Control of Development
and
Subdivision of Land Regulations
for the
City of Haskell



Control of Development

and

Subdivision of Land Regulations

for
Haskell, Arkansas

Adopted by the
Haskell City Council
October 12, 2009

Prepared by
METROPLAN
A Council of Local Governments
501 West Markham - Suite B
Little Rock, Arkansas 72201

The preparation and publication of this document was financed in part by federal funds provided by the U.S. Department of Transportation through the Federal Highway Administration and Federal Transit Administration. The provision of federal financial assistance should not be construed as denoting federal agency approval of any plans, policies, programs or projects contained herein.

Control of Development and Subdivision of Land Regulation

Haskell, Arkansas

SECTION 1 Purpose, Authority and Jurisdiction **1**

SECTION 2 Definitions **3**

SECTION 3 Procedural Requirements **7**

SECTION 4 Plat Specifications **11**

SECTION 5 General Principles **18**

SECTION 6 Design Requirements **20**

SECTION 7 Commercial/Office Subdivisions **32**

SECTION 8 Industrial Subdivisions **35**

SECTION 9 Required Improvements **38**

SECTION 10 Assurance for Completion of Improvements **41**

SECTION 11 Inspection of Improvements **43**

SECTION 12 Maintenance Bond **44**

SECTION 13 Acceptance of Public Facilities, Dedications and Recordation **45**

SECTION 14 Enforcement **46**

APPENDIX 1 Sample Irrevocable Letter of Credit **47**

APPENDIX 2 Fee Schedule for Development of Plan and Sudivision Review **48**

APPENDIX 3 Application for Review **49**

SECTION 1. PURPOSE, AUTHORITY AND JURISDICTION

1.1 **It is hereby found and declared that**, in order to make adequate provision to guide, direct and control future growth and development in Haskell 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 and the creation of land subdivisions in Haskell, Arkansas.

1.2 **The provisions of this regulation are adopted pursuant to authority set forth in Act 186 of 1957 and as the act has been amended.**

1.3 **These rules and regulations are intended to serve the following purposes:**

1.3.1 To assist orderly, economic, efficient, and coordinated development within Haskell and its planning area;

1.3.2 To promote the health, safety, and general welfare of the residents of Haskell and the area;

1.3.3 To ensure conformance of Subdivision or Development Plans with the public improvement plans of Haskell; and

1.3.4 To secure equitable handling of all Development and Subdivision Plans by providing uniform procedures and standards for observance both by subdividers and the Planning Commission of Haskell.

1.4 **Any developer or subdivider** of land within the territorial jurisdiction shall submit to the Planning Commission plats of the Subdivision or Development and engineering drawings for indicated improvements in development according to these regulations. In considering the approval of a plat or development plan, the Planning 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 Planning Commission shall have the power to vary the said requirements so that substantial justice may be done and the public interest served.

1.5 **No subdivider or developer** proposing to make or have made: (1) a subdivision or (2) a development; shall proceed with any construction work on the proposed development or subdivision, including clearing and/or grading before obtaining either: (1) authorization by the Planning Commission to prepare engineering drawings for a preliminary plat or (2) approval of the engineering drawings for a development plan. In the instance of a subdivision, no title to any lot or lots shall be conveyed (to an owner different from the platting owner) until the platting owner has obtained a Certificate of Final Plat Approval and has filed said final plat for record with the County Circuit Clerk Recorder. In the instance of a development plan, no municipal utilities will be authorized for service until the development plan has been approved by the Planning Commission.

1.6 **No subdivider shall record** the plat of a subdivision or Bill of Assurance or any part thereof before obtaining from the Planning Commission a Certificate of Final Plat Approval and an approval of the Bill of Assurance.

1.7 **A Bill of Assurance** shall be attached to or accompany each plat submitted to the Planning Commission. (See section 4.5 paragraph 4.5.1 for details) The subdivider may wish to include a Protective Covenant as a part of the Bill of Assurance. The Protective Covenant shall be an agreement between the buyer of a lot and the subdivider of record who sells said lot. The covenant may restrict types of structure to be built on the lot as to construction method, size, architectural style, accessory buildings, the parking of vehicles, fences and the like. The tenets of the Bill of Assurance and the Protective Covenant (if any) shall run with the recorded lot (land) and shall remain in effect when ownership may change.

1.8 **The tenets of a Bill of Assurance** and of a protective covenant may be more restrictive in terms of yard requirements, building coverage of the lot and other such bulk and area requirements than is laid out in the Haskell Zoning Regulation Ordinance but in no instance shall such tenets be less restrictive or permit uses that are not permitted in the ordinance.

1.9 Variances, Exceptions, and Waiver of Conditions

1.9.1 General. Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances, exceptions, and waiver of conditions to these regulations so that substantial justice may be done and the public interest secured, provided that the variance, exception, or waiver conditions shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning Commission on shall not approve variances, exceptions, and waiver conditions unless it shall make findings based upon the evidence presented to it in each specific case that:

a. The granting of the variance, exceptions, or waiver of conditions will not be detrimental to the public safety, health, or welfare or injurious to other property;

b. The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;

c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;

d. The relief sought will not in any manner vary the provisions of the zoning ordinance, or Comprehensive Development Plan, except that those document may be amended in the matter prescribed by law.

2. **Conditions.** In approving variance, exceptions, or waivers of conditions, the Planning Commission may require such conditions as will, in its judgement, secure substantially the purposes described in Section 1.3.

a. Procedures. A petition for a variance, exceptions or waivers of conditions shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all the facts upon by the petitioner.

SECTION 2. DEFINITIONS

2.1 **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", the word "shall" is mandatory and not directory.

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

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

Building Line – A line across a lot establishing the minimum open space to be provided between buildings or structures and the street right-of-way or other property lines.

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 after submittal to and approval of the subdivision name by the Tax Assessor's Office of Saline County.

(4) That all street names for any new streets have been submitted to and approved by the Saline County Office of Emergency Services (OES). For 911 and other purposes.

(5) That all lots shall hereafter be transferred in deeds as lot numbers of (name) subdivision.

(6) That a replat of any lot in the approved subdivision will be submitted to the Planning Commission if the lot is intended to be split into two or more parts.

(7) That, on each lot where septic tanks are utilized, there shall be a ten (10) foot side yard, free of all structures, to permit access of a septic tank cleaning truck.

(8) That no more than one principal dwelling unit shall be placed on each lot. Exceptions may be made: (1) for multi family units, provided documentation from the State and County Health Department approving the method of sewage disposal is included and (2) medical hardship provided documentation from a medical doctor is presented to and approved by the Planning Commission.

The Bill of Assurance can only be changed by the replat of the subdivision and approval of the Haskell Planning Commission. Sometimes there are use restrictions added to the Bill of Assurance. Procedure for changing these restrictions may also be included in the instrument setting out the restrictions. (See Protective Covenant in these definitions)

Boulevard – The unpaved area between the street and sidewalk. Also, a wide street with a center median.

Box Culvert – A concrete drainage facility with a rectangular cross-section.

City – The City of Haskell.

Comprehensive Development Plan - Includes the City of Haskell Land Use Plan and Master Street Plan.

County Surveyor – The County Surveyor of Saline County or his designated representative.

County – Saline County, Arkansas.

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

Developer – A person or corporation which undertakes to erect structures or buildings on a lot or lots or parcels of record that requires the provision of access to the lot or lots or parcels, and for the extension or provision of utilities.

Development – The erection or construction of buildings or structures and the provision of access, and the extension or provision of utilities to the lot or parcel where the construction and/or alteration takes place. There is no limitation on size of acreage.

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

Engineer – A registered engineer licensed to practice in Arkansas.

Engineering Drawings – A set of scaled drawings with accompanying measurements and technical data compiled for the purpose of completing the improvements of a subdivision or a development proposal and having been prepared by an engineer.

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

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

Health Department – the Saline County Health Department or the Arkansas State Health Department, whichever has jurisdiction.

Land Lease – (see Subdivision, Land-lease in these definitions)

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

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

Lot, Double frontage, Reverse frontage, or Through – A lot other than a corner lot abutting upon two or more streets.

Lot, Flag (Lot, Pipe-stem) – Any lot with a connection to a street or ally that is so narrow as to prohibit the siting of a structure within the minimum set back as proscribed by the zoning regulation.

Lot, Split - The dividing or redividing of a lot or lots in a recorded plat of a subdivision into not more than two (2) tracts according to the criteria established within these regu-

lations. This also includes the dividing of acreage into not more that two (2) tracts with no addition of roadways.

Maintenance Bond – A bond furnished by the subdivider or contractor to the city for a one year period (minimum) to cover the cost of repairs resulting from defects in materials and workmanship of public improvements installed by the subdivider or contractor.

Manufactured Home – A residential dwelling that is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities in accordance with the Federal Manufactured Home construction and safety standards.

Master Street Plan – The Haskell Master Street Plan, as included in the Haskell Comprehensive Development Plan.

Plan, Development – The complete plan, or any of its parts, for the development of land, including the provision of utilities, driveways and the construction of buildings or primary structures when all or part of the land falls within the Haskell Planning Area, as adopted in accordance with the Arkansas Statutes as is now or may be hereafter in effect.

Planning Commission – the City of Haskell Planning Commission

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 workability in all aspects, but is not in final form for recording and the engineering details are not completely computed.

Primary Structure – A structure that services the primary function of the lot or parcel. It includes, but is not limited to, a site-built house, a manufactured home, an apartment building, an office building, a store, an industrial building, a water tank, a telecommunications tower, an other structures necessary for the operation of other structures on the lot or parcel.

Protective Covenant – A legal and binding instrument filed for record with an approved subdivision that represents an agreement between the buyer of the lot and the seller of said lot to abide by stipulated conditions.

Replat – A plat that has undergone the process of changing the configuration of lot lines within an approved plat of record to increase, decrease, or change the shape and size of lots.

Staff – The employees of the City of Haskell, and/or those contracted by the city.

Street – A dedicated and accepted right-of-way for vehicular traffic which affords the principle means of access to abutting property.

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 land 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 purpose of transfer of ownership

including the 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 into lots or parcels of five (5) acres or more shall not be deemed a subdivision unless street dedication or the installation of utilities are involved. The terms, when appropriate to the contexts, shall relate to the process of subdividing or to the land subdivided.

Subdivision, Land-lease – Any type of development (residential, commercial, industrial, etc.) typified by the leasing of land and/or primary structures to individuals or entities, with the landowner retaining the rights of ownership. The landowner may be an individual, corporation, groups or group of individuals. Lots or sites within the land-lease subdivision must be defined and numbered like other subdivisions.

Subdivision, Minor – Any division of a lot, tract, or parcel of land either by platting or by metes and bounds into two (2) or more lots or parcels for the purpose of transfer of ownership or development including the combination of two (2) or more previously platted lots. The "minor subdivision" shall neither include the establishment of any streets nor create the need to dedicate additional right-of-way or widen pavement on an existing road as shown on the "Haskell Master Street Plan."

Subdivision, Primary – Any division of a lot, tract, or parcel of land either by platting or by metes and bounds into two (2) or more lots or parcels for purpose of transfer of ownership or development including the combination of two (2) or more previously platted lots. The "Primary Subdivision" ordinarily applies to any division of land involving the dedication of a street to the public, the dedication of additional right-of-way and improvements to an existing road as shown on the "Haskell Master Street Plan" and, in general, any subdivision of land resulting in the need to produce engineering drawings and data in order to meet the improvement requirements of this ordinance.

