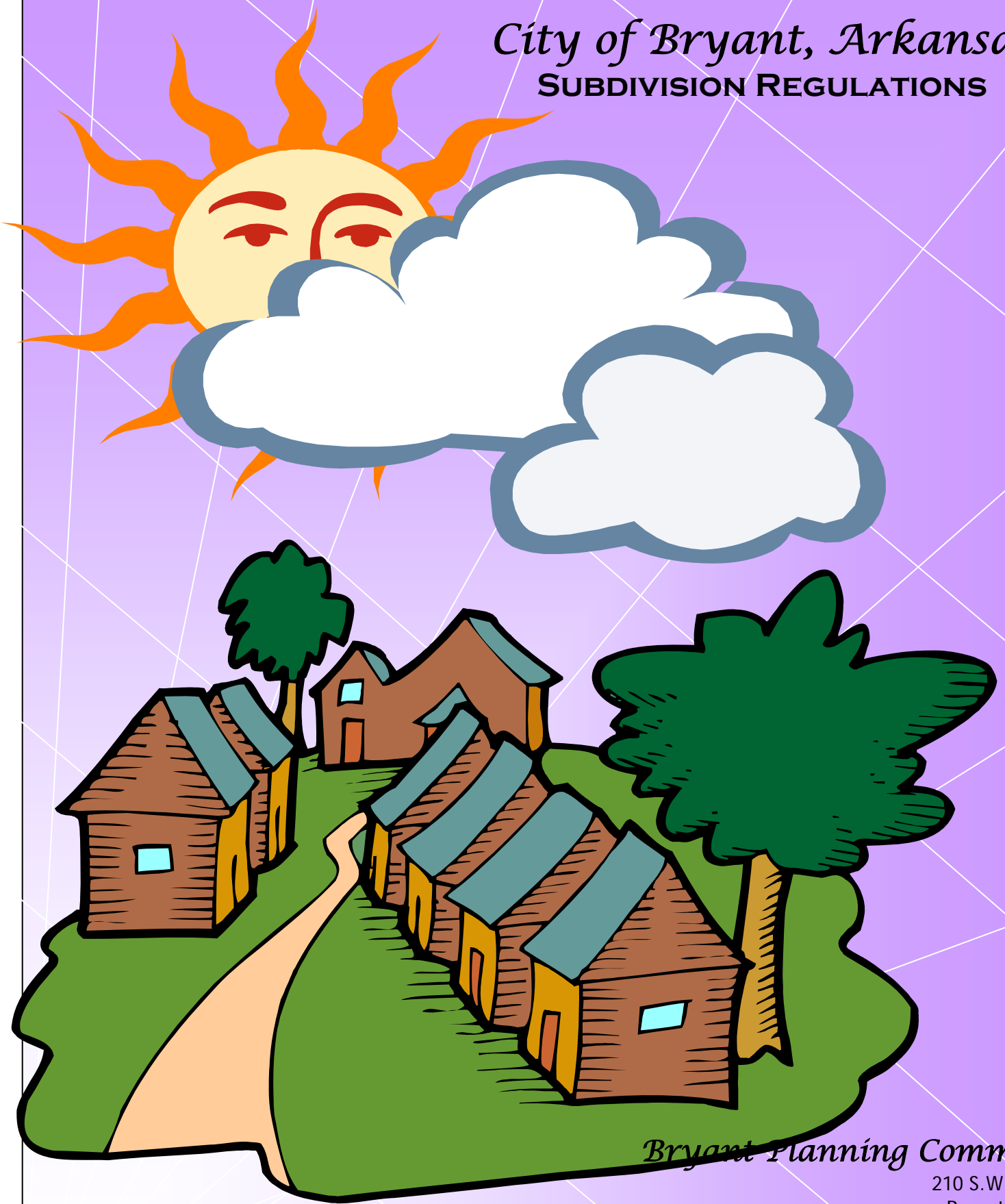


City of Bryant, Arkansas
SUBDIVISION REGULATIONS



Bryant Planning Commission

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City of Bryant
Subdivision Regulations

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ORDINANCE NO. 89-16

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND SUBDIVISION
ORDINANCE FOR THE CITY OF BRYANT

Whereas, it is in the best interest of the citizens of
the City of Bryant that from time to time the regulations
regarding zoning and subdivisions be amended ;
Now therefore, be it ordained by the City Council of the City
of Bryant, Saline County, Arkansas:

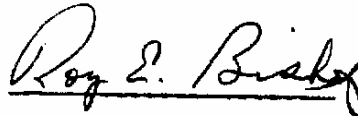
Section One: That the zoning regulations and
subdivision regulations attached hereto are hereby adopted
and shall be in full force and effect from and after this
date.

Section two: That for the interest of health, safety and
welfare of the citizens of the City of Bryant, this Ordinance
shall have full force and effect from and after its date of
passage.

Section Three: All Ordinances or parts of Ordinances in conflict
are hereby repealed.



Wanda Smith , City Clerk



Roy E. Bishop, Mayor

SUBDIVISION REGULATIONS

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Chapter 15.04

PURPOSE, INTENT AND JURISDICTION

Sections:

- 15.04.01 Purpose
- 15.04.02 Intent
- 15.04.03 Subdividers shall submit plats and plans
- 15.04.04 Certificate of approval and Bill of Assurance required

15.04.01 Purpose. It is hereby found and declared that in order to make adequate provision to guide, direct and control future growth and development in Bryant in an orderly, efficient, healthful, and economic manner, that there exists the necessity for setting forth certain procedures and standards to be followed in the development or redevelopment of land subdivision in Bryant, Arkansas.

15.04.02 Intent. These rules and regulations are intended to serve the following purposes:

To assist orderly, economic, efficient, and coordinated development with Bryant.

To promote the health, safety, morals and general welfare of the residents of Bryant.

To ensure conformance of subdivision plans with the public improvement plan of Bryant.

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

15.04.03 Subdividers shall submit plats and plans. Any subdivider of land within the territorial jurisdiction of the Bryant Planning area shall submit to the Commission plats of the subdivision 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. In the case of a plat constituting a replat of land into two or more lots, all of which will be served by an existing street or streets, the Commission shall have the power to vary the said requirements so that substantial justice may be done and the public interest served.

15.04.04 Certificates of approval and Bill of Assurance required. No subdivider proposing to make or have made a subdivision with the territorial jurisdiction shall

proceed with any construction work on the proposed subdivision, including grading, before obtaining a Certificate of Preliminary Plat Approval, and shall not convey title to any lot or lots before obtaining from the Commission a Certificate of Final Plat Approval and acceptance of the plat.

No subdivider shall record the plat of a subdivision or bill of assurance or any part thereof before obtaining from the Commission a certificate of final plat approval and acceptance of the plat and the bill of assurance.

