

City of North Little Rock Regulations to Control Development and Subdivision of Land



Adopted By:
Ordinance 7946
May 29, 2007
Amended May 23, 2022

TABLE OF CONTENTS

Article 1	Purpose, Authority and Jurisdiction	1
Article 2	Definitions	6
Article 3	Pre Application Consideration	13
Article 4	Preliminary Plat Requirements	14
Article 5	Final Plat Requirements	20
Article 6	Minor Subdivisions and Lot Splits	26
Article 7	General Principals	28
Article 8	Street Design	31
Article 9	Lot, Block and Sidewalk Design	36
Article 10	Storm Drainage Design	40
Article 11	Commercial / Office Subdivision	44
Article 12	Industrial Subdivision	47
Article 13	Residential Subdivision	50
Article 14	Hillside Regulations	52
Article 15	Improvements	58
Article 16	Assurance for Completion of Improvements	62
Article 17	Inspection of Improvements	63
Article 18	Maintenance Bond	64
Article 19	Acceptance of Public Facilities	65
Article 20	Enforcement	66

Amendments

1.	Ordinance 8514	Mar. 14, 2013	Hillside modifications
2.	Ordinance 8817	June 13, 2016	Storm Water
3.	Ordinance 9460	May 23, 2022	Sidewalk in lieu of fee

ORDINANCE NO. 7946

AN ORDINANCE ADOPTING REGULATIONS TO CONTROL DEVELOPMENT AND SUBDIVISION OF LAND FOR THE CITY OF NORTH LITTLE ROCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City is authorized by Ark. Code Ann. §14-56-417 to adopt regulations to control the development and subdivision of land; and

WHEREAS, the North Little Rock Planning Commission approved (8 affirmative votes; 1 absent) Regulations to Control Development and Subdivision of Land for the City of North Little Rock (see Exhibit "A" attached hereto) at a regularly scheduled meeting thereof on May 8, 2007.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the Regulations to Control Development and Subdivision of Land for the City of North Little Rock, attached hereto and incorporated herein as Exhibit "A," are hereby adopted.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It is hereby found and determined that the adoption of this Ordinance is immediately necessary to insure the proper and orderly growth of the City of North Little Rock, Arkansas, to insure the proper use of real property within the City of North Little Rock, and is necessary for the immediate preservation of the public health, safety and welfare, THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect on and after May 29, 2007.

ARTICLE 1. PURPOSE, AUTHORITY AND JURISDICTION

1.1 Purpose. These regulations serve to provide a quality community through the review of new development and the subdivision of property within the planning area of the City of North Little Rock, Arkansas and to implement provisions of the Master Street Plan. Specifically, the regulations serve the following purposes.

- A. To protect and provide for the public health, safety, and general welfare of the city;
- B. To guide the future growth and development of the Planning Area in accordance with adopted plans, including the Master Street Plan and Land Use Plan;
- C. To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population;
- D. To protect the character and the social and economic stability of all parts of the city and to encourage the orderly and beneficial development of the city through appropriate growth management techniques assuring the timing and sequencing of development, promotion of infill development in existing neighborhoods and non-residential areas with adequate public facilities, to assure proper urban form and open space separation of urban areas, to protect environmentally critical areas and areas premature for urban development;
- E. To protect and conserve the value of land and existing development, and to reduce and minimize the conflicts among the uses of land and buildings;
- F. To guide public and private actions in order to provide adequate and efficient transportation, water, drainage, utilities, sewage, schools, parks, playgrounds, recreation, and other public requirements and facilities;
- G. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the city, having particular regard for the avoidance of congestion in the streets and highways and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines;
- H. To establish reasonable standards of design and procedures for subdivisions and replats in order to further the orderly layout and use of land, and to ensure proper legal descriptions and to establish necessary land description monuments of subdivided land;
- I. To ensure that public facilities and services are available concurrent with development and to a sufficient capacity to serve the proposed subdivision and to avoid cost burdens on the general local government due to new development; and

providing means of facility and infrastructure financing through development fees, land donations, or mitigation measures to ensure that the development provides its fair share of capital facilities needs generated by the development;

- J. To prevent the pollution of air, streams, and other water bodies; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the planning area in order to preserve the integrity, stability, and beauty of the community and the value of the land;
- K. To preserve and develop the natural beauty and topography of the municipality and to ensure appropriate development with regard to these natural features;
- L. To provide for open spaces through the efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of development as established in the zoning code of the city;
- M. To ensure that land is subdivided only when subdivision is necessary to provide for uses of land for which market demand exists and which are in the public interest; and
- N. To remedy the problems associated with inappropriately subdivided lands.