Surveyor – A registered land surveyor licensed to practice in Arkansas.

Territorial Jurisdiction – the City of Haskell corporate limits and all the land in Saline County surrounding the city to the line depicted on the Haskell Planning Area Map which encloses the territorial jurisdiction.

Zero-Lot-Line - Means a single-family dwelling with the option to have a common wall with one other single-family dwelling unit. In either case, with common wall or without common wall, the structure is placed on the lot to eliminate one side yard. Units are designed to have one windowless side wall placed on the side lot line.

SECTION 3. PROCEDURAL REQUIREMENTS

3.1 Pre-Application Consideration

3.1.1 Whenever (1) a development plan; or (2) any subdivision of a tract of land is proposed to be made, the subdivider or his agent may submit to the Planning Commission, sketch plans and data concerning existing conditions within the site and in its vicinity, and which shall convey the intentions of the developer or subdivider as to the proposed layout and type of development or subdivision.

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

3.2 Application for Certification of Preliminary Plat or Development Plan Approval

3.2.1 Whenever a Development Plan or any subdivision of a tract of land is proposed to be made, the Developer or Subdivider or agent of either shall submit to the Haskell City Secretary, a minimum of fifteen (15) days prior to the regular Planning Commission meeting, an application for a Certification of Preliminary Plat or Development Plan Approval which shall consist of:

a. A completed application form. The form may be obtained from the city secretary at City Hall.

b. To accomplish a subdivision: Plats, plans and data as specified in Section 4.1, 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 subdivision.

c. To accomplish a development: A scaled drawing of the tract of land intended for development together with exhibits as specified in Section 4. (Paragraph 4.3)

d. A filing fee as established by City Ordinance by the City of Haskell

e. Documentation to prove that: (1) the Subdivider or (2) the Developer has notified adjoining and other affected property owners.

3.2.2 The Commission may, prior to acting on a Preliminary Plat or Development Plan, hold a hearing thereon at such time and upon such notice as the Commission may designate.

3.3 Process Leading to Approval of the Preliminary Plat or Development Plan

3.3.1 Upon receipt of an Application for Review of Preliminary Plat or Development Plan Approval, the City Secretary shall check the application for conformance to these rules and regulations (see Section 4.1) and Development Plan requirements (see Section 4.3 and Section 9.1). The City Secretary shall note the number of days the submission is made prior to the next regular Planning Commission meeting and, if less than fifteen (15) days, inform the applicant that the application will not be on the agenda at the next regular meeting.

3.3.2 The City Secretary shall deliver all applications for Preliminary Plat and Development Plan approval deemed to have met the submission and time requirements to the

Secretary of the Planning Commission for the regular meeting agenda. A copy of the meeting agenda and the summary of the proposal will be sent to appropriate public departments or agencies affected by development for their review.

3.3.3 The Planning Commission shall initiate action on applications for preliminary approval at its regular scheduled meeting provided said applications are placed on the agenda by the Secretary of the Planning Commission in the stated time frame. Approval of a Preliminary Plat or Development Plan shall be given by the Planning Commission in comformance with the review process, or if the application is disapproved, the applicant shall be so notified in writing and the reasons therefore shall be enumerated.

3.3.4 A Preliminary Plat or Development Plan may be approved with conditions for further action by the developer imposed by the Planning Commission. The approval and conditions shall be reflected in the minutes of the meeting. With proof of meeting the conditions, the developer may resubmit the plat or plan to the Commission for its approval action. If the approval is for a Development Plan, the developer is authorized at this point to begin construction if the project is not in the city. If it is in the city, application for building permits may be made. If the approval is for a Preliminary Plat, continue on with the procedure of this ordinance.

3.3.5 The Preliminary Plat submitted will be identified by the Planning Commission as a "Minor Subdivision" or a "Primary Subdivision". (See Section 2. Definitions.)

3.3.6 When the Preliminary Plat is defined as a "Primary Subdivision" and the conditions imposed by the Planning Commission are for the required production of engineering drawings and specifications in support of the subdivision, the following procedure shall prevail:

a. The Certificate of Preliminary Plat approval will not be signed initially on the plat by the Chairman of the Planning Commission. The Planning Commission approval of the Preliminary Plat with conditions is verified by the minutes of the Planning Commission. The minutes are the authority to permit the developer to proceed with the compilation of the engineering drawings and specifications without rescission by the Planning Commission of the plat proposal as submitted.

b. The engineering drawings and specifications, upon completion, will be reviewed or caused to be reviewed by the Planning Commission. Approval of the engineering drawings and specifications shall be cause for the Chairman of the Planning Commission to sign the Certificate of Preliminary Plat Approval as affixed on the plat. The signed certificate shall be the approval of the Planning Commission for the subdivider to install the improvements required, with the actual "as built" installation subject to the approval of agencies having authority and jurisdiction.

3.3.7 When the preliminary plat is defined as a "Minor Subdivision", and the plat meets the requirements set out in Section 4, and provided the Certification of Surveying Accuracy is signed, the Planning Commission may authorize the preliminary plat to be re-labeled as a final plat. The re-labeled final plat or a subsequent final plat may be filed for record provided: the subdivider meets all conditions imposed and the Chairman of the Planning Commission has signed the certificate of Final Approval.

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

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

a. Approval of the Preliminary Plat is one step in the process leading to the preparation and approval of a Final Plat. The Final Plat shall reflect the "as built" required improvements and the exact layout of lots and blocks and is the instrument filed for record with the Circuit Clerk/Recorder of Saline County.

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

3.4 Application for Approval of the Final Plat

3.4.1 Application For Final Plat Approval shall be submitted to the Haskell City Secretary at least fifteen (15) days prior to the regular meeting date of Planning Commission in order to be considered at said meeting. The Planning Commission will not take action on any applications received less than fifteen (15) days before its meeting. The Planning Commission will act to approve or disapprove final plats presented when scheduled by the Secretary for the regular meeting. The application shall consist of:

a. The Final Plat and other documents as specified in Section 4.2.

b. A filing fee as specified in Section 4.5.5.

3.5 Approval of the Final Plat

3.5.1 Whenever a Final Plat has been submitted to the Planning Commission which is in conformance with an approved Preliminary Plat and the provisions of Section 4.2, the Commission shall consider and take action on the plat.

3.5.2 The Planning Commission may cause an Arkansas registered surveyor to check the Final Plat for correctness, charging the cost to the subdivider if the plat is found to be in error.

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

3.5.4 Final approval of the Final Plat shall be indicated by execution of a Certificate of Final Plat Approval on the plat when all required improvements have been certified under the provision of this Regulation as being installed, or in lieu thereof. In lieu shall be contingent on a tri-party agreement being executed and in force, or a cash deposit in the full amount as determined by an Arkansas registered engineer acting on behalf of the City of Haskell, necessary to complete the improvements and installations for the subdivision.

3.5.5 Approval of the Final Plat by the Planning Commission shall not be deemed acceptance of any of the dedications shown on the plat. Such acceptance will be made by the Haskell City Council or the Saline County Quorum Court as prescribed by law.

3.5.6 Upon completion of the installation of the improvements required by these rules and regulations, a letter shall be submitted by an Arkansas registered engineer to the Chairman of the Planning Commission 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, and that all improvements and installations are functioning properly.

SECTION 4. PLAT SPECIFICATIONS

4.1 The Preliminary Plat submission to the Planning Commission shall consist of ten (10) black or blue line prints on white background, and such other documents in ten(10) copies as are necessary to meet the requirements of this section.

4.1.1 The Preliminary Plat shall be clearly and legibly drawn. The size of the plat shall not be smaller than eight and one-half (8 1/2) 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 Planning Commission that a different scale is needed.

4.1.2 The Final Plat submission shall consist of the original drawing plus ten (10) copies, as are necessary to meet the requirements of this action. The subdivider shall also furnish the Planning Commission with one reproducible linen print or other comparable transparent print of the final drawing showing the executed certificates, as specified in Section 4.6.2.

4.1.3 The Final Plat shall be clearly and legibly drawn. The size of the plat shall not be larger than twenty-four (24) inches by thirty-six (36) 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.

4.1.4 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 each portion conforms to the requirements of these rules and regulations.

4.2 Each plat shall contain the information indicated by the check mark under the appropriate column and opposite the requirement as shown on the chart on page 12.

4.3 Each development plan shall contain the information as listed following:

a. A vicinity map locating streets and highways, railroads, water features such as wetlands, streams, lakes, etc., schools, parks and other significant features such as dwellings all within three hundred (300) feet of the proposed development sites. The exact boundary lines of the tract for development indicated by a heavy line, making identification certain.

b. A scaled drawing of the development site with location by legal description giving acreage and showing the tract dimensions and the dimensions of the footprint of all proposed structures or buildings.

c. Name, street/mailing address and phone number of developer and engineer who prepared development plan.

d. Engineer drawings to detail means of access such as streets (public or private), driveways, curb cuts, compliance with the City's Access Management Plan, on site parking spaces, landscaping, sidwalks and the like.

e. Information to show how the provisions for sewer and water will be accomplished.

f. Indicate the zoning district in which the development lies if the site is within the city limits.

g. Type or print a note on the development plan as follows:
This development is ☐ ***or*** is not ☐ subject to the conditions of Section 5.7 of this regulation concerning Large Scale Development.

4.4 Each Preliminary Plat shall be accompanied by the following information:

4.4.1 The minimum lot area in square feet for lots served by septic tanks shall be twenty thousand (20,000) square feet provided the percolation reports are approved by the Health Department, and provided 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 clearance to permit access for a septic tank cleaning truck placed in the Bill of Assurance.

4.4.2 The Preliminary Plat shall be accompanied by the following information:

a. A summary of the proposal giving information as to the overall development plan, giving type of structure, number of dwelling units, types of business and industry so that the effects of the development can be determined by the Planning Commission.

b. Existing and proposed covenants and restrictions.

c. Source of water supply.

d. Provisions for sewage disposal, drainage, and flood control.

e. Letters or Certificates of Approvals 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.

f. Typical cross sections of all streets. Centerline profiles of approximate street grades derived from official computations may be required.

g. Fees – Filing fees for preliminary plats shall be those established by City Ordinance by the City of Haskell.

h. Bill of Assurance – A draft of the Bill of Assurance proposed for the subdivision generally describing proposed covenants, restrictions and conditions applicable to the property shall be submitted for review at the time of Preliminary Plat review. (See Bill of Assurance in Section 2, Definitions).

i. Such other information as the subdivider wished to bring to the attention of the Planning Commission.