A bill of assurance shall accompany each plat submitted to the Commission. (Ord. No. 98-35 of 1998).

Chapter 15.08

DEFINITIONS

Sections:

15.08.01 General Definitions

15.08.01 General Definitions: As used in these rules and regulations, words in the present tense include the future; words in the singular include the plural number, and words in the plural include the singular; the word "building" includes the word "structure"; and word "shall" is mandatory and not directory.

Certain words in these regulations are defined for the purpose hereof as follows:

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

Bryant - City of Bryant, Arkansas.

Bill of Assurance - A statement attached to the plat and signed by the owner setting out the following :

- (1) That he is the owner of the land described (followed by a legal description of the land).
- (2) That he has ordered the land surveyed and divided into lots as shown on the plat.
- (3) That he adopted this name for the subdivision.
- (4) That all lots shall hereafter be transferred in deeds as lot numbers of (name) subdivision.
- (5) That all streets, alleys, parks and easements are dedicated to the public.
- (6) That any amendment to the Bill of Assurance reducing the size of building to be placed on lots must be approved by the Commission.

The developer of a subdivision can only change a Bill of Assurance by a replat of the subdivision and with approval of the Bryant Planning Commission.

Sometimes there are use restrictions added to the Bill of Assurance. Procedures

for changing these restrictions may also be included in the instrument setting out the restrictions.

Building Line - A line across a lot establishing the minimum open space to be provided between the building and structures and the street property line.

City Engineer - The City Engineer or his designated representative of the City of Bryant.

Commission - The Planning Commission of the City of Bryant, Arkansas.

Cul-de-sac - A short street having one end open to traffic and being permanently terminated within the plat by vehicular turnaround.

Development Plat - The complete plan, or any of its parts, for the development of all or part of the territorial jurisdiction area, as adopted in accordance with the Arkansas Statutes as is now or may be hereafter in effect.

Easement - A grant by the property owner for the use of the public, a corporation, or persons of a strip of land for specific purposes.

Engineer - A registered engineer licensed to practice in Arkansas.

Final Plat - A finished drawing showing completely and accurately all legal and engineering information and certification necessary for recording, and includes the Bill of Assurance.

Frontage Road - (Sometimes referred to as access road) A street, parallel to and adjacent to a major highway or thoroughfare, which provides access to abutting properties.

Health Department - The City of Bryant Health Department, or the Arkansas State Board of Health, whichever has jurisdiction.

Lot - A portion of a subdivision, or any other parcel of land, intended as a unit for transfer or ownership or for development.

Lot, Corner - A lot abutting upon two or more streets at their intersection.

Lot, Through - A lot other than a corner lot abutting upon two or more streets.

Plat - A map or chart indicating the subdivision or re-subdivision of land, intended to be filed for record.

Preliminary Plat - A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate unquestionably its work ability in all aspects, but is not in final form for recording and the details are not completely computed.

Staff - The employees of the City of Bryant, Planning Commission, Engineer, and Inspector.

Minor Street - A street for access to residences, business, or other abutting property, not intended for through or heavy traffic and may be looped or terminated by a cul-de-sac.

Subdivider - Any person, individual, firm, partnership, association, corporation, estate, or trust, or any other group or combination acting as a unit dividing or proposing to divide lands so as to constitute a subdivision as herein defined, and includes any agent of the subdivider.

Subdivision - Any division of a lot, tract, or parcel of land either by platting or by metes and bounds into two or more lots or parcels for the purpose of transfer of ownership or development, including the combination or re-combination of two (2) or more previously platted lots. The term subdivision shall apply also to any division of land involving the dedication of a street to the public, provided, however, that any division of land for agricultural purposes into lots or parcels of five (5) acres or more shall not be deemed a subdivision unless a street dedication or the installation of utilities are involved. The terms when appropriate to the context shall subdivided.

Territorial Jurisdiction - All land lying within the Bryant City Limits and the designated planning jurisdiction area of record. (Ord. No. _____ of 19__).

Chapter 15.12

PROCEDURAL REQUIREMENTS

Sections:

- 15.12.01 Pre-Application Consideration
- 15.12.02 Application for certificate of preliminary plat approval.
- 15.12.03 Approval of the preliminary plat
- 15.12.04 Application for approval of the final plat
- 15.12.05 Approval of the final plat

15.12.01 Pre-Application Consideration. Whenever any subdivision of a tract of land is proposed to be made, the subdivider or his agent may submit to the Staff sketch plans and data concerning existing conditions within the site and in its vicinity, and which shall convey the intentions of the subdivider as to the proposed layout and type of development.

No fees shall be collected for pre-application consideration, the purpose being to acquaint the subdivider with plans and polices in effect that would be significant to the proposed subdivision.

15.12.02 Application for certificate of preliminary plat approval. Whenever any subdivision of a tract of land is proposed to be made. The subdivider shall first submit to the Commission an application for a Certificate of Preliminary Plat Approval which shall consist of:

A letter of request.

Plats, plans and data as specified in Section 15.16.01, concerning existing conditions within the site and its vicinity and which shall convey the intentions of the subdivider as to the proposed layout and type of development.

A filing fee as specified in Section 15.32.01.

Notify adjoining and other affected property owners by a sign in a conspicuous place. The Commission, prior to acting on a Preliminary Plat shall hold a hearing thereon at such time and upon such notice as the Commission may designate.

15.12.03 Approval of the Preliminary Plat. Upon receipt of an application for a Certificate of Preliminary Approval, the Commission shall check the application for conformance to these rules and regulations and shall also consider letters or certificates

of approval or disapproval from the City, County, and State Agencies as well as from the utility companies.

An application will be reviewed by the Commission at its regular monthly meeting.

In considering an application the Commission may introduce such changes as necessary to meet the intent of interests and the need of the community.

A disapproved Preliminary Plat may be:

Re-submitted to the Commission after changes have been made as suggested.

The Commission shall initiate action on an application beginning on the date of review. 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 therefore shall be enumerated.

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

Approval of the Preliminary Plat shall be governed by the following qualifications:

Approval of a Preliminary Plat is only tentative pending submission of the Final Plat.

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.

Receipt by the subdivider of the executed Certificate of Preliminary Plat Approval is authorized to proceed with:

The preparation of any necessary plans and specifications and the installation of any improvements required, subject to the approval of agencies having authority.

The preparation of the Final Plat or part thereof as specified in Section 15.16.02.

15.12.04 Application for Approval of the Final Plat. 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 Commission an application for review and approval of the Final Plat which shall consist of:

A letter of application requesting review and Final approval of the Plat.

The Final Plat and other documents as specified in Section 15.16.02.

The filing fee as specified in Section 15.32.01.