1.2 Requirements. Any developer of land within the City and/or the Planning Area shall submit to the Commission; plats of the subdivision, plans for any site improvements, and plans for any development or significant alteration of land. In considering the approval of a plat, the Commission shall observe and enforce the requirements and procedures set forth herein. In the case of a plat constituting a replat of land into two or more lots, all of which will be served by an existing street or streets, the Commission shall have the power to vary the said requirements so that substantial justice may be done and the public interest served.

1.3 Approvals. No developer proposing to make or have made a subdivision within the Planning Area shall proceed with any construction work on the proposed subdivision, including grading, before obtaining a Certificate of Preliminary Plat Approval, and shall not record the Plat of the subdivision or any part thereof before obtaining from the Commission a Certification of Final Plat Approval and acceptance of the plat.

1.4 Authority. This regulation is adopted pursuant to the authority granted by the planning statutes of the State of Arkansas as found in the Arkansas Code, Annotated § 14-56-401 et seq and other applicable laws. The North Little Rock Planning Commission shall exercise the power and authority to review, approve and disapprove plats for subdivisions and improvements in accordance with these regulations.

1.5 Jurisdiction and Application. It is hereby declared to be the policy of the City of North Little Rock to consider the subdivision of land and/or the subsequent development of the land as subject to the control of the City pursuant to the Municipal Plan and the Master Street Plan for the orderly, planned, efficient, and economical development of the Municipality. These regulations shall be applicable to all lands within the City and its planning area. These regulations and development standards shall apply to the subdivision of land as follows:

- A. All divisions or platting of a tract or parcel or land into one or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale or building development, shall be considered a subdivision and subject to this ordinance.
- B. The dedication or vacation of any street or alley through any tract of land regardless of the area involved as may be desired by the owner or if necessary to achieve conformance with the Master Street Plan, shall be considered a subdivision and subject to this ordinance.
- C. Developments involving the construction of one or more buildings, together with necessary drives and access ways, which is not subdivided into customary lots, blocks, and streets. A development, as defined herein, shall be considered a subdivision and subject to this ordinance. Plans for all such development shall be submitted to and approved by the Planning Commission, whether or not such plat is to be recorded, and no building permit shall be issued until such approval has been given.
- D. In the case of one single family residential structure on a properly zoned 'lot of record' or an unrecorded parcel of land greater than 5 acres: the platting of land will not be required and/or Site Plan Review from the Planning Commission will not be required. A site plan shall be submitted to staff for review and approval.

1.6 Severability. If any article, paragraph, clause or part of this subdivision regulation is, for any reason, held void and invalid, such decision shall not affect the validity of the remaining provisions of these regulations. The City Council hereby declares that it would have enacted the remainder of these regulations even without such articles, paragraphs, clauses, parts or positions.

1.7 Amendments. On any proposed amendments to these regulations, the Planning Commission shall hold a public hearing, for which 15 days advance notice in a local newspaper of general distribution has been published. Following such hearing, the City Council may adopt the amendment or amendments as recommended by the Planning Commission or as determined by a majority vote of the City Council.

1.8 Types of Subdivisions. Recognizing that subdivision regulations must be applied to various land development types, and because of the special conditions pertaining to each, this regulation hereby provides for the establishment of three

subdivision types: Commercial/Office, Industrial, Residential.

1.9 Classification of Subdivisions. Prior to the approval of any preliminary plat, the Planning Commission shall classify and evaluate each subdivision according to its planned future use. The applicant must declare the use of the proposed development and the Commission must apply the requirements of the subdivision type. Where a proposed plat incorporates more than one use of the type specified in this Article, either the different land use types shall be clearly delineated on the submitted plat, or separate plats shall be filed for each land use type together with a scale drawing illustrating the proposed layout as a totality.

