finished to the original grade with topsoil and vegetative material(s) matching those removed.

B. Any cut or excavation in a pavement section shall be protected from traffic by positioning an appropriately sized steel plate over the affected area until the repair is complete.

Sec. 32-1-5 If any person, firm, corporation or utility company makes an excavation during the day, they must if at all possible, repair the excavation the same day. If, however, it is impossible to finish repairs the same day, they must leave said excavation properly lighted and barricaded. Said barricades and lights shall bear an identification mark identifying the person, firm, or corporation excavation and repairing said street. Said identification mark of each person, firm, or corporation shall be registered with the City Engineer, and said barricades and lights shall be approved by the City Engineer. Said barricades and lights shall be maintained without interruption until the repair has been completed and approved by the City Engineer. If it becomes impossible to finish repairs on the same day, a street that the City deems necessary for the proper and continued flow and maintenance of traffic, the City Engineer may require any person, firm, or corporation repairing said street to provide steel plating of adequate strength and rigidity to be placed across the entire excavation or any part thereof. All such plating shall be firmly anchored in place and shall meet with the approval of the City Engineer.

Sec. 32-1-6 The work of making all repairs as herein provided shall be done under the supervision and direction and to the satisfaction of the City Engineer or his representative who may proscribe by regulations the manner of such refilling and repairs. Inspections by the City Engineer or his representative during filling/compaction, concrete pours, and asphalt laying are mandatory and must be applied for at least 24 hours prior to said operations.

Sec. 32-1-7 The person, firm, corporation, or utility company responsible for such street excavations shall be responsible for excess fill dirt, dust, or any foreign matter caused by said excavation. The person, firm, corporation, or utility

company that has made an excavation shall control the above mentioned items by whatever means that are necessary in order to preserve the health, safety and peace of the citizens of Searcy, Arkansas.

Sec. 32-1-8 Any person, firm, corporation, or utility company having secured a permit and having the same approved as provided for under said provisions shall, before commencing said work of excavation, file with the clerk/treasurer a bond to the City of Searcy in double the amount of the estimate made by the City Engineer or his representative of the cost of making such repair. The said bond shall be approved the City Attorney and shall be conditioned that the said street shall, within five (5) days after such excavation shall have been made, or within any extension of such time by the City Engineer, as herein provided, be repaired in manner as outlined above, and said repair shall thereafter be maintained in good condition for a period of one (1) year after it is replaced as provided herein. Said bond shall be a corporate surety bond.

A. The bond provided for above may be made for a specified term and shall cover the replacing and maintenance of all streets in which excavation may be made during the term thereof by the person, firm or corporation filing said bond, and, in that case, the said bond shall be in double the amount of the estimated cost of all repairs which may be made by such person, firm or corporation at any one time during the said term, and in such case said bond must be a corporate bond.

B. In lieu of filing a bond as herein provided, any person, firm or corporation to whom a permit is issued to make repairs, may deposit with the clerk/treasurer of the City an amount of money equal to the amount of the bond required.

C. The City may waive the requirements for a bond or a deposit provided that previous work has been performed to all applicable standards and any previous deficiencies have been corrected in a manner acceptable to the City Engineer.

Article 2 – Permits, Licensing and Application of Chapter

Sec. 32-2-1 In the event that any person, firm, corporation, or utility company cuts the street without the necessary permits and / or bond, the city may, in addition to the amount of the proscribed fine, render to said applicant a complete

statement of all costs and charges incurred and/or expended for labor and materials in making any necessary repairs to the pavement section, and such person, firm, corporation, or utility company shall pay the same forthwith.

Sec. 32-2-2 It is the intention of this regulation that no person, firm, or corporation other than the City of Searcy or its duly designated agents, servants, or employees shall make or attempt to make any street opening or to repair or attempt to repair the same, except as is specifically set forth in this Chapter.

Sec. 32-2-3 Nothing in this Chapter shall limit application of Subdivision Regulations of the City of Searcy to areas outside the City Limits of, but within the Planning Area Boundary for, the City of Searcy, Arkansas.

Sec. 32-2-4 The form of the Permit referenced in this Chapter shall be in a form created by the City Engineer.

Sec. 32-2-5 The fees for the permits required by this Chapter and penalties for non-compliance herewith shall be as set forth in Chapter 31 of the Searcy Code Ordinances, as may be amended from time to time."

Section 2. Chapter 31, Article 4 of the Code of Ordinances of the City of Searcy, Arkansas, is hereby amended by adding a section, to be number 31-4-7, to read as follows:

"Sec. 31-4-7 Roadway or Curb Cut Permit. Any person, firm, corporation, or utility company desiring to make an excavation in any street or street right-of-way in the City of Searcy, Arkansas, shall apply to the City Engineer for a permit, and at the time the permit is issued, and before any excavation is made, shall pay to the City Engineer a fee of Twenty-five ($25.00) Dollars."

Section 3. Section 31-1-8 of the Code of Ordinances of the City of Searcy, Arkansas, is hereby amended by amending said section which shall read as follows:

"Sec. 31-1-8-1 Permits Prior to Commencement. All permits must be applied for and obtained prior to the commencement of any work subject to the terms of this Chapter. In the event that any person, firm or entity performs any work, or directs that any work should be performed without first obtaining such permits as may herein be required or fails to pay all sums due for inspections or permits shall be fined the sum of $100.00 per

day from and after the commencement of such work prior to such permits being obtained; each day from the commencement of the work to the day said permit is obtained or fees shall be paid shall be a separate offense.