15.12.05 Approval of the Final Plat. Whenever a Final Plat has been submitted to the Commission which is in conformance with an approved Preliminary Plat and the provisions of Section 15.16.02, the commission shall consider and take action on the plat.

The Commission may cause a registered engineer to check the Final Plat for correctness, charging the cost to the subdivider if the plat is found to be in error.

Application for Final Plat Approval shall be in the Commissions office at least ten (10) days prior to the regular meeting date of the Commission in order to be considered at said meeting. The Commission will not take action on any applications received less than ten (10) days before its meeting.

If the Final Plat is disapproved, the applicant shall be so notified in writing and the reasons therefore shall be enumerated.

Final approval of the Final Plat shall be indicated by:

Executing a Certificate of Final Plat Approval on the plat when all required improvements have been certified under the provisions of Section 15.12.05 (a) as being installed, or in lieu thereof.

Executing a Notice of Final Approval when the subdivider elects to post performance bond or install the required improvements at a later date.

Whenever a subdivider has been issued a Notice of Final Approval, the Commission shall execute a Certificate of Final Plat Approval on the plat:

For areas within the Planning Area of the City upon certification by the City Clerk or the City Engineer that the city has received one of 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 and in accordance with these qualifications.

(b) A contract between the subdivider and the City that the subdivider will install the required improvements, said contract shall be based on a satisfactory demonstration to the Planning Commission and the City of Bryant of the subdivider's financial ability to make the required improvements.

(c) A performance bond which shall:

- (1) Run to the City of Bryant,
- (2) Be in an amount determined by the City Engineer to be sufficient to complete the improvements and installations for the subdivisions in compliance with these rules and regulations.
- (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 the improvements and installations:

Or

- (5) Have a performance bond with the City of Bryant.

(d) A cash deposit in the full amount as determined by the City Engineer, necessary to complete the improvements and installations for the subdivision in compliance with these rules and regulations. Such cash deposit may be withdrawn in direct proportion to the amount of work completed as approved by the Commission.

Approval of the Final Plat by the 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 as prescribed by law.

Upon completion of the installation of the improvements required by these rules and regulations, a letter shall be submitted by a Registered Professional Engineer, certifying that all improvements and installations have been made in accordance with the submitted construction plans and drawings and the standards established by the City of Bryant and are functioning properly. (Ord. No. ____ of 19__).

Chapter 15.16

PLAT SPECIFICATIONS

Sections:

- 15.16.01 Preliminary Plat Specifications
- 15.16.02 Final Plat Specifications
- 15.16.03 Plat Certificates

15.16.01 Preliminary Plat Specifications. The submission to the Commission shall consist of five (5) black or blue line prints on white background, and such other documents in five (5) copies as are necessary to meet the requirements of this section. (If proposed subdivision is within the jurisdiction of a city Planning Commission such other copies as they may need.)

The Preliminary Plat shall be clearly and legibly drawn. The size of the plat shall not be smaller than eight and one-half (8 ½) inches by eleven (11) inches. The plat of a subdivision containing six (6) acres or more shall be drawn at a scale of one (1) inch equals one hundred (100) feet, unless otherwise determined, by the Commission.

The Preliminary Plat shall contain the following information.

Proposed name of subdivision.

Name and address of owner of record.

Source of title giving deed record book and page number.

Name and address of subdivider.

Date of survey, north point, and graphic scale.

Preliminary Engineering Certificate.

Location of the tract by legal description giving acreage.

Vicinity map locating streets and highways, section lines, railroad, schools, parks, and other significant features within one-half (½) mile of the proposed subdivision.

Exact boundary lines of the tract indicated by a heavy line giving dimensions,

angles, and at least one bearing.

Contour intervals to sea level datum of not more than two (2) feet when the slope is less than four (4) per cent, and not more than five (5) feet when the slope is greater than four (4) per cent.

Natural features within and surrounding the proposed subdivision including drainage channels, bodies of water, wooded area and other significant features.

On all water courses leaving the tract the direction of flow shall be indicated, and for all water courses entering the tract the drainage area above the point of entry shall be noted.

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, structure, City and County lines, section lines and other significant information.

Name of recorded subdivisions abutting the proposed subdivision, with plat book and page.

Names of owners of unsubdivided property abutting the proposed subdivision.

Zoning districts, if applicable.

Proposed layout including lot lines with rough dimensions, lot number, block numbers, street and alley lines with proposed street names, right-of-way widths, sites reserved for parks, playgrounds, school, etc., sites for commercial, non-residential, non-public uses, and building lines with dimensions.

Minimum lot area in square feet for lots serviced by septic tanks shall be based upon percolation reports, as provided by the Health Department, on a sliding scale, as follows:

0 - 10	11,000 - 14,000
10 - 20	14,000 - 16,000
20 - 30	16,000 - 18,000
30 - 40	18,000 - 20,000

And providing further evidence shall be shown that the disposal system is correlated with topography features of the proposed lots. Where septic tanks are permitted there shall be a 10 ft. side yard clearance to permit access for septic tank cleaning trucks as placed in the Bill of Assurances.

The Preliminary Plat shall be accompanied by the following information.

A summary of the proposal giving information as to the overall development plan giving type of natural features within and surrounding the proposed subdivision including drainage channels, bodies of water, structure, number of dwelling units, type of business, and industry so that the effects of the development can be determined by the Commission.

Existing and proposed covenants and restrictions.

Source of water supply.

Provisions for sewage disposal, drainage, and flood control.

Letters or certificates of approval or disapproval from the City, County, or State agencies, as well as from the utility companies that are applicable. Such material should be obtained and submitted by the subdivider.

Typical cross sections of all streets. Centerline profiles of approximate street grades derived from office computations may be required by the Commission if deemed advisable.

Such other information as the subdivider wishes to bring to the attention of the Commission.

15.16.02 Final Plat Specifications. The submission shall consist of the original drawing plus five (5) copies as are necessary to meet requirements of this action. The subdivider shall also furnish the Commission with one reproducible linen print of the final drawing showing the executed certificates, as specified in Section 15.16.03.

The Final Plat shall be clearly legibly drawn in black ink on tracing cloth. The size of the plat shall not be larger than seventeen and one-half (17 ½) inches by twenty-three and one-quarter (23 ¼) inches including margins when the plat is drawn at a scale of one (1) inch equals one hundred (100) feet. Plats may be drawn on larger sheets provided the reductions to the above maximum size will be legible in all respects. The Commission may require specific scales to be used.

The Final Plat shall conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at any one time, provided that such portion conforms to the requirements of these rules and regulations.

The Final Plat shall contain the following information.

Name of subdivision.

Name and address of owner of record.

Source of title giving deed record book and page number.

Name and address of subdivider.

Date of drawing, north point, and graphic scale.

Location of tract by legal description giving acreage.