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

4.5.1 Bill of Assurance including, but not limited to, the following provisions: offering dedications of streets and alleys, parking and other public lands; establishing ease-

Plat Requirements

Preliminary		Final		
Minor	Primary	Minor	Primary	
X	X	X	X	Name of subdivision, approved by Saline County Assessor.
X	X	X	X	Name and street/mailing address of owner of record.
X	X	X	X	Source of title giving deed record book and page number
X	X	X	X	Name, street/mailing address, and phone number of subdivider and plat preparer.
X	X	X	X	Date of survey, north point, and graphic scale bar.
X	X			Certificate of Preliminary Surveying Accuracy.
X	X			Certificate of Preliminary Engineering Accuracy.
X	X	X	X	Location of the tract by legal description giving acreage.
X	X			Vicinity map locating streets and highways, sections lines, railroads, water features, schools, parks, and other significant features within one-half (1/2) mile of the proposed subdivision which is also shown on the vicinity map, a graphic scale bar and north arrow shall be included for the vicinity map.
X	X	X	X	Exact boundary lines of the tract indicated by a heavy line giving dimensions, angles and at least one (1) bearing.
	X			Contour intervals to sea level datum of not more than two (2) feet when the slope is less than for (4) percent, and not more than five (5) feet when the slope is greater than four (4) percent.
	X			Natural features within and surrounding the proposed subdivision including drainage channels bodies of water, wooded areas 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. 100 year flood area boundaries shall be included.
	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 area, structures, city and county lines, section lines and other significant information.
X	X			Names of recorded subdivision abutting the proposed subdivision.
X	X	X	X	Zoning districts, if applicable.
X	X			Proposed layout including lot lines with rough directions.
X	X	X	X	Lot number, block number.
X	X			Street and alley lines with proposed right-of-way widths.
	X		X	Sites reserved for parks, playgrounds, schools, etc.
X	X			Sites for commercial, non-commercial, non-public uses.
		X	X	Building set-back lines with dimensions.
X	X	X	X	School District
X	X	X	X	Fire District.

Plat Requirements
(continued)

Preliminary		Final		
Minor	Primary	Minor	Primary	
x	x			Street names approved by the Office of Emergency Services.
x	x			Certificate of Preliminary Plat Approval.
x	x	x	x	Key map when more than one sheet is required to present plat. Matchlines shall be shown on all streets.
x	x	x	x	True courses and distances to the two (2) nearest established section corners or bench marks or other recognized permanent monuments which shall accurately describe the location of the plat.
x	x	x	x	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).
x		x		Municipal, county or section lines accurately tied to the lines of the subdivision by distances and angles.
	x		x	Street and alley and other right-of-way lines with location and width, with street names indicated.
	x		x	Street centerlines showing angles of deflection, angles of intersection, radii, length of tangents and arcs and degree of curvature with bases of curve data.
	x		x	Lot lines with dimensions to the nearest one-tenth (1/10) foot, necessary internal angles, arcs and chords and radii of rounded corners.
		x	x	When lots are located on a curve or when sidelines are at angles other then ninety (90°) degrees, the lot width at the building line shall be shown when required by the Commission.
x	x			Lot areas 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.
x		x		Easements and public service or utility right-of-way lines giving dimensions, locations, and purposes.
	x		x	Accurate outlines and description of areas to be dedicated or reserved for public use/acquisition (i.e., sidewalks) with the purposes indicted thereon; and of any areas to be reserved by deed convenant for common uses of all property owners.
		x	x	Accurate location and descriptions of all monuments.
x	x			Certificate of Surveying Accuracy.
	x		x	Certificate of Engineering Accuracy.
		x	x	Certificate of Owner.
		x	x	Certificate of Final Plan Approval
		x	x	Certificate of Recording.
x	x	x	x	Variances and waivers from subdivision and/or zoning, if applicable, regulations being requested by the subdivider.

ments, setting forth privileges and conditions pertaining thereto, and setting forth the restrictions and covenants of the subdivision; setting forth procedure 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.

4.5.2 The Subdivider shall obtain approval of the Bill of Assurance by the Planning Commission before filing the Bill of Assurance and subdivision plat with Circuit Clerk.

4.5.3 All calculations and field notes when required by the Planning Commission.

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

4.5.5 Filing fees for Final Plat – Fees shall be those established by the City Ordinance by the City of Haskell.

4.6 Plat Certificates

Each plat submitted to the Planning Commission shall have the following certificates displayed and made a permanent part of the plat.

4.6.1 Preliminary Plats:

Certificate of Preliminary Surveying Accuracy

I,_____, hereby certify that this plat correctly represents a boundary survey made by me or under my supervision; that all monuments shown hereon actually exist and their location, size, type and material are correctly shown; and that all interior lot lines are accurately described in terms of length and direction of the property sides.

Signed_____

_____

Registered Land Surveyor

No._____, Arkansas

Certificate of Preliminary Engineering Accuracy

I,_____, hereby certify that I am the engineer of record for this subdivision and that I, or those under my supervision, will design and cause to be constructed the improvements required in accord with the City of Haskell Control of Development and Subdivision of Land Regulations.

Signed_____

_____

Registered Engineer

No._____, Arkansas

Certificate of Preliminary Plat Approval
All requirements of the City of Haskell Control of Development and Subdivision of Land Regulations relative to the preparation and submittal of a Preliminary Plat having been fulfilled, approval of this plat is hereby granted, subject to further provisions of said regulations.

This Certificate shall expire_____
Date

Signed_____

_____
Date of Execution Name, Chairman
Haskell Planning Commission

4.6.2 Final Plats:

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

_____
Date of Execution Signed _____

_____
Name
_____
Address

Source of Title: D.B. _____ page _____

Certificate of Recording
This document, number _____ filed for record,_____

in Plat Book _____ page _____.

Signed _____

_____
Title

For Bill of Assurance see Deed Record Book _____.

page _____.

Certificate of Surveying 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 location, size, type and material are correctly shown; and that all interior lot lines have been adjusted to "as built conditions" and are accurately described on the plat and identified on the ground in terms of length and direction of the property sides as required in accord with the City of Haskell Control of Development and Subdivision of Land Regulations.

Signed _____

_____
Name, Registered Land Surveyor

No _____ , Arkansas

Certificate of Engineering Accuracy

I,_____, hereby certify that this plat correctly represents a plan made by me, and that the engineering requirements of the City of Haskell Control of Development and Subdivision of Land Regulations have been followed.

Signed _____

_____
Name, Registered Engineer

No. _____ , Arkansas

Certificate of Final Plat Approval

Pursuant to the City of Haskell Control of Development and Subdivision of Land Regulations, and all of the conditions of approval having been completed, this document is hereby accepted. This certificate is hereby executed under the authority of said regulations.

Signed _____

_____

Date of Execution

Name, Chairman
Haskell Planning Commission

SECTION 5 GENERAL PRINCIPLES

5.1 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 other uses as may continue such conditions or increase danger to health, safety, life or property unless approved steps are taken to diminish the above mentioned hazards. Such land within a proposed subdivision not suitable to the development of the subdivision shall be set aside for uses as approved by the Planning Commission.

5.2 Access

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

5.3 Conformance to the "Haskell Master Street Plan" included in the Haskell Comprehensive Development Plan

5.3.1 All proposed subdivisions shall conform to the Master Street Plan in effect at the time of submission to the Planning Commission.

5.3.2 All highways, streets and other features of the Master Street Plan which fall on the subdivision proposal shall be platted by the subdivider in the location and to the dimension indicated by the Master Street Plan.

5.3.3 Where community or public facilities, existing or proposed, are located in whole or in part in a proposed subdivision, the Planning Commission shall require the reservation of the area necessary to accommodate such facilities. The public board or body having jurisdiction or financial responsibility for 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.

5.4 Zoning or Other Regulations

No Final Plat of land within the force and effect of the Haskell Zoning Ordinance shall be approved unless it conforms to such ordinance if applicable. Whenever there is a discrepancy between 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.

5.5 Street and Subdivision Names

The subdivider may, at subdivider's discretion, submit names for all proposed streets for the approval of the Planning Commission. However, the Planning Commission shall have the final authority to determine the street names and subdivision names and to require changes in any proposed names. The purpose is to avoid duplications and to support the Saline County Emergency Services Program. All proposed street names are referred to Saline County Emergency Services for approval.

Street names shall conform to the following guidelines:

a. Any proposed street that is co-linear with or an extension of an existing street

shall have the same name and suffix of the existing street.

b. Each street shall have a unique and different name. Streets with the same name but different suffixes are not considered to have unique and different names; therefore, different suffixes do not constitute unique and different names.

c. Street names, not including suffixes and cardinal direction prefixes, shall not exceed fourteen (14) characters in length, including spaces.

d. Any street with a center median shall be assigned the suffix "Boulevard" or "Parkway."

e. A "north-south" street shall be assigned the suffix "Avenue," "Drive," or "Lane."

f. An "east-west" street shall be assigned the suffix "Street," "Place," or "Terrace."

g. A cul-de-sac shall be assigned the suffix "Court."

h. A street which is diagonal or which has more than one cardinal direction shall be assigned the suffix "Road," "Way," or "Pike."

i. A circular, semi-circular, or loop street shall be assigned the suffix "Circle" or "Loop."

5.6 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.

5.7 Large Scale Developments

A large scale development including the construction of two (2) or more buildings/primary structures together with the necessary drives and ways of access which is not subdivided into customary lots, blocks, and streets, may be approved by the Planning Commission if, in the opinion of the Planning 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 Planning Commission whether or not such plat is to be recorded and no building permits shall be issued until such approval has been given. Recreation facilities such as ballfields, parks, and golf courses are included although two primary structures may not exist. Land-lease subdivisions can be considered a large scale development.

5.8 Variances

5.8.1 Variances from these provisions set forth in these rules and regulations shall be authorized by the Planning 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 variance that will not adversely affect the general public or nullify the intent of these regulations.

5.8.2 Application of any of the aforementioned variances shall be filed in writing with necessary supporting documents to the Planning Commission by the subdivider/developer simultaneously with the Preliminary Plat or Development Plan and shall explain the reasons and facts supporting the application.

SECTION 6 DESIGN REQUIREMENTS

6.1 General Guidelines

This section implements the following provisions of the comprehensive plan:

- *Land Use Plan, Neighborhood Centers: Streets in a neighborhood should produce a grid or modified grid system to lessen the impact of traffic on any one street, to provide choice in routing, to create a more compact development pattern and to avoid the excessive encumbrance of open space which prevails in large lot and acreage development.*
- *Land Use Plan, Neighborhood Centers: A development practice to avoid in the centers is the construction of cul-de-sac streets which create a traffic situation of one way in and one way out.*
- *Transportation, Policy 2: To require the development of new streets in a grid or modified grid network and to encourage the construction of new two-lane roads connecting arterials as an alternative to widening existing roads.*
- *Transportation, Policy 3: To disallow the approval of subdivisions with only one entrance/exit.*
- *Transportation, Policy 4: To discourage the construction of cul-de-sacs in new developments and to allow them only when physical constraints make them the only alternative to no-build.*
- *Pedestrian, Policy 3: To encourage the connection of pedestrian paths, bicycle routes and sidewalks between new and existing developments.*

6.1.1 Streets shall be related appropriately to the topography so as to produce useable lots and streets of reasonable gradient. Street grades and alignment shall conform reasonably to the original topography. In steep areas, through streets should generally follow contour lines rather than cross them. Combinations of steep grades and curves shall be avoided. Sudden and frequent changes of grade along arterials shall be avoided. Sharp horizontal curvature should be avoided if possible at or near the high point of a crest vertical curve or near the low point of a pronounced sag vertical curve.