1.10 Purpose and Intent of Subdivisions. The purpose and intent of each subdivision type shall be generally as follows:

- A. Commercial/Office Subdivisions are intended to accommodate one or more commercial building sites in a carefully planned configuration designed to protect and enhance the viability of each separate structure and ownership. Commercial and office uses shall be those defined as such in the North Little Rock Zoning Ordinance.
- B. Industrial subdivisions are intended to fulfill a two-fold objective: to provide both opportunity and flexibility for industrial activities to take place at appropriate locations in a compatible manner with adjacent non-manufacturing areas and to acquire the application of sound design principals and the orderly development of industrial parcels involving the creation of one or more building sites or lots. Industrial uses shall be those defined as such in the North Little Rock Zoning Ordinance.
- C. Residential subdivisions are intended to ensure efficient, aesthetic and convenient designs for single family, zero-lot-line, manufactured homes, duplex and multi-family residential development, and to provide harmonious relationships with surrounding areas. Residential uses shall be those defined as such in the North Little Rock Zoning Ordinance.

1.11 Vacation of Plats. Vacation of plats shall be subject to the following regulations.

- A. Any plat or any part of any plat may be vacated by the owner at any time before the sale of any lot therein.
- B. Upon recordation, such vacation shall have the effect of divesting the public of all rights in the streets, alleys, public areas, and dedications laid out for describing in such plat, except those reserved by such vacation.
- C. When lots have been sold, the plat may be vacated in the manner established therein, provided the owners of all lots join the plat vacation application and all utilities have released all vested interest in any easements.

D. City Council must approve the vacation of any easement or dedication.

1.12 Waivers. The rules and regulations set forth in this regulation are the standard requirements of the City. Where the Planning Commission finds, however, that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, or the purpose of these regulations may be served to a greater extent by an alternative proposal, it may approve waivers to the subdivision regulations so that substantial justice may be done and the public interest is secured. Such waivers however, shall not have the effect of nullifying the intent and purpose of these regulations. The Planning Commission shall only approve waivers where it finds that:

- A. The granting of the waivers will not be detrimental to the public safety, health, or welfare, or injurious to other property.
- B. The conditions upon which the request for is waiver based are unique to the property for which the waiver is sought and are not applicable generally to other properties.
- C. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, strict application of these regulations would deprive the owner of reasonable use of his property.
- D. The waiver will not in any manner vary the provisions of the Zoning Ordinance, the Master Street Plan, or the Municipal Plan.
- E. The waiver is not based solely on financial difficulties, but has other overriding hardships.

1.13 Procedures and Conditions for Waivers. No waiver shall be granted except upon written petition by the developer when the preliminary plat is filed for consideration by the Planning Commission. The petition shall state fully the grounds for the application and all of the facts upon which the petition is made. In approving waivers, the Planning Commission, may, at its option, require special conditions to ensure development in accordance with objectives, standards, and requirements of these regulations.

ARTICLE 2. DEFINITIONS

2.1 Purpose. For the purpose of these regulations, certain terms used herein are defined as follows:

Abutting – Having property or district lines in common.

Administrative Official – The person designated by the Mayor as having direct responsibility for administering this code. The Planning Director is the default administrative official.

Alignment - The designated or optimally engineered location for the centerline of the street or roadway consistent with proper grade and curvature criteria.

Alley - A minor public way used for utility easements and vehicular service access to the back or the side of properties abutting a street.

Applicant – The owner of land proposed to be subdivided or his duly authorized representative.

Block - A parcel of land, intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks, drainage channels, or a combination thereof.

Bond - Security in the form of and limited to a cash deposit, surety bond underwritten by a bonding company licensed to do business in Arkansas, or instrument of irrevocable bank credit in an amount and form satisfactory to the city that can be unilaterally drawn upon by the city for the completion of proposed improvements by a developer.

Boundary Street - An existing street abutting on any side of the parcel of land being subdivided.

Boundary Street Improvements - All improvements and Right-of-Way Dedications necessary to meet the standards set forth in the city's Master Street Plan and meet the City Engineers requirements on storm water management.

Buffer – A permanent natural or landscaped area serving to separate two different land uses or developments

Building Line - The line within a property, which defines the minimum horizontal distance between the building and the adjacent property line.

Building Setback Line - A line parallel to the street right-of-way indicating the limit beyond which buildings or structures may not be erected. Building set-back requirements apply to all new construction both within and outside of recorded subdivisions.

Capital Improvements Program – A proposed schedule of all future projects listed in order of construction priority, together with cost estimates and anticipated means of financing each project. All projects require the expenditure of public funds, over and above the annual local government’s operating expenses, for the purchase, construction, or replacement of the community’s physical assets.

City - City of North Little Rock, Arkansas.