Vicinity map.

Key map when more than one sheet is required to present plat.

True courses and distances to the two (2) nearest established section corner or bench marks or other recognized permanent monuments which shall accurately describe the location of the plat.

Exact boundary lines of the tract indicated by a heavy line, or other acceptable control traverse, giving dimensions to the nearest one-tenth (1/10) foot and angles to the nearest minute, which shall be balanced and closed with an error of closure not to exceed one (1) to five thousand (5,000).

Municipal, county, or section lines accurately tied to the lines of the subdivision by distances and angles.

Street and alley and other right-of-way lines with location and width, with street names indicated.

Street center lines showing angles of deflection, angles of intersection, radii, length of tangents and arcs, and degree of curvature with basis of curve data.

(a) Lot lines with dimensions to the nearest one-tenth (1/10) foot, necessary internal angles, arcs and chords, and radii of rounded corners.

(b) When lots are located on a curve or when sidelines are at angles other than ninety (90) degrees, the lot width at the building line shall be shown when

required by the Commission.

(c) Lot area in square feet shall be shown when septic tanks are to be used. Lot areas of other lots shall be furnished when required by the Commission.

Building lines with dimensions.

Lot and block numbers.

Easements and public service or utility right-of-way lines giving dimensions, locations, and purpose.

Accurate outlines and description of any areas to be dedicated or reserved for public use or acquisition with the purposes indicated thereon and of any areas to be reserved by deed covenant for common uses of all property owners.

Accurate location and description of all monuments.

Certificate of Engineering Accuracy.

Certificate of Owner.

Certificate of Final Plat Approval.

Certificate of Recording.

The Final Plat shall be accompanied by the following information and documents unless shown on the plat itself.

(a) Bill of Assurance including but not limited to the following provisions: offering dedications of streets and alleys, parks, and other public lands; establishing easements, setting forth privileges and conditions pertaining thereto, and setting forth the restrictions and covenants of the subdivisions; setting forth procedures by which amendments to the conditions of the Bill of Assurance can be made. Said Bill of Assurance shall contain reference to the Approval of the Final Plat.

(b) The Subdivider shall obtain approval of the Bill of Assurance by the Commission before filing it with the subdivision.

Certification of approval of water supply and sanitary sewage disposal by the appropriate agency, when not connected to the municipal system.

All calculations and field notes, including drainage calculations, when required by the Commission.

House numbering plan in duplicate plus additional copies for other planning agencies having jurisdiction.

15.16.03 Plat Certificates. Each Preliminary Plat submitted to the Commission shall carry the following certificates thereon:

PRELIMINARY SURVEYING ACCURACY

I, _____, hereby certify that this proposed preliminary plat correctly represents a survey completed by me, or under my supervision on _____, 19____; that the boundary lines shown hereon correspond with the description in the deeds cited in the above Source of Title; and that all monuments which were found or placed on the property are correctly described and located..

Date of Execution

Name
Registered Land Surveyor
No. _____, Arkansas

CERTIFICATE OF PRELIMINARY PLAT APPROVAL

All requirements of the City of Bryant Subdivision Rules and Regulations relative to the preparation and submittal of a Preliminary Plat having been fulfilled, approval of this plat is hereby granted, subject of further provisions of said Rules and Regulations.

This Certificate shall expire _____

(Signed) _____
Bryant Planning Commission

Date of Execution

Each Final Plat submitted to the Commission for approval shall carry the following certificates printed thereon substantially as follows:

CERTIFICATE OF OWNER

We, the undersigned, owners of the real estate shown and described herein do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide said real estate in accordance with the within plat.

Date of Execution
Name
Address
Source of Title
D. R. _____ Page _____

CERTIFICATE OF RECORDING

This document, number _____, filed for record _____, 19_____, in Plat Book _____, Page _____.

Name (Clerk)

For Bill of Assurance see Deed Record Book _____, Page _____.

CERTIFICATE OF ENGINEERING ACCURACY

I, _____, hereby certify that this plat correctly represents a survey and a plan made by me or under my supervision; that all monuments shown hereon actually exist and their locations, size, type, and material are correctly shown; and that all requirements of the City of Bryant Subdivision Rules and Regulations have been fully complied with.

Date of Execution
Name
Registered Professional
Engineer No. _____, Arkansas

The Certificate of Final Plat Approval shall be on both the Final Plat and the Bill of Assurance substantially as follows:

CERTIFICATE OF FINAL APPROVAL

Pursuant to the City of Bryant Subdivision Rules and Regulations, this document was given approval by the Bryant Planning Commission at a meeting held _____, 19____. All of the document is hereby accepted, and this certificate executed under the authority of said rules and regulations.

Date of Execution

Name

Bryant Planning Commission

Approval of the final plat shall become null and void unless said plat is filed for record within one hundred twenty (120) days from the date of execution of this certificate.

Chapter 15.20

GENERAL PRINCIPLES

SECTIONS:

- 15.20.01 Suitability of the land
- 15.20.02 Access
- 15.20.03 Conformance to the Comprehensive Development Plan
- 15.20.04 Zoning or other regulations
- 15.20.05 Street and Subdivision names
- 15.20.06 Large tracts or parcels
- 15.20.07 Large scale developments
- 15.20.08 Modification

15.20.01 Suitability of the land. Land subject to flooding, improper drainage, and erosion, and land deemed to be topographically unsuitable for residential use shall not be platted for residential occupancy, nor shall such land be platted for any other uses as may continue such conditions or increase danger to health, safety, line or property unless approved steps are taken to diminish the above mentioned hazards.

Such land within a proposed subdivision not detrimental to the development of the subdivision shall be set aside for uses as set out by the Planning Commission.

15.20.02 Access. Every subdivision shall be served by an adequate publicly dedicated street or streets.

15.20.03 Conformance to the Comprehensive Land Use Plan. All proposed subdivisions shall conform to the Comprehensive Land Use Plan in effect at the time of submission to the Commission.

All highways, streets and other features of the Master Street Plan shall be platted by the subdivider in the location and to the dimension, indication on the Master Street Plan.

Where community or public facilities of the Comprehensive Land Use Plan are located in whole or in part in a proposed subdivision, the Commission shall require the reservation of the area necessary to accommodate such facilities. The public Commission or body having jurisdiction or financial responsibility for the acquisition of said reserved facility or facilities shall within four (4) months following recording of the final plat execute a written option to acquire by purchase or file suit for condemnation of said area reserved for such facility or facilities. Provided further, however, said option to acquire must be exercised and fully consummated within twelve (12) months

following date of the recording of said final plat.

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

15.20.05 Street and Subdivision names. The Commission shall have the authority to determine the street names and subdivision names and to require changes in any proposed names.