6.1.2 The proposed street layout should be appropriate for the type of development proposed and properly integrated with the street system in the area adjoining the subdivision. The layout shall also conform to the existing and proposed land uses and the most advantageous development pattern for the surrounding area. The development of a grid or modified grid network of streets is required. Cul-de-sacs are only allowed when physical constraints make them the only alternative to no-build.

6.1.3 Major traffic generators such as industries, shopping centers, schools, and residential developments with a density in excess of six (6) dwelling units per gross acre may obtain driveway access to a system of streets internal to the development. These types of uses shall obtain primary access from streets classified as collectors or higher functional classifications subject to the Haskell Access Management Policy. (See Access Management Regulations)

6.1.4 The layout of streets and the design of lots for residential development with a density of six (6) dwelling units per gross acre or less, shall provide for driveway access to

Class VI, Local streets. The provision of driveway access to Class V, Collector streets shall be discouraged. Direct driveway access to Class IV, Minor Arterial and higher functional classification of streets shall not be permitted. The developer in the subdivision process may apply to the Planning Commission for a waiver to this driveway access regulation. The application for waiver must be justified to the Planning Commission as a "no reasonable alternative" situation based on physical characteristics of the property proposed for subdivision development.

6.1.5 Residential streets shall be laid out to: encourage connectivity with adjacent properties, facilitate internal circulation, permit efficient drainage and utility systems, and provide the length of street necessary for the convenient and safe access to property.

6.1.6 Proposed through streets shall be extended to the boundary lines of the tract to be subdivided if necessary to achieve Master Street Plan conformity or to prevent landlocked property.

6.1.7 The minimum number of entrances for a residential subdivision shall be one entrance for every fifty (50) lots or fraction thereof. For a residential land-lease subdivision, the minimum number of entrances shall be one entrance for every fifty (50) sites or fraction thereof.

6.2 Right-of-Way/Paving Width

6.2.1 Every subdivision shall be served by an adequate system of publicly dedicated streets or their private counterparts as specified herein. All public streets within the subdivision shall be located, platted, dedicated, and accepted by either the city or the county in accordance with the Haskell Master Street Plan and the standards and procedures outlined within this document.

6.2.2 The city may require right-of-way dedications of up to one hundred (100) feet. Right-of-way dedications in excess of one hundred (100) feet as shown on the Master Street Plan shall be reserved for acquisition subject to the following conditions: the public board, commission, or body having jurisdiction or financial responsibility for the acquisition of said right-of-way shall, within four (4) months following the approval of the Preliminary Plat, execute a written option to acquire by purchase or file suit for condemnation of said right-of-way, and said option to acquire must be exercised and fully consummated within twelve (12) months following the date of the approval of the Preliminary Plat.

6.2.3 New boundary streets shall be avoided except where a requirement of the Master Street Plan provides a defined alignment such as section and fractional section lines. In any event, the owner/developer of the proposed development or plat shall provide one-half (1/2) of the Master Street Plan specified improvements and right-of-way. Whenever a proposed subdivision abuts a partially dedicated or constructed public street, the developer shall provide the minimum of one-half (1/2) of the required improvements and right-of-way.

a. The Planning Commission may authorize a new boundary street when the subdivider proposes to dedicate the entire right-of-way and construct all required improvements.

b. In no case shall a subdivider retain a parcel of land lying between a newly cre-

ated boundary street and a former property line, the purpose of which would be to deny access by abutting owners.

6.2.4 For purposes of determining the extent of required improvements on boundary streets, the right-of-way centerline shall be deemed to be the plat boundary. Where a clearly defined right-of-way does not exist, the city shall establish the centerline location by way of engineering services.

6.2.5 Dead-end Streets and Cul-de-sacs

a. Cul-de-sacs are discouraged and only allowed when physical constraints make them the only alternative to no-build. Cul-de-sacs shall have a maximum length of four hundred (400) feet unless otherwise approved by the Planning Commission. Where a street does not extend to the boundary of a subdivision, and its continuation is not required by the Planning Commission for access to adjoining property, its terminus shall not normally be closer than fifty (50) feet to such boundary. No more than twelve (12) residential units shall be served by such a street.

b. Cul-de-sac turnarounds shall be provided at the end of all permanent dead-end streets. Cul-de-sac turnarounds for residential streets and minor residential streets shall have a minimum right-of-way diameter of one hundred (100) feet and a pavement width diameter of eighty (80) feet, with an optional inside radius of twenty (20) feet to the back of the curb and forty (40) feet to the outside of the back of the curb.

c. In the case of temporary dead-end streets, which are stub streets designed to provide future connections with unsubdivided adjacent areas, the Planning Commission may require a temporary turnaround of the type specified in (b) above.

6.2.6 Street Grades – Grades on streets shall not exceed the following standards:

a. Principal and Minor Arterials – 9%

b. Collector Streets – 12%

c. Local Streets – 15%

d. Narrow Local Streets – 16%

e. Cul-de-sacs – 16%
Cul-de-sac centerline slope surface on down hill grades shall not exceed seven (7) percent within the last fifty (50) feet of the pavement. Cul-de-sac centerline slope surface on uphill grades shall not exceed twelve (12) percent with the last fifty (50) feet of the pavement.

f. All horizontal curves on roadways with a classification of Class IV or higher shall have positive superelevation. Normal crowns may be used on horizontal curves on Class V or VI roadways.

g. In order to insure adequate drainage no street surface shall have a finished longitudinal or transverse grade of less than one-half of one (1/2 of 1) percent.

h. Subject to the approval of the city, street grades may be increased above the maximum grades stated herein. Average (positive or negative) grade of the

entire street segment shall not exceed the stated requirements.

6.2.7 Minimum Horizontal Radius at Centerline – The minimum centerline radii for horizontal curves shall be as follows:

Arterial Streets	650 Ft.
Collector Streets	350 Ft.
Local Streets	225 Ft.
Narrow Local Streets	125 Ft.

6.2.8 Tangents – Between reverse curves, a tangent of not less than three hundred twenty-five (325) feet for arterial streets and two hundred (200) feet for collector streets shall be required. However, if a normal crown is to be maintained through both curves, a tangent between reverse curves is not required. This requirement may be modified by the Planning Commission for residential streets where topography or other conditions makes such a modification desirable for maintaining a suitable layout.

6.2.9 Intersections and Alignment

a. Street intersections shall be laid out as nearly at right angles as possible and may be curved to bring this about. The centerline of no more than two (2) streets shall intersect at any one point, and no intersection shall be at an angle of less than seventy-five (75) degrees, unless the intersection is to be a round-about or similar facility.

b. The minimum curb radii at intersection shall be as follows:

Arterial – Arterial intersections	40 Ft.
Arterial – Collector intersections	40 Ft.
Arterial – Local intersections	20 Ft.
Collector – Collector	30 Ft.
Collector – Local	15 Ft.
Local – Local	10 Ft.

c. Street jogs with centerline offsets of less than one hundred fifty (150) feet shall be avoided. Proposed new intersections along one side of an existing street shall, whenever practical, coincide with any existing intersections on the opposite side of the street.

d. Intersections shall be designed with grades as level as possible consistent with proper provision for drainage. In approaching intersections, the leveling area shall have a grade not exceeding five (5) percent for a distance of not less than thirty (30) feet measured from the nearest curb or edge of the pavement.

e. Additional street paving and right-of-way in the form of turning lanes shall normally be required along arterial streets and intersections with other arterial or collector streets.

f. Property line corners at street intersections shall be rounded with a radius of at least twenty (20) feet.

g. Where visibility at any proposed street intersection would be impeded by earthen berms or existing vegetation, the developer shall cut such ground and/or vegetation in conjunction with the grading of the street right-of-way sufficient to

provide adequate site distance.

h. Street intersections shall be located to avoid creating hazardous driving conditions.

6.2.10 New Private Street – Private streets for residential development may be approved by the Planning Commission provided that the design and general standards conform to those of public streets as specified in this regulation. Private streets are permissible in the form of cul-de-sacs and short loop streets, and only when it has been determined that these streets can be adequately served by all public service vehicles. Streets internal to development as per Section 6.1.3 may be private streets. Such streets will not be permitted where there is a possibility of through traffic or the eventual providing of connecting link to another public street. It shall be incumbent upon the applicant to demonstrate that the private streets will not unreasonably limit access to adjacent parcels, hinder logical traffic patterns, or otherwise be contrary to the public interest. The Subdivider shall declare a method for the maintenance of private streets in the Bill of Assurance.

6.2.11 Private Street, Existing – Existing private streets shall be dealt with as follows for the purpose of dedication:

a. The City Council of the City of Haskell, Arkansas shall in every instance be the final authority in the city.

b. Streets which had been previously fully maintained by the county for which no dedication is on record will become city streets upon annexation only if a formal dedication is made. Such dedications shall be reviewed by the Planning Commission and accepted by the City Council as prescribed by law. No improvements or construction shall be required, and these streets will be maintained at or above their physical condition upon annexation.

c. Streets which were private in every respect shall remain private after annexation. Owners of properties abutting such streets may request dedication by following the procedures outlined for submission of Preliminary Plats.

d. The Planning Commission shall determine whether a need exists for a public street when the owners request dedication of a particular street.

e. Citizens desiring to dedicate private streets shall assume all cost to include platting, engineering, and construction.

f. No private street shall be offered or reviewed for dedication where no structure abuts the right-of-way or where such action would circumvent the review process for new streets and/or subdivisions.

g. In those instances where a private road was created by land sales constituting a violation of these regulations, the property from which the road was derived shall be included in preliminary plat submissions and be subject to improvement requirements of this regulation.

6.3 Pavement Structure

6.3.1 All pavement shall be built of concrete or asphalt pavement structure, and shall be designed and constructed in accordance with the parameters established by the City of Haskell.

6.3.2 No roadways will be considered to be completed unless deemed acceptable by an engineer responsible to the city. The subdivider shall replace, at subdivider's expense, any and all roadways, or portions thereof, not deemed acceptable.

6.4 Utilities

This section implements the following provisions of the comprehensive plan: Transportation, Policy 7: To allow the construction of alleyways in subdivisions and to encourage the placement of utilities behind structures and underground.

6.4.1 All new utilities shall be located underground between the paved roadway and street line or in alleys to simplify location and repair of the lines. The subdivider shall install underground service connections to the property line of each lot before the street is paved.

6.4.2 Water mains shall not be constructed within boulevards or utility easements where sewer or gas lines are located. No sewer or gas lines shall be constructed within the boulevards or utility easements where water mains are located.

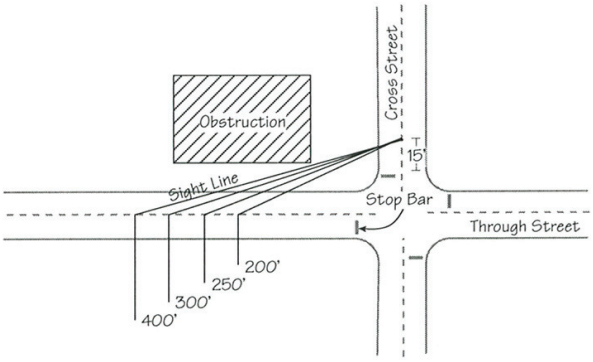
6.4.3 In order to prevent damage to utilities, permanent structures and trees shall not be located within boulevards reserved for utilities.