Sec. 31-1-8-2 Roadway or Curb Cut Permit. The penalty for failure to obtain a permit as required by Chapter 32 of the Code of Ordinances for the City of Searcy or failure to comply with the terms of said Chapter shall be result in the imposition by the City Engineer, or his designee, or the Department, an administrative fee in the sum of two hundred and fifty dollars ($250.00) dollars. Each day without a permit following the commencement of excavation as regulated by Chapter 32 of the Code of Ordinances constitutes a separate offense and the penalty for each day shall be fifty (50) dollars."

Section 4. All portions of resolutions, codes, ordinances, or parts of ordinances in conflict with the terms hereof are hereby repealed; provided, however, that nothing herein shall be deemed to modify the Subdivision Regulations for application within the planning area boundary of the City of Searcy, Arkansas.

Section 5. That nothing in this ordinance or in the Searcy Building Code or any other code adopted by the City of Searcy shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any causes of action acquired or existing, under any act or ordinance hereby repealed by the act of the adoption of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the Searcy City Clerk-Treasurer shall certify to the adoption of this ordinance, and cause the same to be published as required by law.

EMERGENCY CLAUSE. The need to protect the health, safety and welfare of the citizens of Searcy, Arkansas, being manifest, the City Council for the City of Searcy, Arkansas, finds that an emergency exists and that the provisions of this ordinance shall be in full force and effect from and after its passage.

CHAPTER VII
ADMINISTRATION

SECTION 1 - ADMINISTRATION

A. These rules and regulations shall be administered by the Planning Commission and City Staff.

B. The Commission may from time to time issue instructions and operating procedures to be followed in the administration of these regulations to the end that the public may be informed and that approval of plats be expedited.

C. No building permits shall be issued for any structure on any lot in a subdivision for which the final plat has not been approved and recorded in the manner prescribed herein.

D. No utility service shall be extended until streets and drainage are accepted by the City Engineer.

E. Any subdivision not requiring new streets or changes in existing streets shall furnish a survey plat and street approval by the City Engineer and any other requirements deemed necessary by the Planning Commission.

SECTION 2 - FEES

A. At the time of filing an applications with the Searcy Planning Commission requesting consideration of a subdivision plat, the subdivider shall pay to the City Clerk a filing fee of $15.00 per proposed lot in the phase to be developed in the preliminary plat.

SECTION 3 - PENALTY

A. ~~Any violation of these rules and regulations shall be a misdemeanor under the laws of the State of Arkansas. Any person, firm, or corporation violating any of the provisions of this regulation or amendments thereto, upon conviction, shall be punished as for a misdemeanor, and any court having jurisdiction of misdemeanor cases shall have jurisdiction to try such offenders, and upon conviction, to fine them not less than twenty-five dollars ($25) nor more than one-hundred dollars ($100) for each offense. Each day that any violation of these rules and regulations is in effect shall constitute a separate offense.~~ (2008-15)

Any person, firm, or corporation that 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) and not more than five hundred dollars ($500.00). Each day that violation of these regulations is in effect shall constitute a separate offense and be subject to additional fines of not less than one hundred dollars ($100.00) and not more than five hundred dollars ($500.00) per day.

Appropriate actions and proceedings may be taken by law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building, structure or premises, and these remedies shall be in addition to the penalties described above. (2008-15)

SECTION 4 - ADOPTION

A. These rules and regulations shall be in full force and effect upon adoption by the Commission and the City Council of the City of Searcy, Arkansas.

SECTION 5 - SEVERABILITY

A. If any section, clause, paragraph, provision, or portion of this regulation shall be held invalid or unconstitutional *by* any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision, or portion of the regulation, and all provisions shall be considered as severable from any other provision or portion.

SECTION 6 - EMERGENCY

A. This regulation being necessary for the preservation of public peace, health, and safety shall be in full force and effect from the date of its adoption. All codes and ordinances and parts of codes or ordinances in conflict herewith are hereby repealed.

ORDINANCE NO. 2021 - 01
CITY OF SEARCY, ARKANSAS
AN ORDINANCE AMENDING PORTIONS OF THE SEARCY SUBDIVISION AND DEVELOPMENT CODE (ORDINANCE NO.92-04) RELATING TO SMALL-SCALE DEVELOPMENTS; AND FOR OTHER PURPOSES

WHEREAS, the Planning Commission has recommended certain changes to the Searcy Subdivision and Development Code, adopted by Ordinance Number 92-04 on February 11, 1992, relative to Small-Scale development submittals; and

WHEREAS, after proper advertisement and notice, a public hearing was conducted before the City of Searcy, Arkansas Planning Commission on January 5, 2021, at which time all public views on this issue were heard.

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

Section I. That Chapter II of Ordinance No: 92-04 shall be amended to include the following Section 4.

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SECTION 4: OTHER COMMERCIAL AND INDSUTRIAL DEVELOPMENTS

A. Minimum Submittal Requirements for Commercial and Industrial Developments

For any new commercial or industrial development which does not meet the criteria for a large scale development approval, the following must be submitted to the City of Searcy Code Enforcement office for staff review for consideration and approval of the development.

i. Site Plan
ii. Drainage Plan
iii. Exterior Building Elevation for any side facing a public right of way or street

B. The site plan will contain the same submittal requirements specified in Chapter III. Section 3.C: Site Plan Requirements

Section II The regulation of land development and the 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: This 12th day of January, 2021

/s/ Kyle Osborne
Mayor of Searcy

ATTEST:

/s/ Jerry Morris
City Clerk