15.20.06 Large tracts or parcels. When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged and designed so as to allow for the opening of future streets and to provide access to those areas not presently served by streets.

15.20.07 Large scale developments. A large scale development including the construction of one (1) or more buildings together with the necessary drives and ways of access which is not subdivided into customary lots, blocks, and streets, may be approved by the Commission if, in the opinion of the Commission, a departure from these rules and regulations can be made consistent with the intent of these rules and regulations. Plans for all such developments shall be submitted to and approved by the Commission whether or not such plat is to be recorded and no building permits shall be issued until such approval has been given.

15.20.08 Modification. Modification of the provisions set forth in these rules and regulations shall be authorized by the Commission in specific cases when, in its opinion, undue hardships may result from strict compliance. Any determination shall be based fundamentally on the fact that unusual topographical and other exceptional conditions require such modification that will not adversely affect the general public or nullify the intent of these regulations.

Application for any of the aforementioned modification shall be filed in writing with necessary supporting documents to the Commission by the subdivider simultaneously with the preliminary plat and shall explain in detail the reasons and facts supporting the application. (Ord. No. _____ of 19____).

Chapter 15.24

DESIGN REQUIREMENTS

Sections:

- 15.24.01 Streets
- 15.24.02 Blocks
- 15.24.03 Lots
- 15.24.04 Easements

15.24.01 Streets. The location and widths of all highways, thoroughfares, streets, and roads shall conform to the Master Street Plan.

The proposed street system shall extend existing streets or projections at the same or greater width, but in no case less than the required minimum width.

Street right-of-way widths:

Principal Arterial with Median	100 foot minimum
Principal Arterial with Center Turning Lane	100 foot minimum
Minor Arterial	80 foot minimum
Urban Collector with One Parking Lane	60 feet
Urban Collector with Two Parking Lanes	62 feet
Industrial Collector	80 feet
Commercial Industrial Collector	60 feet
Local Street	50 feet
Cul-de-sac	50 feet
Cul-de-sac turn around	50 foot radius
Alleys	20 feet

Right-of-way requirements in excess of one hundred (100) feet as shown on the recorded

Master Street Plan shall be reserved for acquisition by the appropriate public body at a later date.

Street paving widths (back to back of outside curbs) and types:

Principal Arterial with Median	70 foot
Principal Arterial with Center Turning Lane	64 foot minimum
Minor Arterial	52 foot minimum
Urban Collector with One Parking Lane	36 feet
Urban Collector with Two Parking Lanes	46 feet
Industrial Collector	44 feet
Commercial Industrial Collector	40 feet
Local Street	26 feet
Cul-de-sac	28 feet Back of Curb to Back of Curb
Cul-de-sac turn around	50 feet pavement radius

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements from each side of the center line. In addition, paving and other improvements shall be installed in accordance with the established standards for improvements for that portion of the effected streets.

When the subdivision is located on only one side of an existing street, one half (½) of the required right-of-way, in no case less than thirty (30) feet, measured from the centerline of the existing right-of-way, shall be provided. In addition, paving and other improvements shall be installed in accordance with the established standards for improvements for that portion of the effected streets.

When a tract fronts on streets other than minor streets or collector streets, the Commission may require affected lots fronting on such major streets to be provided with frontage roads.

Grades on minor streets and cul-de-sacs shall not exceed twelve (12) per cent. Grades on all other streets shall not exceed standards of the Master Street Plan, or when no

standards have been established seventy (70) per cent shall be the maximum grade permitted. Streets grades along the gutter shall not be less than one-half of one (1) per cent provided adequate drainage can be obtained.

Street intersections shall be as nearly at right angles as possible, and no intersections shall be at an angle less than seventy-five (75) degrees. Detailed designs of intersections may require a greater radius.

Property line radius at street intersection shall not be less than twenty-five (25) feet and where the angle of street intersections is less than ninety (90) degrees, the Commission may require a greater radius.

Curb line radius at street intersections shall be at least twenty-five (25) feet and where the angle of the street intersection is less than ninety (90) degrees, the Commission may require a greater radius.

Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet shall not be permitted.

Cul-de-sac streets or courts designed to have one end permanently closed shall be no more than five hundred fifty (550) feet long. **A cul-de-sac street shall have a turnaround right-of-way diameter of at least one hundred (100) feet.**

Alleys may be required at the rear of all lots to be used for business purposes, but shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the Commission of the need for alleys.

15.24.02 Blocks. Residential blocks shall not be more than thirteen hundred and twenty (1320) feet in length, except as the Commission considers necessary to secure efficient use of land or to achieve desired features of the street system. In blocks over one thousand (1000) feet long the Commission may require the subdivision to dedicate and construct a public crosswalk across the block.

Residential blocks shall be wide enough to provide two (2) tiers of lots of minimum depth, except where fronting prevented by topographical condition or size of the property, in which case the Commission may approve a single tier of lots of minimum depth.

15.24.03 Lots. Insofar as practical, side lot lines shall be perpendicular or radial to street lines. Each lot shall abut upon a public street or road.

The size, shape, and orientation of every lot shall be as the Commission deems

appropriate for the type of development and use contemplated. No lot shall be more than four (4) times as deep as it is wide nor shall any lot be less than one hundred (100) feet deep.

Every residential lot served by a public sewage system shall not be less than sixty (60) feet wide at the building line or less than seventy five hundred (7500) square feet in area.

The City Council of Bryant, Arkansas may designate certain areas of the City as appropriate areas for smaller lots for residential use. In the event such an area is designated, each lot must be served by a public sewage system, shall not be less than fifty (50) feet wide at the building line or less than six thousand (6000) square feet in area.

For residential lots not served by a public community sanitary system, lot size shall be determined as follows:

A subdivider shall conduct a percolation test on each proposed lot in a subdivision and indicate the location and result of each test on the preliminary plat; the dimensions and area of each lot may be established at the levels necessary to fulfill the requirements of the Health Department.

Minimum yard requirements:

- | | | |
|----|--|---------|
| A. | Front (must be designated on Subdivision Plat) | 25 feet |
| B. | Side | 8 feet |
| C. | Side (exterior on corner lot) | 15 feet |
| D. | Rear | 25 feet |

Lots, other than corner lots, fronting on two streets, shall not be platted except under exceptional circumstances in which case building lines shall be established on both frontage, and the Board may require a plating screen reservation of at least ten (10) feet wide and across which there shall be no right of vehicular access provided along the line of lots abutting such traffic artery of or other disadvantageous use.

Size, shape, and arrangements of commercial and industrial lots, where platted, shall be subject to the approval of the Commission.

Building lines for commercial and industrial lots shall be at least forty-five (45) feet from each street property line or as required by the Planning Commission.

15.24.04 Easements. Easements no less than ten (10) feet wide may be required by the Commission for drainage and utility lines.