City Attorney, City Clerk, Director of Public Works - Any office referred to in this chapter by title, i.e., City Attorney, City Clerk, Director of Public Works, etc., shall be the person so retained in this position by the city, or his duly authorized representative.

Commission - The word “Commission” or “Planning Commission” shall be the official city Planning Commission of the city.

County – Pulaski County, Arkansas

Commercial Subdivision – All divisions of a tract or parcel of land into two or more building sites for commercial uses as defined in the Zoning Ordinance.

Comprehensive Plan - The Comprehensive Development Plan for the city which has been officially adopted to provide long-range development policies for the area subject to urbanization in the foreseeable future and which includes, among other things, the plan for land use, land subdivision, traffic circulation, and community facilities.

County Recorder - The County Recorder of Pulaski County, Arkansas.

Crosswalks – A strip of land dedicated for public use which is reserved across a block for the purpose of providing pedestrian access to adjacent areas.

Cul-de-sac - A street having one end open to the traffic and being terminated at the other end by a vehicular turnaround.

Design Criteria - Standards that set forth specific improvement requirements.

Developer – 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 developer.

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

Engineer – A person who has been duly registered or licensed as a professional engineer by the State Board of Registration for Professional Engineers and Land Surveyors in the State of Arkansas.

Engineer, City – The City Engineer or his designated representative of the City of North Little Rock or the Engineering Authority of Pulaski County, whichever has jurisdiction.

Expressway – Any divided street or highway with no access from abutting property and which has either separated or at-grade access from other public streets and highways.

Final Plat - The last official action of the approving governmental authority taken on a development plan that has been given preliminary approval after all conditions and requirements of preliminary approval have been met and the required improvements have either been installed or guarantees properly posted for their installation, or approval conditioned on the posting of such guarantees.

Fire Apparatus Access Road – A road that provides fire apparatus from a fire station to a facility, building, or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane, and access roadway.

Freeway – Any divided street or highway with complete access control and grade separated interchanges with all other public streets and highways.

Frontage Road – A street parallel to and adjacent to an expressway, freeway or arterial, which provides access to abutting properties.

Grade – The slope of a road, street, or other public way, specified as a percentage (%).

Health Department – The North Little Rock Health Department, the Pulaski County Health Department, or Arkansas Board of Health, whichever has jurisdiction.

Highways, Roads, & Streets - A dedicated public right-of-way which provides vehicular and pedestrian access to adjacent properties.

Hillside Modifications - Excavation, grading, filling, hillside cuts, construction of retaining structures, and similar topographic alterations when such alterations are performed in an area where: (1) the slope is steeper than a vertical rise of 1 foot for each 4 feet of horizontal distance (referred to hereinafter as a “4:1 slope”) prior to the alteration; *or* (2) the final grade is steeper than a 4:1 slope between abutting lots or tracts of land, *except* hillside cuts or retaining structures less than or equal to five feet (5’) in vertical height.

Improvements - Street grading and surfacing, curbs and gutters, water mains and lines, sanitary and storm sewers, culverts and bridges, and other utilities and related items.

Industrial Subdivision – All divisions of a tract or parcel of land into two or more building sites for industrial uses as defined in the Zoning Ordinance.

Incidental Subdivisions – Lot splits, minor subdivisions, lot recombinations, replats, or

one-lot subdivisions that do not require submittal to the Planning Commission but which may be approved by the Administrative Official.

In-lieu-of Contribution – A cash contribution for required improvements instead of immediate construction.

Large Scale Development - Developments of such scale or complexity that they require individual review by the Planning Commission.

Loop Street – A street closed on either end with “T” intersections and which intersects the same street twice with no other intersection.

Lot - A distinct and separate undivided tract or parcel of land having access on a public street, which is, or in the future may be offered for sale, conveyance, transfer, or improvement as a building site.

Lot of record - A lot that has been submitted and approved through the development review process by the proper governmental authority(s); such as the County Planning Department or the City Planning Department.

Lot, Corner - A lot located at the intersection of and abutting on 2 or more streets.

Lot, Double Frontage - A lot which runs through a block from street to street and which has 2 non-intersecting sides abutting on 2 sides of a street.

Lot, Reverse Frontage - A double frontage lot which is designed to be developed with the rear yard abutting a major street and with the primary means of ingress and egress provided on a minor street.

Lot Split - A subdivision which involves the dividing or re-dividing of a land area within any recorded subdivision, and which does not involve the dedicating, vacating, widening, narrowing or change of alignment of any thoroughfare, street, alley, or easement.