6.4.4 Underground electrical and telecommunication utilities must be placed in conduit at roadway crossings.

6.5 Clear Line-of-Sight at Intersections

6.5.1 There must be an unobstructed sight distance along the approaches at the corners of a street intersection. The sight distance must allow the drivers of vehicles to see the other vehicle in time to prevent collisions. The unobstructed sight distance, when established, becomes a triangular shaped area across each corner of the intersection. Within the triangular areas no objects shall be placed which, due to its height, would constitute a sight obstruction.

The figure at right illustrates the formation of the unobstructed sight distance triangle: The triangle would apply to all corners.



The distance along the through street varies as follows:

a. If Narrow Local Street 200 Ft.

b. If Standard Local Street 250 ft.

c. If Collector Street 300 Ft.

d. If Arterial Street 400 Ft. (or the distance specified by an engineer responsible to the city.)

6.5.2 For three-legged intersections, the intercepted roadway shall be considered the cross street.

6.5.3 For four-legged intersections of streets with different functional classifications, the street with the higher classification shall be considered the through street, and the lower classification street shall be considered the cross street.

6.5.4 At four-legged intersections of streets with the same classification, both streets shall be considered the cross street (i.e. lines-of-sight shall be established for all approaches).

6.5.5 Obstructions shall not be placed within the lines-of-sight. These obstructions are enumerated as follows:

a. Permanent or temporary structures, including retaining walls and buildings.

b. Bushes or hedges in excess of thirty (30) inches in height.

c. Limbs of trees within eight (8) feet of the ground.

d. Signs, both permanent and temporary unless raised eight (8) feet by slender poles.

e. Any other items as identified and specified by the city.

6.6 Geometric Design

The Developer/Subdivider shall provide certification by a registered engineer that dimensions are substantially in compliance with the standards for geometric design for streets, and that no slope or gradient exceeds the maximum standards for slope and grade.

6.7 Bridges

All bridges and culverts constructed within the Haskell Planning Area shall be in accordance with Arkansas Highway and Transportation Department specifications, unless otherwise approved by the city.

6.8 Easements

6.8.1 Utility Easements – Utility easements for poles, wires, conduits, storm sewers, sanitary sewers, gas lines, water mains and lines, and similar purposes shall be provided where required by utility companies or the city. Such easements shall not be less than five (5) feet on either side of the rear lot lines and five (5) feet on either side of the side lot lines. The specific location of easements not uniform in width and parallel to lot lines must be shown by dimensions.

6.8.2 No building or structure may be erected over or in an easement, including fences, unless otherwise approved by the Planning Commission.

6.8.3 All vehicular access easements shall be clearly indicated on the plat and property dimensioned according to the requirements of this regulation.

6.8.4 All utility easements along roadways shall adhere to the Master Street Plan requirements.

6.9 Alleys

6.9.1 Alleys are encouraged at the rear of commercial lots and shall be permitted in residential blocks. Alleys are especially useful to provide rear-of-property access to

parking space and garages when front-of-property would otherwise require access to an arterial street or highway.

6.9.2 Alleys shall be constructed to Master Street Plan standards or specific requirements described in the following sections.

6.10 Lots

6.10.1 Every lot shall abut upon a public street, except where private streets are explicitly approved by the Planning Commission. The size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Driveway access should not be directed to collector or arterial streets and in some cases such access may be prohibited.

6.10.2 Minimum lot dimensions shall conform to the requirements of the City of Haskell Zoning Ordinance as applicable, otherwise the following minimum lot dimensions shall prevail:

	Width	Depth
Single Family Detached Residential	75 Ft.	100 Ft.
Manufactured Home	75 Ft.	100 Ft.
Zero-lot line	70 Ft.	100 Ft.
Townhouse	36 Ft.	100 Ft.
Corner Lot	75 Ft.	100 Ft.

a. Townhouse Lots – Submission of a plat creating lots for townhouse residences shall be accompanied by a generalized site plan showing the proposed location and dimensions of all buildings, accessory uses, and other improvements. Such lots shall be not less than thirty-six (36) feet in width by one hundred (100) feet in depth, and with overall minimum size of 3,600 square feet. Platted building lines shall conform to building location shown in the generalized site plan.

b. Zero-Lot-Line Residential Lots – Submission of a plat creating a zero-lot-line development shall be accompanied by a generalized site plan showing the proposed locations and dimensions of all buildings, accessory uses and other improvements. Such lots shall be not less than seventy (70) feet wide by one hundred (100) feet in depth and with a minimum overall size of 7,000 square feet. Platted building lines shall be shown on all sides of each lot. Platted building lines shall conform to building locations shown on the generalized site plan.

6.10.3 No residential lot shall be more than three (3) times as deep as it is wide, nor shall any lot average less than one hundred (100) feet in depth. Lot width shall be measured at the building line except in the case of lots abutting cul-de-sacs where the average width of the lot shall be used.

6.10.4 The developer or subdivider of lots served by a public water system and proposed to be served by a septic tank system, must submit, at the time of Preliminary Plat or Development Plan filing, a written certification of approval by the Arkansas State Department of Health. The lot sizes allowable by this certification shall be indicated on the plat or plan. In addition, a subdivider or developer shall have an engineer conduct a percolation test on each proposed lot in a subdivision and indicate the

result of the tests on the Preliminary Plat or Development Plan. The lot must be a minimum of 20,000 sq. ft. (See Section 4.4.1)

6.10.5 Where a subdivision abuts or contains an existing or proposed arterial street, the Planning Commission may require double frontage and reversed frontage lots as a means of providing adequate protection of residential development and to afford separation of land from through traffic. This requirement is to be imposed since driveway access to the arterial streets is restricted.

6.10.6 Side lot lines shall be at right angles to street lines or radial to curing street lines unless a variation from this regulation will give a better street or lot plan.

6.10.7 Corner lots shall have additional width to accommodate the required building line on both streets and to assure adequate visibility for traffic safety. (See Section 6.11.1 and Section 6.5.1)

6.10.8 Flag lots (pipe-stem lots) shall not be used in any subdivision.

6.10.9 In residential subdivisions where lots abut on arterial streets, such lots shall have an overall depth of not less than one hundred seventy-five (175) feet in order to ensure proper separation of residences from the adjacent thoroughfare.

6.11 Platted Building Lines and Buffers

6.11.1 Except along Class VI local streets, building lines for residential lots shall be at least twenty-five (25) feet from each street property line except in the following circumstances: residential lots fronting on a minor arterial street shall have a platted building line not less than thirty-five (35) feet from the right-of-way line; residential lots fronting on principal arterials shall have a platted building line not less than forty (40) feet from the right-of-way line.

6.11.2 Side lot building setback lines shall be a minimum of ten (10) percent of lot width on each side.

6.11.3 Along arterial streets where it is desirable to limit curb cut access, building lines shall be established on both frontages of double frontage lots. Along the line of lots abutting such a traffic artery, a restricted access easement of at least ten (10) feet, across which there shall be no right-of-vehicle access permitted, shall be provided.

6.11.4 Multi-family (more than two units attached) subdivisions abutting single family subdivisions or areas zoned for single family use shall protect such area from potential nuisance by providing a minimum forty (40) foot buffer strip and a six (6) foot fence of treated wood or masonry, with metal posts permitted, extending along the entire abutting portion of the property.

In those instances where drives or parking areas are proposed for intrusion into the buffer strip, a minimum of fifteen (15) feet shall be retained in its natural state. If ground cover and trees are sparse or have been removed, the fifteen (15) foot strip shall be replanted with cover of the type natural to the area. No building, outside storage areas or sanitation equipment shall be permitted within the fifteen (15) foot area.

In those instances where a twenty-five (25) foot permanent landscaped rear yard is provided, the buffer may be reduced to twenty-five (25) feet. In this arrangement,

no structural or physical improvements are allowed within the twenty-five (25) foot buffer. The six (6) foot fence requirement will apply.

6.12 Blocks

This section implements the following provisions of the comprehensive plan: Pedestrian Mobility, Policy 1: To construct, or cause to be constructed, sidewalks and bicycle paths in a comprehensive network which is complementary and supplemental to the street network.

6.12.1 The lengths, widths, and shapes of blocks shall be determined with due regard for the following considerations: the provision of adequate building sites suitable for the type of use contemplated, zoning requirements as to lot sizes and dimensions, need for convenient traffic access and circulation, and the limitations and opportunities of topography. (See Section 6.10.2 for lot size information.)

6.12.2 To promote connectivity and walkability, blocks along collector streets in residential subdivisions shall not exceed seven hundred (700) feet in length. Blocks along local and narrow local streets shall not exceed five hundred (500) feet in length. Wherever practicable, blocks along major and minor arterial streets shall be not more than six hundred (600) feet in length.

6.12.3 Blocks may be irregular in shape, provided they are harmonious with the overall pattern of blocks in the proposed subdivisions, and provided their design meets the requirements of lot standards, traffic flow and control considerations, and development plan requirements.

6.12.4 Blocks as a minimum shall have sufficient depth to provide for two (2) tiers of lots unless a different arrangement is required in the form of a single tier of lots of maximum depth for blocks adjacent to arterial streets, waterways, or greenways.

6.12.5 The dedication of a public sidewalk for pedestrian travel between streets is required. Such sidewalks shall have a minimum right-of-way width of ten (10) feet and a pavement width of four (4) feet and extend entirely across such block. Internalized circulation systems in the form of pedestrian and bicycle paths may be substituted in lieu of sidewalks upon the approval of the Planning Commission.

6.13 Sidewalks

This section implements the following provisions of the comprehensive plan:

- *Transportation, Policy 1: To require sidewalks on at least one side of streets which connect with the town center.*
- *Pedestrian Mobility, Policy 1: To construct, or cause to be constructed, sidewalks and bicycle paths in a comprehensive network which is complementary and supplemental to the street network.*
- *Land Use, Neighborhood Centers & Community Goals 5: A system of sidewalks should be in place to make pedestrian travel practical and safe. The sidewalk system of each neighborhood in Haskell should provide at least one connection to the Haskell Town Center.*

6.13.1 Sidewalks shall be constructed on both sides of Class III through Class VI streets, and shall be installed within the dedicated right-of-way adjacent to the property line, except where otherwise specified in this section and except where the land is topographically unsuited for the construction of sidewalks. On Class VI streets, sidewalks shall be a minimum of four (4) feet wide; on commercial Class VI streets as well as Class III through Class V, sidewalks shall be a minimum of five (5) feet wide.

6.13.2 An internalized pedestrian circulation system in the form of paved pathways or bike paths with a minimum width of four feet (4') may be substituted for sidewalks along streets upon the request of the applicant and the approval of the Planning Commission.

6.13.3 The developers shall not have the option of locating sidewalks adjacent to the curb. A boulevard of at lease four (4) feet in width shall exist between sidewalks and curbs.

6.13.4 Sidewalks are not required to be constructed at the same grade of the curb of the street nor are they required to be constructed in a straight line if such straight line construction would damage trees.

6.13.5 Sidewalks shall be constructed to accommodate handicapped individuals and shall transition to sloped ramps at street intersections to accommodate wheelchairs. The full width of the sidewalk shall be free of protruding objects that reduce the minimum clearance width, such as mailboxes, fire hydrants, street furniture, signage, poles, etc.