Chapter 15.28

IMPROVEMENTS

Sections:

- 15.28.01 Required improvements
- 15.28.02 Recommended improvements

15.28.01 Required improvements. Every subdivider shall be required to install, at his own expense, or to have installed by the appropriate public utility the following improvements.

Street Grading

- (a) All streets shall be cleared and graded as approved by the City Engineer.
- (b) Finished grades shall be at levels approved by the City Engineer or the appropriate agency.

Street Paving

- (a) Street Paving widths shall be in conformance with standards set forth in the Master Street Plan.
- (b) Streets shall be paved to widths specified in Section 15.24.01. The subdivision shall install pavement as specified by the Commission.
- (c) Street pavements and base shall be installed according to the City specifications as adopted by the City.

Curbs and Gutters

Curbs and gutters shall be required on all streets, on all new subdivisions brought into the City of Bryant at the expense of the contractor or developer. Said curbs and gutters shall be in accordance with the City's specifications as adopted by the City and approved by the Planning Commission. Entrances to driveways will be accomplished by means of a curb cut.

Sidewalks

- (a) Sidewalks shall have a width of four (4) feet and shall be installed on one side of all streets for a distance of at least thirteen hundred and twenty (1320) feet on those streets which would provide direct access to a school site.
- (b) Sidewalks shall be constructed on one side of Collector streets and both

sides of Major thoroughfares and on the property line side of all frontage road on Expressways and Freeways.

(c) The Commission may require additional sidewalks and wider sidewalks near commercial area, schools, and other places of public assembly.

(d) Sidewalks in residential areas shall abut property lines and shall conform to the specifications adopted by the City

Utility Lines

(a) Water Supply

(1) Where a public water supply is within a reasonable distance, the subdivider shall install or have installed a system of water mains and connect to such supply. A connection to each lot shall be installed prior to the paving of the street.

(b) Where a public water supply is not available, the subdivider shall furnish the Commission satisfactory evidence that a sufficient quantity of water of a quality approved by the State Board of Health is available to each individual lot.

(b) Sanitary Sewage Disposal

(1) Where a public sanitary sewer is within a reasonable distance of any point of a subdivision, the subdivider shall connect with such sewer and provide a connection to each lot.

(2) Such sanitary sewage system shall be installed prior to the installation of the street pavement.

(3) Where a public sanitary sewer is not accessible, an alternate method of sewage disposal for each lot, or a community sewage disposal system may be used when in compliance with the standards of the Arkansas State Health Department and these regulations.

(4) Where public sanitary sewer mains are to be available in a reasonable time the Commission may require the sewer collection system to be installed and capped and an alternate method of sewage disposal for each lot.

(5) In the preceding paragraphs (a) 2 and (b) 3, the phrase "the

subdivider shall be required to install" shall be interpreted to mean that the subdivider shall cause the improvements referred to herein to be installed, or whenever a septic tank and absorption system or private water supply is to be provided, that the subdivider shall require, as a condition in the Bill of Assurance of the subdivision, that those facilities shall be installed by the builders of the improvements of the lots in accordance with these rules and regulations.

(c) Storm Drainage

- (1) Every subdivision shall be served by storm drainage facilities including drains, sewers, catch basins, culverts, and other facilities.
- (2) All drainage facilities shall be so designed to serve the entire drainage area. Drainage easements shall be shown on the plat.
- (3) All surface water drainage shall be transported to existing storm sewers or to drainage facilities approved by the City Engineer. Valley gutters shall be permitted only when approved by the Planning Commission.
- (4) The City Engineer and Planning Commission shall approve all drainage features.

(d) Other Utilities

Other utilities to be installed in subdivisions shall be located in the grass plot outside the curb lines. If stubs to the property lines are not installed, then connections between the lots and the utility lines shall be made without breaking into the wearing surface of the street, if possible. Jacking operations are recommended.

Monuments

- (a) Monuments shall be of concrete at least four (4) inches in diameter or square, three (3) feet long, with a flat top. Top of monument shall have an indented cross or metal pin to identify properly the location of the point and shall be set on all outside lines of the subdivision at angle points and points of curve.

- (b) All lot corners shall be marked with metal pins not less than one-half (½) inch in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade.

Fire hydrants shall be placed so that no lot in a residential subdivision is more than five hundred (500) feet from a hydrant located on the same street providing mains are available. The Commission may require other spacing in commercial or in industrial subdivisions or as required by the Insurance Rating Bureau.

Street name signs shall be placed on diagonally opposite corner of each street intersection in conformance with specifications adopted by the city.

Street lights shall be required by the commission. They shall, however, be installed to specifications adopted by the City.

The Commission upon request of the subdivision, shall permit special exceptions to be made to the improvements required by these rules and regulations when in the opinion of the commission, such exceptions are in keeping with the intent of these rules and regulations, and when exceptions will provide for a conformance with the general neighborhood of the proposed subdivision. The subdivider may be required to furnish special information in order to aid the Commission in its determination.

These special exceptions shall be permitted only if the following conditions are met:

- (1) Each lot in the subdivision is larger than twenty thousand (20,000) square feet, and
- (2) Each lot in the subdivision is at least ninety (90) feet wide at the building line,
- (3) Existing platting in the neighborhood of the proposed subdivision generally meets the requirements of the conditions set forth in (1) and (2) above.

15.28.02 Recommended Improvements. Street trees that may be planted shall be placed or retained so as not to obstruct sight distances.

Chapter 15.32

FEES

Sections:

15.32.01 Fees

15.32.01 Fees. Charges due at the time of filing an application with the City Planning Commission requesting consideration of a subdivision plat, the subdivider shall pay to the Treasurer of the City, fees according to the subdivision fee regulation in effect.

1. The fee to be charged for review of subdivision and mobile home plats will be :

- | | |
|---------------------|---------------------------|
| 1. Preliminary Plat | \$300.00 + \$3.00 per lot |
| 2. Final Plat | \$ 25.00 + \$1.00 per lot |

(a) There shall be no refunds of any portion of fees paid on applications amended or denied in the review process.

(b) Re-filling of same, amended or completely different application or same, or any portion of same property after previous action or withdrawal, shall be considered a completely new application and fees shall be charged accordingly.

2. The fee to be charged for re-zoning application will be an amount established by the City Council of Bryant, Arkansas.

(a) If applications are withdrawn prior to the advertising of the public hearing in the newspaper, 75 percent of the fee shall be refunded; otherwise no refunds shall be made.

(b) There shall be no refunds of any portion of fees paid on applications amended or denied in the review process.

(c) Re-filling of same, amended or completely different application or same, or any portion of same property after previous action or withdrawal, shall be considered a completely new application and fees shall be charged accordingly.