Maintenance Bond – A bond furnished by the developer or contractor to the City of North Little Rock, for a two year period, to cover the cost of repairs resulting from defects in materials and workmanship of public improvements installed by the developer, or his contractor.

Manufactured Home - a dwelling unit constructed in a factory in accordance with the federal standards and meeting the definitions set forth in the federal standards and under A.C.A. § 20-25-102.

Manufactured Home Subdivision – Divisions of a tract or parcel of land into two or more manufactured home spaces for the placement of manufactured homes as defined in this regulation.

Master Parks Plan – The official parks system master plan for the City of North Little Rock, denoting proposed park sites and establishing park classifications and standards

Master Street Plan – The official street plan for the City of North Little Rock, denoting street classifications, alignments, and design standards.

Metes and Bounds Description - A portion of land not in a platted subdivision which is described by bearings and distances and is used as a lot with or without improvements required by the Planning Commission.

Minor Subdivision - A subdivision or replat of a subdivision involving four lots or less, and in which no streets or easements are required, for which no dedications are required, which fronts on a street built to the standards of the Master Street Plan, for which no waivers are requested, and which subdivision is not part of a larger tract to be developed in phases.

Municipal Plan - The Comprehensive Plan for development of the Planning Area of the City of North Little Rock, including any part of such plans separately adopted and any amendment to such plan, or parts thereof.

Off site – Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant.

One Half Street Section - The area to the legal centerline of the required roadway. Where a clearly defined right-of-way does not exist, the Administrative Official shall establish the centerline location.

Owner – The owner or owners of record for all the land in a subdivision or authorized agent thereof.

Pavement Width - The portion of a street available for vehicular traffic; where curbs are laid, it is the distance from back of curb to back of curb.

Performance Bond – A bond posted by the developer to the City to guarantee completion of the necessary improvements within a subdivision.

Pipe Stem Lot – Lots with narrow street frontage and disproportionately wider rear yards, also sometimes referred to as “Flag-Lots.”

Planning Area - The general location of streets, public ways, and public property and the boundaries of the area within the City’s territorial jurisdiction for which it has prepared plans, ordinances, and regulations. The Planning Area is clearly depicted on the Planning Area Boundary Map which is available in the office of the Administrative Official and recorded in the Pulaski County Recorder’s Office.

Planning Director – See “Administrative Official.”

Plat - A map or drawing and accompanying material indicating the layout and design of a proposed subdivision or lot-split prepared by a developer for consideration and approval by the planning board. Such plats may be the sketch plat, the preliminary plat, or the final plat.

Plat, Final - Any plat of any lot, tract, or parcel of land requested to be recorded in the deed and plat records of the County Recorder; which has been certified by a Professional Land Surveyor, and which is signed by the Planning Commission chairman, and which serves as an “as built” record of the subdivision.

Plat, Preliminary - Any plat of lot, tract, or parcel of land that is not to be recorded, but is only a proposed division of and that is presented only for review and study by the city; to provide the basis for installing site improvements and utilities, and for dedicating and/or reserving land for public use; and the approval of which authorizes the developer to begin the construction of improvements.

Replat - The resubdivision of any part of previously platted subdivision, addition, lot, or tract and requiring approval by the Planning Commission.

Right-of-Way - The usage of the term right-of-way for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or area of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency or public utility company shall be dedicated to public use by the maker of the plat on which right-of-way is established.

Right-of-Way Dedication - The dedication to the city of sufficient right-of-way as required by the most recently adopted Master Street Plan. Right-of-Way Dedication for Boundary Streets shall apply to the one-half street section abutting a proposed subdivision or development.

Staff - The Administrative Official or appointed designee.

Stormwater Pollution Prevention Plan – A plan developed for each construction site that uses good engineering practices to minimize potential pollution of stormwater discharges associated with all construction activities. Erosion control plan is often used as designation for this type plan.

Street - A dedicated public right of way which provides vehicular and pedestrian access to adjacent properties.

Street, Dead-end - A street, similar to a cul-de-sac, but providing no turnaround at its closed end.

Street, Right-of-Way - The shortest distance between the lines, which delineate the right-of-way of a street. It runs from abutting property line to abutting property line.

Street, Collector - A street, which is continuous through several residential and/or commercial areas and is intended as a connecting street between residential areas and arterial or business areas.