6.14 Storm Drainage

6.14.1. Every subdivision shall make adequate provision to accommodate or dispose of storm water by means of drains, sewers, catch basins, culverts, and other facilities deemed necessary by the city.

6.14.2 Facilities for storm drainage shall be designed and constructed so as to eliminate increases in the rate of storm runoff onto adjoining property over that which existed prior to development.

6.14.3 Facilities for storm drainage shall be of adequate capacity and designed to accommodate not less than a one in ten year rainfall. Provisions shall be made for storm water emergency overflow in subdivisions having enclosed storm systems. This system is an above ground system consisting of swales or other drainage mechanisms with the capacity to carry excess water not carried by the underground system. This system shall have the capacity of a storm of one hundred (100) year return frequency.

6.14.4 The hydraulic analysis of the proposed storm water management system shall be submitted to the city for approval. A storm water management system may include, but is not limited to, drop inlet, storm sewers, curb cuts, swales, wetlands, and dry and wet ponds.

6.14.5 Where a subdivision is traversed by a watercourse, channel, or stream, a storm water easement, or a drainage right-of-way shall be provided. Such easement or right-of-way shall conform substantially to the lines of the watercourse as it enters

and leaves the property and shall be of sufficient width and construction to provide adequate storm water drainage and access for maintenance thereof, but not less than twenty-five (25) feet in width. No buildings shall be built within this right-of-way.

6.14.6 All drainage structures shall be of a sufficient length to accommodate the full width of the street and both sidewalks.

6.14.7 All bridges shall include sidewalks, either on the principal structure or on supplemental structures.

6.14.8 Storm water may not be diverted from one watershed to another within the plat boundaries.

6.14.9 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 Flood Hazard Boundary Maps or as modified by detailed engineering analysis accepted by the Corps of Engineers and the city, shall be either designated on the plat as drainage easements, or at the option of the landowner, dedicated to the public.

6.15 Telecommunication Towers

6.15.1 Telecommunication towers include, but are not limited to, television, radio, microwave, cellular, and personal communications services (PCS) towers.

6.15.2 These developments are considered either large scale developments or land-lease subdivisions that must be platted or shown in a development plan.

6.15.3 These towers shall be located on the site or parcel so that the distance from the tower base to the site or parcel line is a minimum of one hundred ten (110) percent of tower height.

6.15.4 Such sites shall contain security fencing and anti-climbing devices on the towers. The minimum height of the fence shall be eight (8) feet, and a gate which locks shall be installed.

6.15.5 Such developments that abut residential subdivisions or areas zoned for residential use shall protect these areas from potential nuisance by providing a minimum forty (40) foot buffer strip. The buffer strip shall contain landscaping that includes trees that screen the site from the residential areas.

6.15.6 Towers must meet FCC, FAA, and NEPA requirements prior to approval. Documentation of such required.

6.15.7 Towers within the Haskell city limits shall be located only on city owned property, per City of Haskell ordinance.

SECTION 7. COMMERCIAL/OFFICE SUBDIVISIONS

7.1 General – In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Planning Commission that the street, parcel, and block pattern of all proposed commercial/office subdivisions are adapted to the uses anticipated, and that the prospective physical impact on adjacent areas has been taken into account. Land-lease subdivisions for commercial/office uses must adhere to these requirements. The following general principles and standards shall be observed:

a. Commercial/Office subdivisions abutting residential subdivisions or areas zoned for residential use shall protect such areas from potential nuisance by providing a minimum forty (40) foot buffer strip and a six (6) foot fence.

   In those instances where drives or parking are proposed for intrusion into the buffer strip, a minimum of fifteen (15) feet shall be retained in its natural state. If ground cover or trees are sparse or have been removed, the fifteen (15) foot strip shall be replanted with cover of the type natural to the area. No building, outside storage, or sanitation equipment shall be permitted within the fifteen (15) foot area.

   The fence shall be of treated wood, or masonry with metal posts permitted; the fence shall extend along the entire property line common to single family use.

b. The Planning Commission shall require the subdivider to file a proposed subdivision phasing plan providing for continuity of development and individual phases of reasonable proportions. Single lot final plats and plats which create discontinuity within the development may be prohibited by the Planning Commission.

c. For Commercial/Office subdivisions not greater than twenty (20) acres in size, all boundary street improvements shall be completed in conjunction with the initial phase of the staging plan.

7.2 Boundary Streets - Boundary streets abutting a proposed commercial/office subdivision shall be developed in accordance with the Master Street Plan. Where an internalized system of public streets or private service easements is proposed for commercial/office, the following design standards shall be observed.

Street Type	Minimum R.O.W. Width	Minimum Paving Width
Commercial	60 Ft.	36 Ft.
Minor Commercial Street (a cul-de-sac not more than 200 ft. long)	50 Ft.	27 Ft.
Alley (when required)	20 Ft.	17 Ft.

7.3 Vertical and Horizontal Alignment - Vertical and horizontal alignment shall conform to collector street standards as outlined in the Master Street Plan.

7.4 Lots - The depth and width for lots shall conform to the applicable zoning district. Otherwise, the following dimensions will be used:

The minimum depth and width for lots located within the planning area shall be one hundred (100) feet of frontage by one hundred fifty (150) feet of depth. In all

instances, no commercial/office lot shall have a depth exceeding three (3) times the width. Flag lots (pipe-stem lots) are expressly prohibited in office/commercial subdivisions.

7.5 Blocks - In the interest of efficient traffic circulation, and to ensure a suitable relationship between the street system and the proposed commercial use, blocks in commercial/office subdivisions shall generally be not less than six hundred (600) feet or more than seven hundred (700) feet in length.

7.6 Platted Building Line - Building lines for lots shall conform to the applicable zoning district.

Otherwise, building lines for lots located within the planning area shall comply with the following: front yard building lines for commercial lots shall be at least forty-five (45) feet from the street right-of-way.

In all instances where a landscaped green area is substituted for parking and vehicular movement area between the building line and the street right-of-way, a twenty-five (25) foot front yard setback may be approved by the Planning Commission. Approval of the twenty-five (25) foot commercial building line shall be permitted on all lots fronting on streets as defined in this ordinance and shall be contingent upon submission of both a site plan dimensioning the landscaping and a Bill of Assurance prohibiting use of the yard area for parking. Such landscaped areas may be traversed by not more than two (2) driveways providing access to the sides and rear of the lot.

7.7 Internal Circulation - Where any commercial/office subdivision has in excess of three hundred (300) feet of frontage on an arterial street, special provisions for internal circulation shall be required to ensure proper ingress and egress. Alternative design solutions which may be required by the Planning Commission, depending upon the circumstances unique to each situation, include provisions of public commercial streets, service easements, curb cuts, or some combination thereof.

7.7.1 Public Commercial Streets - Public commercial streets shall be provided according the provisions of 7.2 above.

7.7.2 Service Easements - Where a commercial/office subdivision requires the creation of an internalized circulation system to provide access to multiple lots and building sites, the Planning Commission may, at its option, authorize the use of a service easement in lieu of public commercial streets. Location of private service easements shall be indicated on the plat and be built to public street dimensions, except where, in the opinion of the Planning Commission, a reduced pavement width is deemed sufficient to ensure safe and convenient access to lots and otherwise fully complies in all respects with the purpose and intent of this regulation. Design of service easements shall be subject to the review and approval of the city.

7.7.3 Ingress and Egress to Commercial Lots on Major Thoroughfares - Due to the nature of the use proposed and to the high volume of traffic generated by commercial/office subdivisions, special conditions applicable to control of ingress and egress shall be required. Curb cuts for commercial/office subdivisions on arterial streets shall be located at least three hundred (300) feet apart and no closer than one hundred

(100) feet to the right-of-way of any intersecting street. This requirement may be met by incorporating marginal access streets, double frontage lots, common drives, cul-de-sacs in the subdivision, or by limiting direct access to arterial streets. The extent and placement of curb cuts on principal arterials, minor arterials, and commercial streets shall be subject to the approval of the City of Haskell. All outparcels shall gain access from internal driveways or internal streets and shall not have direct access to arterials.

7.7.4 Ingress and Egress to commercial lots on SH 229 - Streets intersecting with SH 229, regardless of functional classification, shall be spaced no closer than one-sixteenth (1/16) mile, 330', apart on centers including offset intersections. The minimum distance from the edge of pavement of a driveway intersecting SH 229 to the edge of pavement of a street intersecting SH 229 shall be 132 feet. Further regulations are described in the Haskell Access Management Regulations.

7.8 Curb Cut Design - Combined ingress, egress points with vehicular movement areas separated by landscaped safety islands shall be considered an acceptable method of meeting the purpose and intent of this regulation. Such ingress, egress points shall be subject to approval of the city.

7.9 Fire Hydrants - The maximum distance of any fire hydrant to a primary structure in a commercial/office subdivision shall be three hundred fifty (350) feet.

SECTION 8. INDUSTRIAL SUBDIVISIONS

8.1 General - In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Planning Commission that the street, parcel, and the block pattern proposed for industrial subdivisions are specifically adapted to the uses anticipated and that prospective impact on adjacent areas can be mitigated and has been taken into account. Land-lease subdivisions for industrial uses shall follow these requirements. The following principles and standards shall be observed:

a. The Planning Commission may, at its option, impose special requirements with respect to public utilities, streets, gutters, and sidewalk design and construction to ensure compliance with the purpose and intent of these regulations.

b. Industrial subdivisions abutting residential subdivisions or areas zoned for residential use shall protect such areas from potential nuisance by providing a minimum fifty (50) foot buffer strip and a fence not less than six (6) feet in height made of wood or masonry, with metal posts and which extends along the entire property line common to a residential zoning district or existing area. Where possible, existing plant materials within the buffer strip shall be maintained. If not possible, suitable landscaping including trees, ground cover and other plant material natural to the area shall be provided. No building, outside storage, or parking areas shall be constructed in the buffer area. The six (6) foot fence shall be of treated wood or masonry, with metal posts permitted, and shall extend along the entire property line abutting the residential areas as specified above.

c. In order to preclude the possibility of through traffic, industrial streets as defined in the ordinance shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

8.2 Street Design - In general, industrial subdivisions shall conform to requirements of the Master Street Plan. The following street design standards shall be required for industrial subdivisions.

Street Types	Minimum R.O.W. Width	Minimum Paving Width
Alleys (when required)	20 Ft.	17 Ft.
Industrial Streets	60 Ft.	36 Ft.
Minor Arterial	80 Ft.	48 Ft.
Major Arterial	100 Ft. or as required by the Master Street Plan	as required by the Master Street Plan
Cul-de-sac Turnaround	130 Ft. Diameter	100 Ft. Diameter

8.2.1 Street Grades - The maximum allowable grade shall be nine (9) percent on all streets within the subdivision or on a boundary street of a subdivision where there are lots having access from the boundary street.

8.2.2 Intersections - The property line radius at street or alley intersections shall be a mini-

mum of fifty (50) feet, and if the angle of street or alley intersections is less than ninety (90) degrees, the Planning Commission may require a greater radius.

8.2.3 Curb Line - Street or alley intersections shall have at least a fifty (50) foot radius. Where the angle of street or alley intersections is less than ninety (90) degrees, the Planning Commission may require both a greater radius, and intersection design sufficient to accommodate turning movements of WB-50 vehicles.