3. The fee to be charged for zoning variance will be an amount established by the

City Council of Bryant, Arkansas.

- (a) There shall be no refunds of any portion of fees paid on application amended or denied in the review process.
- (b) Re-filing of same, amended or completely different application or same, or any portion of same property after previous action or withdrawal, shall be considered a completely new application and fees shall be charged accordingly.

Chapter 15.36

ADMINISTRATION

Section:

15.36.01 Administration

15.36.01 Administration. These rules and regulations shall be administered by the Commission and the Staff.

The Commission may from time to time issue instruction 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.

The Building Inspector shall not issue building permits for any structure on any lot in a subdivision for which the plat has not been approved and recorded in the manner prescribed herein.

Chapter 15.40

PENALTY

Sections:

15.40.01 Penalty

15.40.01 Penalty. Any violation of these rules and regulations or amendment hereto shall be a misdemeanor under the laws of the State of Arkansas and the offender 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 (\$25.00) nor more than one hundred dollars (\$100.00) for each offense; and each day that any violation of these rules and regulations is in effect shall constitute a separate offense.

Chapter 15.44

CONSTRUCTION STANDARDS

Sections:

15.44.01 Construction Standards

15.44.01 Construction Standards All improvements shall be made in accordance with the standards established by this Ordinance that are in effect at the time of the Pre-Application Conference.

The City Engineer or representative has been authorized to promulgate rules, regulations, standards, specification, and other documents as necessary to establish minimum criteria for the construction of streets and utilities to be constructed within the City and the area within the limits of its jurisdiction. These standards are available from the City Engineer.

Chapter 15.48

AUTHORITY OF CITY ENGINEER

Sections:

15.48.01 Authority of City Engineer

15.48.01 Authority of City Engineer. The City Engineer or his representative shall have the authority to inspect any and all improvements to insure the fulfillment of the intent of this Ordinance. He shall have the authority to require the removal and/or placement, at the expense of the developer, of any phase of the work which is not in accordance with the requirements of the plat, plans, specifications, or this Ordinance.

Chapter 15.52

SEVERABILITY

Sections:

15.52.01 Severability

15.52.01 Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, sentence, or clause of this Ordinance shall be held invalid, the invalidity of such section, paragraph, sentence, or clause shall not affect the validity of the remainder of the said Ordinance.

ORDINANCE NO. 92-45

AN ORDINANCE SETTING UP A DEFINITION OF LOOPED STREETS, AMENDING THE PLANNING REGULATIONS, AND FOR OTHER PURPOSES.

WHEREAS, it has become necessary to define a "looped street" and add such to the regulations governing planning and Streets in the City of Bryant.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYANT, SALINE COUNTY, ARKANSAS:

SECTION ONE: That there is hereby created a new street designation for the City of Bryant, a "Looped Street".

SECTION TWO:A "Looped Street" shall be defined as one which has only one entrance and exit from a main or arterial street, and which has at least one "T" intersection with the arms of the "T" being a closed circuit with an inner and outer area.

SECTION THREE:A "Looped Street" shall be considered a local street or minor street for purposes of design standards as outlined in the Master Street Plan.

SECTION FOUR: "Looped Streets" shall have the following requirements in addition to any now required under the Master Street plan and design regulations:

(a)The traffic lanes making up the entrance to the looped portion of the street shall be no less than 32 feet (back of curb to back of curb) in width. In subdivisions that may produce a high vehicular traffic or, where the traffic might intersect with a street of high vehicular traffic, a wider paved width may be required by the Planning Commission.

b)The traffic lanes making up the entrance to the looped portion shall be no longer than 550 feet. (Five Hundred Fifty Feet).

(c)Intersections are to be nearly at right angles with no intersection at less than a total of 75 degrees of angle.

(d) Sidewalks may be deemed necessary by the Planning Commission at its sole discretion.

(e)Cul-de-sacs as defined by current regulations may intersect with a "Looped Street" and such cul-de-sacs shall conform to current regulations for such streets.

(f)There may be as many minor street intersections or major street intersections within a "Looped Street" as will be allowed in conformance to the Master Street Plan and at the discretion of the Planning Commission.

SECTION FIVE: This Ordinance is considered an amendment to the current planning regulations and design regulations for streets and any ordinance or part ordinance in conflict with is hereby repealed.

SECTION SIX: This Ordinance shall have full force and effect from and after its date of passage.

Dated December 21, 1992
Mayor Roy E. Bishop

ORDINANCE NO: 97-31

AN ORDINANCE TO CLARIFY SUBDIVISION REGULATIONS AND ESTABLISH TIME FRAMES FOR CERTAIN CONSTRUCTION PROCEDURES.

SEC 1: All street, curb, gutter, side walks and drainage improvements approved by or required by the Bryant Planning Commission that are within the planned subdivision must be completed and approved by the Bryant code enforcement by the half-way point of the subdivision completion.

SEC 2: No building permits shall be issued after the half-way point until code enforcement approval is obtained.

SEC 3: EXAMPLE - If the final plan of a subdivision shows forty (40) lots to be developed, only twenty (20) permits shall be issued until the above mentioned improvements are approved by code enforcement.


SEC 4: Where loop streets or through streets are planned and approved, but will be constructed in phases, they must be completed to an all weather state when development has reached 550 feet.

SEC 5: All ordinances or parts of ordinances that conflict with this ordinance are repealed.



Roy Bishop, Mayor

December 22, 1997
Date



Wanda Smith, City Clerk

ordinance\street-9.ord



**AGREEMENT
BY SUBDIVISION DEVELOPER
TO PROVIDE ASSURANCE TO
THE CITY OF BRYANT ARKANSAS
PER ORDINANCE #98-35**

I, _____, developer for the
_____ Subdivision located in the City of
Bryant city limits or planning jurisdiction agree to provide a surety bond
or cashier's check in the amount of 10% of the development cost
estimated to be _____, but not less than \$10,000 or
more than \$50,000, within 10 calendar days after preliminary plat
approval by the Bryant Planning Commission in accordance with the
terms of Ordinance Number 98-35.

Date

Developer Signature

Witness

Printed Name

Address

Phone Number

ASSURANCES FOR COMPLIANCE, INSTALLATION, ETC.

- a.) Upon preliminary approval of subdivision construction plans and specifications for improvements, the Developer shall enter into an agreement with the City of Bryant to install or ensure the completion of the improvements as designed and to (repair or replace), (pay the cost to the city of repairing or replacing) all city property damaged or destroyed in connection therewith. The city will accept the subdivision and issue the certificate of final plat approval subject to the assurance of performance of the obligations of the Developer under the agreement.
- b.) One of the following assurances assigned to the city shall be utilized by the Developer to assure performance of the Developer's obligations under the agreement:
 - 1. Surety Bond in the amount of ten percent (10%) of the estimated development cost and recorded at the Saline County Courthouse.
 - 2. Cashier's check(s) in the amount of ten percent (10%) of the estimated development cost on which no interest will be paid by the city.