Street, Local Commercial - A street which is intended primarily to serve traffic within a limited commercial area, and which is not necessarily continuous through several commercial areas.

Street, Local Residential - A street which is intended primarily to serve traffic within a neighborhood or limited residential area, and which is not necessarily continuous through several residential areas.

Street, Minor Arterial - Minor arterial streets are of moderate length, and connect collector streets within an area and function for movement of traffic as well as land access service. These streets also generally provide access to the minor traffic attractions in the area such as medical centers and recreational area. The minor arterial street system should interconnect with and augment the principal arterial system.

Street, Principal Arterial - The principal traffic thoroughfares continuous across the city, which are intended to connect distant parts of the city or those adjacent thereto, and act as principal connecting streets with State and Federal highways. Each principal arterial street shall be designated on the Master Street Plan of the city.

Subdivision - The division of a parcel of land into 2 or more lots or parcels for the purpose of transfer of ownership or building development.

Surveyor – Any person engaged in the practice of land surveying as defined in this section and who is licensed by the State Board of Registration for Professional Engineers and Land Surveyors in the State of Arkansas.

Vehicular Access Easement – A vehicular easement authorized by the Planning Commission to provide primary access in hillside areas, and not more than 300 feet in length nor serving more than five lots.

Zero Lot-line Development – A residential development concept eliminating the normally required side yard for one side, to provide for more usable space on the other side.

ARTICLE 3. PRE-APPLICATION CONSIDERATION

3.1 Process. An applicant may elect to submit proposals for a non-binding preliminary review prior to formal preliminary plat submittal. The purpose of such review is to identify potential problems and issues and it does not constitute approvals of projects.

3.2 Sketch Plat Review. Whenever any subdivision of a tract of land is proposed to be made, the developer or his agent may submit to the Staff sketch plans and data concerning existing conditions within the site and in its vicinity, and which shall convey the intentions of the developer as to the proposed layout and type of development.

3.3 Fees. No fees shall be collected for Pre-Application Consideration, the purpose being to acquaint the developer with city and county plans and policies in effect that would be significant to the proposed subdivision.

3.4 Planning Commission Review. The developer may also elect to present the sketch plan to the full Planning Commission. Consideration of the sketch plat by the Planning Commission does not constitute approval of the Preliminary Plat.

3.5 Plat Specifications. In conjunction with a pre-application conference with the staff, whether optional or required, the developer shall provide the following information:

- A. The vicinity map, covering a radius of 1/2 mile of the proposed plat shall generally locate arterial streets and highways, section lines, railroads, schools, parks, and other significant community facilities. Where possible, the north direction of the vicinity map shall correspond to the north direction of the plat.
- B. The sketch plan, on a current topographic survey, shall show in simple sketch form the proposed layout of streets, lots, and other features and their relationship to the surrounding development patterns.
- C. Written information, informally submitted, shall generally include the following:
The applicant's name and address, the agent, acreage in the tract, area allocated to each land use, proposed bills of assurance, cultural and natural features of the site, and anticipated subdivision characteristics including the approximate number of lots, average lot size, location of street rights-of-way and easements.

ARTICLE 4. PRELIMINARY PLAT REQUIREMENTS

4.1 Staff Review. The staff and other appropriate City and public agency staff shall review the proposed subdivision for conformance with this Regulation, the City's flood hazard ordinance, the Master Street Plan, and other plans relative to general land development. In its review, staff shall take into consideration the requirements of the community and the use of the land being subdivided and may offer suggestions concerning changes they feel would enable the project to meet the purpose and intent of this code. Particular attention shall be given to width, arrangement and location of streets, utility easements, the management of storm water, erosion and general drainage, lot sizes and arrangements and other facilities such as parks, playgrounds or school sites, public buildings, parking areas, and arterial streets, and the relationship of the proposed subdivision to adjoining, existing, proposed and possible subdivisions of land.

4.2 Distribution. The City staff shall distribute copies of the preliminary plat to other City departments, utility companies, and the County and State agencies as appropriate with the request that their recommendations for either approval or disapproval be provided in writing. Such recommendations shall be forwarded to the Subdivision Committee along with the staff's own recommendation.

4.3 Subdivision Committee Review. The Subdivision Committee of the Planning Commission shall review the preliminary plat along with all agencies, department, utility and staff recommendations and then shall submit its recommendation accompanied by a copy of the staff's recommendation to the full Planning Commission for final action.