8.3 Blocks and Lots - In general, proposed industrial sites shall be suitable in area and dimension for the type of industrial development anticipated in the Planning Area.

The depth and width for lots within plats located inside the city limits shall conform to the applicable zoning district.

8.4 Building Lines and Lot Coverage - Building lines for plats shall conform to the applicable zoning district.

Otherwise, building lines for plats within the planning jurisdiction shall conform to the following: Building lines and setback lines shall be a minimum of fifty (50) feet from all industrial street right-of-way lines and a minimum of seventy (70) feet from all arterial street right-of-way lines. A minimum of thirty (30) feet of setback shall be provided on all other property lines, unless the industrial subdivision borders a residential use.

One-half (1/2) of any adjacent permanent open space or easement retained by the grantor for utility or other purposes or dedicated to the public shall be allowed as part of the required setback except that in no case shall the total separation between buildings on adjacent tracts or lots by less than sixty (60) feet.

8.5 Provision of Open Drainage - The following improvements and requirements are alternatives in lieu of curb and gutter and underground drainage.

8.5.1 Pavement width for narrow streets shall be a minimum of twenty-eight (28) feet with twelve (12) foot shoulders. These shoulders shall be designed to meet at least seventy-five (75) percent of the design requirements for the pavement. A double surface treatment may be used for these shoulders.

8.5.2 Open drainage ditches will be permitted in street rights-of-way or easements, provided they meet the following requirements:

a. The side slopes shall commence a minimum of twelve (12) feet of subgrade from the edge of the paved driving surface to permit the twelve (12) foot shoulders.

b. Both the fore- and back-slopes of an earthen ditch shall have a maximum slope of 3:1. For ditches lined with concrete, grouted riprap, or equivalent, the maximum backslope may be increased to 1:1 or as approved by the city.

c. The maximum high water ditch elevation for designed capacity shall be a minimum of six (6) inches below the bottom of the base of the shoulder.

d. Right-of-way width shall be a minimum of ten (10) feet beyond the top of the backslope requirements.

e. Concrete head walls, grouted riprap and/or flume type structures shall be required for all underground facilities.

f. Bills of Assurance will require the various property owners within the subdivision to mow and maintain the right-of-way and/or drainage easements adjacent to the property held by the owner(s) upon proper notice. If the property owner does not comply with the notice, the area may be mowed by the city, and the property owner billed as per the procedure on vacant lots within the city.

g. All required drainage ditches shall be designed for appropriate erosion control (such as sodding, ditch checks, riprap, ditch paving, or other accepted engineering practices).

h. In case of open drainage within the street right-of-way the following shall be the setback line from the centerline of the right-of-way

Industrial Street	70 feet
Minor or Principal Arterial	120 feet
Cul-de-sac	70 feet
Cul-de-sac turnarounds	105 feet

When street right-of-way requirements as set forth above are greater than normal requirements, the building line shall be a minimum of twenty (20) feet from the right-of-way line.

8.6 Multiple Building Sites

Large-scale development involving the construction of two (2) or more buildings or primary structures together with the necessary drives and accessways which is not subdivided into customary lots, blocks, and streets shall be subject to the provisions of this regulation. These provisions shall also be deemed to include single principal structures proposed for addition to an existing multiple building site development. Development plans for all such developments shall be submitted to and approved by the Planning Commission, even though the site may be a lot of record, and no building permit shall be issued until such approval has been given. Such development plan shall be prepared to scale in sufficient detail and with dimensions to show the location of driveways, curb cuts, service easements, building locations, sidewalks, parking areas, and landscaping.

8.7 Fire Hydrants - The maximum distance of any fire hydrant to a primary structure in the subdivision shall be three hundred fifty (350) feet.

SECTION 9 REQUIRED IMPROVEMENTS

9.1 Required Public Improvements

In all subdivisions (including multiple building sites and land-lease subdivisions and developments), the subdivider shall be required to install, at his own expense, or to have installed by the appropriate public utility, certain specified improvements. No streets, drainage, or utility construction work, or clearing, shall begin until development plans or preliminary plats have been reviewed and approved by the Planning Commission.

9.2 Streets - All streets shall be constructed in accordance with applicable City of Haskell standards and specifications as provided in the Master Street Plan of the City of Haskell, this document, and other such standards and specifications adopted by the City Council.

9.3 Curb and Gutters - Curbs and gutters shall be installed, where required, on all streets in accordance with the Haskell Comprehensive Development Plan and/or the Arkansas State Highway Department, whichever is applicable.

9.3.1 Access Management - All points of ingress and egress to lots and parcels shall be in accord with the Access Management Policy of the City of Haskell.

9.4 Water Supply - All subdivisions shall be provided with water supply and distribution systems approved by the city and meeting the requirements of the State Health Department. Where a public water supply is within a reasonable distance of the subdivision and the subdivider shall install or have installed a system of water mains and connect to such. A connection to each lot shall be installed prior to the paving of the street unless otherwise approved by the city.

9.5 Sanitary Sewage Disposal

9.5.1 All subdivisions shall be provided with a sewage collection and treatment system approved by the city and/or Health Department. Where a public sanitary sewer is within a reasonable distance of any point of a subdivision, within the city, the subdivider shall connect with such sewer and provide a connection to each lot. Such sanitary sewage system shall be installed prior to the installation of the street pavement. The sewage collection system shall be designed to handle the anticipated flow of sewage from within the subdivision, including development of future sections of the same subdivision and adjacent areas within the same drainage basin. Recognized engineering design criteria in accordance with the Health Department shall be used to design the system.

9.5.2 For residential lots or development tracts not served by a public or community sanitary sewerage system whose disposal is approved by the Arkansas Department of Pollution Control and Ecology, the subdivider shall submit documentation with submission of the Preliminary Plat or Development Plan that the Health Department, or its delegated authority, will approve septic tank installations, or other individual wastewater disposal methods for service to the subdivision proposed to be platted or to the tract or lot proposed for development.

9.5.3 The subdivider shall either install the improvements referred to herein, or whenever a septic tank and absorption system or private water supply is to be provided, 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.

9.6 Storm Drainage - Every subdivision shall be served by storm drainage facilities including drains, sewers, catch basins, swales, ponds, culverts, and other facilities designed and constructed to accommodate surface runoff originating within the subdivision or flowing across it. Said improvements shall be installed in accordance with Section 6.14 of this document and with regulations adopted by the City Council.

9.7 Sidewalks - Construction plans shall show the location of all sidewalks. Installation shall be in accordance with these plans, but shall be the responsibility of the builder. No building permit shall be issued for any lot where a required sidewalk is shown unless the site development plan indicates the required sidewalks; and no certificate of occupancy shall be issued for any property until the sidewalk is constructed.

9.8 Street Lighting

This section implements the following provisions of the comprehensive plan:

- *Community Goal, 2: To place a high priority on providing standard high type streets, street lights, and the improvement in appearance and function of public building and grounds.*
- *Transportation, Policy 6: To require pedestrian scale lighting (limited height) on all streets, at least at the street corners and to coordinate the height of signage with tree and lighting heights.*
- *Pedestrian, Policy 4: To adopt design criteria for pedestrian and bicycle routes along arterial streets including landscaping and lighting standards.*

9.8.1 All street lighting shall utilize poles and fixtures approved by the city.

Street lighting plans shall be prepared by Entergy with the cooperation of the developer. Plans shall include pedestrian-scale lighting at street corners. All street lighting plans shall be approved by the city before any installation begins.

Where underground service is proposed, the developer shall provide electrical service to all points proposed for future fixtures.

9.8.2 For subdivisions and developments within the city's corporate boundaries, the developer or subdivider shall inform the city by letter of the pending development or subdivision and ask that street lighting plans be prepared. The city will then request Entergy to prepare the plans for the installation.

9.9 Other Utilities - Other utilities to be installed in a subdivision or development including water, sewer, electricity, gas and telephone shall be located within public rights-of-way or utility easements. If stubs to the property lines are not installed, then connections between lots and utility lines shall be made, if possible, without breaking into the wearing surface of the street. When street cuts are necessary, such cuts shall be in accordance with the city's engineering specifications. A permit for same shall be obtained from the city.

9.10 Monuments

9.10.1 Permanent reference monuments shall be set on all outside lines of the subdivision at angle points and points of curb or as required by the city. Such monuments shall be of either steel, one (1) inch in diameter, and twenty-four (24) inches in length, or another approved monument. Top of monuments shall have an indented cross or metal pin to identify properly the location of the point and shall be set flush with the ground.

9.10.2 All lot corners shall be marked with metal pins not less than one-half (1/2) inch in diameter and fifteen (15) inches long and driven so as to be flush with the finished grade. Permanent control points shall be placed in the centerlines of streets, at ends of curves, points at intersections of streets, and points where the street crosses the boundary line at the subdivision. These control points shall be established after paving has been completed. Where lots are adjacent to streets or other obstructions, offset pins shall be set and shown on the official plat. Offset distances to true corners shall be noted on the plat. Monuments or metal pins shall be indicated on all plats. Removal of monuments or metal pins by anyone other than a registered land surveyor is prohibited.

9.11 Fire Protection - Fire hydrants shall be spaced no more than nine hundred (900) feet apart, or as deemed necessary by the Fire Chief responsible for the fire protection district where the property is located. In multi-family residential subdivisions, hydrant placement shall be based on the density and value of the property as determined by the appropriate Fire Chief. When streets and alleys are closed by a petitioner, he shall, at his own expense, install necessary fire hydrants to maintain the required fire hydrant coverage. No trees shall be planted or located within ten (10) feet of a fire hydrant.

9.12 Street Name Signs - Street name signs shall be placed at intersections by the city or an agent approved by the city at the developer's or subdivider's expense. Street signs shall meet standards and specifications of the city. Private road signs must indicate the street name plus "PVT".

SECTION 10. ASSURANCE FOR COMPLETION OF IMPROVEMENTS

10.1 Completion Assurance - The Planning Commission will accept the subdivision and issue the Certificate of Final Plat Approval subject to the assurance of installation of improvements. One of the following methods shall be used by the subdivider to guarantee that improvements required by these regulations can or will be installed in accordance with approved plans and specifications.

10.1.1 Certificate of Completion of Improvements - The subdivider may submit for approval to the Planning Commission a certificate 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 specifications.

10.1.2 Performance Bond - If the subdivider cannot certify that all improvements and installations in the subdivisions have been completed, a performance bond shall be posted in favor of the City of Haskell. Such performance bond shall specify the time of the completion of the improvements and installation and shall be in an amount determined by the city to be sufficient to complete the improvements and installations for the subdivider in compliance with these rules and regulations. The bond shall be issued by a surety company authorized to do business in the State of Arkansas.

10.1.3 Cash Deposit - The subdivider may provide a cash deposit in full amount as specified by the city as sufficient to complete the improvements and installations required to comply with these rules and regulations. Such cash deposit may be withdrawn in direct proportion to the amount of work completed as approved by the city.

10.1.4 Tri-Party Agreement - The subdivider may enter into a tri-party agreement with the city and project lender requiring that:

a. The funds for the required improvements will be set aside and held separate from the balance of the development financing,

b. The funds set aside will be dispersed only for the required public improvements and for no other purpose, and

c. The funds will be dispersed in direct payment for completion of the improvements if the applicant becomes in default under the contract for improvements.

