

ORDINANCE NO. 0-98- 19

AN ORDINANCE AMENDING ORDINANCE B-425, THE LAND USE CODE OF THE CITY OF ARKADELPHIA, ARKANSAS AND SPECIFICALLY AMENDING PART B - SUBDIVISION REGULATIONS, CHAPTER V - REPLATTING, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA, ARKANSAS, THAT:

SECTION 1 - Ordinance B-425, Part B - Subdivision Regulations, Chapter V - Replatting, is hereby amended to read in its entirety as follows:

Property shall not be replatted which has been previously platted by a common dedication except in conformity with these requirements


- A. The replat shall meet all requirements for a new subdivision that may be pertinent.
- B. Replats that create or affect three or more lots or affect streets or alleys or for some other reason cannot comply with the replat as set forth hereinafter in Paragraph C must comply completely with the preliminary and final plat requirements, including approval by the Planning Commission, and comply with the Land Use Code. A public hearing will be held before the Planning Commission with a notice run at least one time fifteen (15) days before the hearing in a newspaper of general circulation in Clark County, Arkansas. In addition, the Petitioner will notify all property owners within 200 feet of the land to be replatted of the hearing, the date and the subject matter of the hearing, which notice shall be sent certified mail, return receipt, addressee only. The return receipts properly signed will be delivered to the Planning Commission at the public hearing. Petitioner's use of the addresses as set forth in the Clark County Assessor's office is acceptable for determining proper notification.
- C. Replats that create or affect only one new lot from an existing parcel or lot, resulting in two lots, may be approved administratively by the appropriate City Building Official if the following requirements are met.
 - 1. There are no streets, alleys, easements, or utilities affected in any manner.
 - 2. The replat does not violate with any existing bill of assurance or restrictive covenant that affect the lot(s) and that the lot(s) as replatted meet all of the requirements of any existing bill of assurance or restrictive covenants.

3. The lot(s) as replatted must meet the Land Use Code and all minimum requirements.
 4. The Building Official may refer the replat to the Planning Commission.
- D. All replats must be evidenced by a survey capable of being filed of record in the Office of the Circuit Clerk and Recorder and stamped with the approval of the appropriate Building Official or Planning Commission.
- E. Appeals from decisions of the appropriate Building Official may be filed with the Planning Commission and then the City Board.
- F. A fee of \$20 per replat shall be collected for each replat that does not require a preliminary plat. If a preliminary plat is required, the fee for the replat shall be the same as required for a preliminary plat. The replat will not be reviewed or considered until such fee has been collected.


SECTION 2 - Any ordinance and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3 - Due to the effects of the tornado of March 1, 1997, and the need to allow affordable housing to be rebuilt, this change in replatting procedure is necessary to reduce the cost of buildable lots as affordable housing affects the health, safety, and welfare of all of the citizens of the City of Arkadelphia, and therefore an emergency is declared and this ordinance shall be in effect from and after its passage and publication.

PASSED and APPROVED this 17 day of December, 1998.


MIKE KOLB, Mayor

ATTEST:


Nancy Anderson, City Clerk