4.4 Planning Commission Action. The Planning Commission shall review preliminary plats at its regularly scheduled monthly meeting at which time interested persons may appear and offer evidence in support of or against approval of such preliminary plat. The Planning Commission shall then approve, conditionally approve, deny or defer the plat. Notification of decision and reason shall be provided in writing to the developer.

4.5 Approval of the Preliminary Plat. A preliminary plat approved by the Planning Commission shall be effective and binding upon the Commission for a period not to exceed 18 months or as long as work is actively progressing, at the end of which time the final plat application for the subdivision or an extension request must have been submitted to the Planning Director. A one-time 12 month extension of the preliminary plat may be authorized by the Commission. Any plat not receiving final approval or an extension with the period of time set forth herein or otherwise not conforming to the requirements of this regulation, shall be null and void, and the developer shall be required to submit a new plat of the property for preliminary approval subject to all zoning restrictions and subdivision regulations.

4.6 Approval Certificate. Approval of the preliminary plat shall be accompanied by a Certification of Preliminary Plat Approval executed by the Planning Director. Such approval authorizes the developer to proceed with preparation of an application for final

plat approval.

4.7 Authorization to Proceed. Receipt by the developer of the executed Certificate of Preliminary Plat Approval is authorization to proceed with the preparation of necessary plans and specifications and the installation of required public improvements. The developer shall build all public streets and drainage improvements to the specifications of the construction plans approved by the City's Department of Public Works. Construction work shall be subject to on-site inspections by the City to verify conformance with the approved construction plans.

4.8 Construction Drawings. The developer shall submit to the City Engineer construction drawings for all improvements to be included in the proposed subdivision along with the preliminary plat. The developer may postpone submittal of construction drawings until after the preliminary plat is approved. A Notice to Proceed, however, shall not be issued until the Director of Public Works has received and approved construction drawings.

4.9 Contents of Construction Drawings. Construction drawings shall include the plans and profiles for all streets, drainage, water, sewer and all utility easements, typical cross sections, detail drawings and specifications. A Stormwater Pollution Prevention Plan is to be submitted with the construction plans for approval. The Director of Public Works or his designee shall review and approve the drawings and notify the Developer, Planning Commission, and Building Official's office of the result of this review.

4.10 Disapproval of the Preliminary Plat. A disapproved Preliminary Plat may be resubmitted. The plat shall be submitted to the Administrative Official for review as outlined in this code for an original preliminary plat submission.

4.11 Expedited Review. The Administrative Official may forego those steps in the review process of a resubmitted plat found to be redundant.

4.12 Disposition of Approved Plats. At least one copy of the approved Preliminary Plat shall be retained in the Commission's files and one copy endorsed with the Certificate of Preliminary Plat approval shall be returned to the developer.

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

4.14 Filing a Preliminary Plat. Specific submission requirements for Preliminary Plat review include the following materials:

- A. Seventeen black or blue line prints of the preliminary plat, clearly and legibly drawn, shall be submitted on white paper no larger than 24 inches by 36 inches and no smaller than 8-1/2 inches by 11 inches. Extra large plats may be submitted on more than one conforming sheet.

- B. Each of the 17 sets of prints are to be individually folded to a size not larger than 10 inches by 12 inches.
- C. Each of the 17 sets are to have a cover letter attached to them. The cover letter needs to be on letter head of the applicant with the legal description of the property, a list of any waivers requested, a short description of the proposed subdivision, and the applicant's contact information.
- D. Each of the 17 sets are to have a checklist attached to them. All items on the checklist are to be represented on the drawing(s) and the checklist is to be completed. Failure to provide all items on the checklist may result in the postponement of the request.

4.15 Preliminary Plat Requirements. The preliminary plat drawing(s) shall include:

- A. Title "Preliminary Plat"
- B. Name of subdivision
- C. Lot and block numbers
- D. Date of drawing
- E. Graphic scale
- F. North arrow
- G. Legal description
- H. Vicinity map
- I. Engineers / Surveyors name and address
- J. Developers name and address
- K. Owners name and address
- L. Names of abutting subdivisions/owners
- M. Street names
- N. Street centerlines with right-of-way widths
- O. Boundary lines with dimensions
- P. Utility easements
- Q. Building setbacks
- R. Section corners or other monuments
- S. Zoning within and around plat
- T. FEMA Panel Number with 100 year elevation
- U. Flood Plain / wetlands contours
- V. Area in acres on each lot
- W. Total acreage of subdivision
- X. Contour Intervals
- Y. Preliminary Engineers Certificate
- Z. Preliminary Surveyors Certificate
- AA. Preliminary Plat Approval Certificate
- BB. Municipal, County or Section lines (if applicable)
- CC. Phase map, if staging is planned (if applicable)
- DD. Storm water detention easement (if applicable)
- EE. Other easements (if applicable)