10.1.5 Irrevocable Letter of Credit - The subdivider/developer is permitted to provide an irrevocable letter of credit to the City of Haskell pursuant to the following conditions:

a. The letter of credit will be for an amount equal to the total estimated cost of the improvements as agreed upon by the subdivider's engineer of record, the engineer representing the City of Haskell, and the agreed upon amount shall be approved by the City Council.

b. The letter of credit will be irrevocable in accordance with Arkansas Code Annotated Section 4-5-101 et seq (1987) as amended and will list the City of Haskell as the beneficiary of the irrevocable letter of credit.

c. The letter of credit will be in a form approved by the City's Attorney. In the event the subdivider is in default, the city shall be entitled to payment upon making demand for payment under the terms of the credit; further, the city shall be entitled to use all of the monies secured by the letter of credit to assure the cost of completion of the work in the subdivision as determined by the engineer representing the City of Haskell.

d. The subdividers will not be entitled to any excess monies until the work in the subdivision has been completed.

e. The terms of the letter of credit shall be limited to the time estimate offered by the subdivider's engineer of record and agreed upon by the engineer representing the City of Haskell. During the estimated time, monthly status reports shall be made to the Mayor, City of Haskell, by the subdivider's engineer of record.

f. Time extensions may be granted. In those instances where sufficient cause is established by the subdivider which may justify an extension of time, the subdivider may formally apply for an extension which shall only be granted by the Planning Commission. An application for an extension of time must be made by the subdivider prior to default.

10.2 Maintenance Bond - Where a performance bond has been posted to ensure completion of the improvements, a separate maintenance bond need not be provided. In such circumstances, the subdivider may extend the performance bond to cover the one-year period of the maintenance bond. Where the subdivider has chosen the option of a cash deposit, certificate of completion of improvements, or tri-party agreement, however, the maintenance bond must be posted for a one-year period.

SECTION 11. INSPECTION OF IMPROVEMENTS

11.1 **All projects shall be** constructed according to the approved plans and specifications of a Registered Engineer. When the improvements required by these rules and regulations have been completed and installed, the Registered Engineer shall submit a letter to the city certifying improvements and installations have been made in accordance with approved construction plans, specifications, drawings and standards established by the city or the County and are functioning properly. Additional inspections shall be made in accordance with other applicable ordinances.

11.2 **The city shall then** inspect or cause to be inspected those facilities, improvements and installations for conformance with plans and specifications. If such final inspection reveals that there are any defects or deficiencies in such improvements as installed, or that the improvements differ from the final engineering plans and specifications, the city shall notify the subdivision engineer and contractor in writing of such defects, deficiencies, or deviations. The subdivider shall, at his expense, correct such defects or deviations within six (6) months of the date of notification. When such defects, deficiencies or deviations have been corrected, the subdivider shall notify the city in writing that the improvements are again ready for final inspection.

SECTION 12. MAINTENANCE BOND

12.1 **A Maintenance Bond** shall be furnished by the Contractors to cover all construction and improvements under the jurisdiction of review and approval of the city. All other public utilities installed in a development shall be subject to the administrative review and bonding procedures as set out by the respective public utilities and shall not be subject to the provisions of this section of these regulations.

12.2 **Contractors shall furnish a Maintenance Bond** to the city covering any defects in materials and workmanship for the required improvements installed by the Contractor in the amount of fifty (50) percent of the total cost of those improvements. The bond(s) shall be in full force and effect for not less than one (1) year from the date of the letter from the city certifying that all improvements have been completed and approved, and further stating that any and all defects in materials and workmanship shall be corrected by the Contractor by the end of the bond period. Work performed under the terms of the Maintenance Bond shall be approved by the city.

SECTION 13. ACCEPTANCE OF PUBLIC FACILITIES, DEDICATIONS AND RECORDATION

13.1 Acceptance and Dedication - All public dedications of streets and public facility sites must be accepted by the City Council or the County Judge following execution of satisfactory guarantees for completion as described in this section of the regulation. This acceptance shall be accomplished in conjunction with final plat approval.

Approval of final plats within the Haskell City Limits by the Planning Commission and filing of the Plat of Record with the Circuit Clerk and Recorder of Saline County shall not constitute formal acceptance by the city of all approved public improvements covered by the Plat. Those improvements not completed as of the date of approval of the Final Plat shall be accepted as Public Facilities when the city certifies that the construction has been approved, maintenance bonds furnished, and the Plat filed of record.

13.2 Recorded with the Circuit Clerk - The final plat can be recorded only after the plat has received a Certification of Final Approval for the City of Haskell Planning Commission. Submittal for recordation to the Circuit Clerk shall be the subdivider's responsibility. The subdivider shall provide the city with copies of the recorded plat to be retained in city files. Final plats shall be duly recorded within two (2) years of final plat approval by the Planning Commission or the plat shall be declared null and void.

13.3 Notification of Recordation - No building permits may be issued until proof of the recording by the subdivider of said approved final plat has been presented to the city, giving plat book and page number, or instrument number.

SECTION 14. ENFORCEMENT

14.1 No plat of any tract of land within the planning area jurisdiction of the City of Haskell shall be accepted by the County Recorder for filing of record until the plat has been approved by the Planning Commission.

14.2 It shall be the duty of the Planning Commission to enforce these regulations and to bring to the attention of the City Attorney any violations or lack of compliance herewith.

14.3 No building permit shall be issued for construction of any building or primary structure located on a lot or plat subdivided or sold in violation of the provision of these regulations; nor shall any building permit be issued for the final ten (10) percent of lots in a subdivision, or if ten (10) percent is less than four (4), for the final four (4) lots of a subdivision until all required public improvements have been completed.

14.4 Appropriate actions and proceedings may be taken at 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; or to prevent illegal occupancy of a building, primary structure, or premises.

14.5 Any violation of these rules and regulations or any amendments hereto shall be a misdemeanor and the offender, upon conviction, shall be punished as for a misdemeanor. Each day any violation of these rules and regulations occurs shall constitute a separate offense. Any court having jurisdiction of misdemeanor cases shall have jurisdiction to try such offenders, and upon conviction, to find them not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500.00) for each offense or violation. If the violation is continuous in respect to time, the maximum penalty or fine shall not exceed two hundred fifty dollars ($250.00) for each day the violation may be unlawfully continued.

APPENDIX I SAMPLE IRREVOCABLE LETTER OF CREDIT

Irrevocable Letter of Credit No.

Haskell, Saline County, Arkansas
Office of the Mayor
Haskell City Hall
Haskell, AR 72015

Dear Sirs:

We hereby open our irrevocable letter of credit in the city's favor available by your drafts at sight on us for a sum not exceeding _____(1) amount of letter of credit) _____from the account of _____ (2) name of subdivider) _____ ("Subdivider"), to be accepted by your signed statement that drawing is due to default or failure to perform by Subdivider with respect to the following improvements on or before _____ (3) dates of completion) _____in the _____ (4) name of subdivision) _____ subdivision, a subdivision of Haskell, Arkansas. The improvements to be completed on this date are listed on Attached Exhibit A hereto and are incorporated by reference herein,.

Acting through the city's attorney, you will notify us that:

1. The improvements have been timely completed and the warranty period has terminated and the credit may be released, or
2. The Subdivider has failed to perform or is in default thereunder. Any such notice must be by affidavit signed by the city's attorney or the city's attorney's designee. The city need only present a sworn document that the Subdivider is in default and, under the terms of this Letter of Credit, need not prove the default, or provide signed statements from any other party.

All drafts hereunder must be by sight draft marked: "Drawn under _____ (5) name of bank) Credit No. _____ (6) number of letter) _____dated_____ (7) date of letter) _____". The original of the credit must be presented along with any such draft.

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof by the city's attorney, and the presentment of any such draft will be a warranty by the negotiating bank that such endorsement was endorsed and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the Uniform Customs and Practices for Commercial Documentary Credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers, and bona fide holders of drafts under and in compliance with the terms of this credit that the same will be duly honored and payment made no later than three days after due presentment of the credit and delivery of documents as specified if negotiated on or before (8) date of completion) as the same may be extended from time to time.

(Name of Bank)

By:_____
(Authorized signature) (Corporate Seal)

APPENDIX 2 SAMPLE INFORMATION FOR INCLUSION IN AN ORDINANCE OF THE CITY FEE SCHEDULE FOR DEVELOPMENT PLAN AND SUBDIVISION PLAT REVIEW

This review fee schedule is to be used as a guide in composing an ordinance of the city relating to when the subdivider has complied with the subdivision regulation by submitting the preliminary plat and paying the fee prior to starting any work on the subdivision, including clearing and grading. In the event any construction work or lot sales have commenced prior to submission of the preliminary plat or a development plan then the ordinance should state that the fees will be three (3) times the amount stated.

a. ~~Primary subdivisions ---------- $100.00 plus $5.00 per lot~~

b. ~~Minor subdivisions ---------- $50.00~~

c. ~~Development plan ---------- $50.00~~

d. ~~Bill of Assurance Amendment ---------- $50.00~~

e. ~~Extension of preliminary plat approval -------- $100.00~~

There shall be no refund of any portion of fees paid on applications that may be amended or denied in the review process, and refiling of the same, amended or completely different application for any portion of the same property after previous action or withdrawal, shall be considered a completely new application and fees shall be charged accordingly.

a. Subdivisions	$100.00 plus $25.00 per lot
b. Development Plan Meeting	$150.00
c. Engineering Review Fees	Actual Cost Incurred by the City
d. Bill of Assurance Amendment	$50.00
e. Extension of preliminary plat approval	$100.00

APPENDIX 3

Application for Review of
Preliminary Plat, Development Plan Process or Land-lease Development

I,_____ , the owner;
Name

or I, _____ , the authorized agent of the
Name

owner, _____, of property located at
Name

_____

Legal discription, township, range, section and sectional part or parcel no. and plat book identification

DO HEREBY REQUEST:

1. A plat review process for the _____ subdivision ☐; ADU ☐
2. Review of a development plan ☐ ;
3. Review of a land-lease development ☐ ;

Name

AND HAVE DULY PAID, the filing fee of $_____ as required;

on this _____of _____ , _____ .
Day *Month* *Year*

I understand this application and all submission attachments shall be submitted to the City Secretary fifteen (15) days or more prior to the next planning Commission meeting which is

_____.
Date

I HEREBY SUBMIT; as required in the Subdivision Regulation the following attachments, according to purpose;

1. Major subdivision (see Section 2 definitions) all items, Section 4, subsets 4.2, 4.4, and. 4.6.
2. Minor subdivision (see Section 2 definitions) all items, Section 4, subsets 4.2, 4.4 and 4.6.
3. Development Plan (see Section 2 definitions) all items, Section 4, subset 4.3.
4. Subdivision land-lease, site plan (see Section 2 definitions of the Subdivision Regulation and see Section 8.5, subset 8.52 of the Zoning Regulation).

I FURTHER UNDERSTAND, the City Secretary will send copies of the agenda and the summary of the proposal to departments of the city such as sewer and water, to the Superintendent of Schools, the major public utilities such as electrical, gas, etc. and any other appropriate review agency for comment to the Planning Commission.

Attest:

_____
City Secretary