Any cashier's check or certificate of deposit allowed by this section shall be insured by a financial institution insured by the Federal Deposit Insurance Corporation and licensed to business in Arkansas. Further, each instrument of assurance shall be payable to the City of Bryant, and shall be in principal amount no less than \$10,000 or no greater than \$50,000. All instruments of assurance or the city's check in the amount equal to the principal amount of the instrument less any deductions for failure to perform by the Developer shall be returned to the Developer one-year after completion of the Developers performance under the agreement.

Forfeiture of the assurance for compliance does not relieve the Developer of his responsibility to complete the subdivisions improvements to the satisfaction of the City.

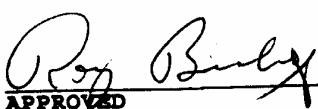
Developer's of large projects that could have an adverse impact on the City's infrastructure may be required to have an assurance for compliance if so directed by the Planning Commission.

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Should any portion of this ordinance be unconstitutional or invalid and so declared by a court of competent jurisdiction, then the remainder of this Ordinance, and any remaining applications of the Ordinance, shall not be affected by such partial unconstitutionality or invalidity.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED AND APPROVED THIS 28th DAY OF September, 1998.


APPROVED


ATTEST

No Emergency Clause

ORDINANCE NO. 2001- 21

BE IT ENACTED BY THE CITY OF BRYANT, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED: “AN ORDINANCE AMENDING ORDINANCE No. 89-10, AMENDING THE BRYANT SUBDIVISION REGULATIONS AND REPEALING ORDINANCE 2001-13.”

WHEREAS, there now exists a conflict between the City of Bryant Subdivision Regulations and the City of Bryant Zoning Regulation,

WHEREAS, the City of Bryant desires that the City’s zoning and subdivision regulations be in accord, and

WHEREAS, the builders of new residential structures are unsure as to which regulations to follow and the employees of the City of Bryant are unsure as to which regulations to enforce.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYANT, SALINE COUNTY, ARKANSAS:

SECTION ONE: Ordinance 2001-13 is hereby repealed.

SECTION TWO: Paragraph 7 of Section 15.24.03 of the City of Bryant Subdivision Regulations, as set forth in Ordinance No. 89-10, as amended by Ordinance 2001-13, is hereby amended so that Section 15.24.03, Paragraph 7 after amendment shall read as follows:

“Minimum Yard Requirements:

- | | |
|---|----------|
| A. Front (must be designated on Subdivision Plat) | 25 feet |
| B. Side | 8 feet |
| C. Side (exterior on corner lot) | 15 feet |
| D. Rear | 25 feet” |

THEREFORE, THIS ORDINANCE, BEING NECESSARY TO CLARIFY THOSE REGULATIONS AND TO ALLOW BUILDERS AND CITY EMPLOYEES TO PROCEED TIMELY TO PROTECT THE HEALTH, WELFARE AND SAFETY OF THE CITIZENS OF THE CITY OF BRYANT, SALINE COUNTY, ARKANSAS, SHALL BE EFFECTIVE FROM AND AFTER ITS DATE OF PASSAGE.

AN ORDINANCE ESTABLISHING ALLOWABLE TIME LIMITS FOR APPROVALS TO DEVELOP OR CONSTRUCT WITHIN THE CITY OF BRYANT

Whereas, it is in the best interest of the City of Bryant and a developer or contractor to expedite construction after approval to assure that all current zoning, building codes, and regulations are set aside the following are hereby established:

Preliminary Plat Approval - A developer will have a maximum of 6 months to begin development of a subdivision after receiving preliminary plat approval and the developer will have a maximum of 18 months to complete the development or phase of development and submit to the Planning Commission a request for final plat approval. Failure to comply with these limits will result in the Planning Commission withdrawing approval unless the developer has appeared before the Planning Commission and obtained an extension.

Site Plan and Construction Plan Approval - The builder will have a maximum of 6 months to obtain a building permit from the City of Bryant after site plan and construction plan approval. Failure to obtain the building permit will result in termination of the approval unless the builder appears before the Planning Commission and obtains a time extension.

Building Permits - The builder or contractor will have a maximum of 12 months to complete the project authorized by the building permit from the date the permit is issued. Failure to comply with this schedule will result in the city not issuing an occupancy permit until the builder has appeared before the Planning Commission and obtained an approved extension.

The secretary of the Planning Commission will be responsible for monitoring deadlines for subdivisions and site plan and construction plan approvals and will notify the Chairman of the Planning Commission 30 days in advance of the deadline if appropriate action has not been taken.

The City Building Inspector/ Code Enforcement Officer will be responsible for monitoring building permits and service notice to the builder or developer in writing 60 days prior to the expiration date of the permit.

2/1/02
Date
Brinda Cochran
City Clerk

Paul C. Kelley
Mayor

ORDINANCE NO. 2002-03

AN ORDINANCE TO CONTROL THE CLEARING, EXCAVATING, FILLING AND GRADING OF UNDEVELOPED LOTS TO MINIMIZE EROSION, FLOODING AND INCONVENIENCE TO ADJOINING PROPERTY OWNERS

Whereas: It is in the best interest of the residence of Bryant, Arkansas to control the clearing, excavating, filling and grading of undeveloped lots to minimize erosion, flooding and inconvenience to adjoining property owners.

Now Therefore: Before any owner of property that is one acre or more that is unimproved alters the contours by clearing and/or grading or places more than 50 cubic yards of fill, a site clearance permit must be obtained from the City of Bryant.

Further: The applicant will complete a request for site clearance and pay a fee in the amount of \$5.00. The city will be allowed five (5) business days to process the application and to make site investigations. The city will review the application in regards to flood plain and potential or sediment runoff into drainage tributaries. The city will approve, conditionally approve subject to erosion control methods or disapprove the application.

Permits issued will be for a specific time with no additional work being performed after the permit period. If the site is to remain unimproved after the site clearance then permanent erosion control and detention of stormwater must be provided. Property owners seeking a building permit will comply with all permit regulations.

By issuing a site clearance permit, the city in no way obligates itself to approving any rezoning or building permit. Property owners failing to comply with this site clearance ordinance will be notified of their violation and given three (3) working days to comply or be subject to a fine of \$100.00 per day until the site has been restored.

Now Therefore: The City Council hereby adopts this ordinance with the effective date being 30 days after council approval. Property owner appeals to city action taken to enforce this ordinance will be directed to the Bryant City Council.

February 25, 2002

Date

Brenda Cockerham

City Clerk Brenda Cockerham

Paul E. Halley
Mayor Paul E. Halley