- FF. Natural features (if applicable)
- GG. Cultural features (if applicable)
- HH. Linear feet of new streets (if applicable)

4.16 Storm Water.

- A. Drainage Analysis. Storm drainage analysis showing drainage data for all watercourses entering and leaving the plat boundaries. The storm drainage analysis shall be prepared in sufficient detail to illustrate the proposed system's capability of accommodating and not less than one in 25 year storm throughout most the community and the 50 year storm in the historic downtown area.

- B. Inventory / Data Maintenance. For residential, commercial, and industrial projects, no work shall begin until the City Engineering Department receives either a compatible ArcGIS file (Esri shapefile or Esri geodatabase), or AutoCAD .dwg file containing all stormwater drainage features in State Plane North Zone coordinates, with North American Datum 1983 and units in feet, OR sufficient reference points contained on the drawing so that it can be georeferenced to said coordinate system. The associated attribute data table from the file submitted by the developer/consultant shall match the fields contained within the “SW Attribute Data Entry Template.xlsx” as provided by the City Engineering Department. All Control, Linear, and Junction map features will be annotated by a unique identifier that will correspond to the same unique identifier in the “SW Attribute Data Entry Template.xlsx” or GIS attribute table. All required attribute information for each Linear and Junction feature will be completed in the “SW Attribute Data Entry Template.xlsx” or GIS attribute table as follows, or as indicted by bold column headings in the “SW Attribute Data Entry Template.xlsx”, using the domain values found therein:
 - 1. Control Features.
 - a. Control ID – unique number corresponding to the feature’s annotation on the drawing
 - b. Control Type – type of control device *
 - c. Comments

 - 2. Linear Features.
 - a. Linear ID – unique number corresponding to the feature’s annotation on the drawing
 - b. Linear Type - type of linear feature *
 - c. Quantity - number of identical parallel parts at location, such as a multi-barrel culvert
 - d. Pipe Size – diameter of a round pipe (or round-equivalent for other shapes), in inches
 - e. Cross Section Shape – shape of the cross section of the linear feature or conveyance
 - f. Material – material forming the linear feature or conveyance
 - g. Comments

3. Junction Features.
 - a. Junction ID – unique number corresponding to the feature’s annotation on the drawing
 - b. Junction Type – type of network junction feature *
 - c. Box Type – type or function of the Stormwater box. (leave blank for other Junction types) *
 - d. Material – Construction material of the structure *
 - e. Manhole – Whether the structure has a manhole for entry (Y/N)
 - f. Top Elevation – Elevation of the top of the structure, or manhole rim, in decimal feet
 - g. Outlet Invert Elevation – Elevation of the invert of the flow outlet, in decimal feet
 - h. Inlet (1, 2, 3, etc.) Invert Elevations – Elevation of the invert of each of the flow inlets (clockwise from outlet), in decimal feet
 - i. Box Depth – depth from the top of the structure to the bottom of the sump or structure interior, in decimal feet
 - j. Comments
4. *NOTE: For a list of possible values for each attribute column, see the drop-down options in each cell of the “SW Attribute Data Entry Template.xlsx” or the “SW Attribute Data Entry Specifications.pdf” as provided by the City Engineering Department. If the material is not listed, choose “Other” and describe in the comments field.

4.17 Typical Street Cross Sections and Profiles. At the option of the staff and where a street grade variance is being requested, the following information may be required.

- A. Street cross sections of all proposed streets shall be established at a minimum of 100 stations as follows: On a line at right angles to the centerline of the street, said elevation points shall be at least at the centerline of the street, at each property line and at points 25 feet inside each property line.
- B. Street profiles showing existing and proposed elevations along centerlines of all roads drawn at a horizontal scale of 50 feet to the inch and a vertical scale of 5 feet to the inch, or as otherwise allowed by the Department of Public Works. Such profiles shall be prepared by an engineer registered to practice in the State of Arkansas.

4.18 Floodplain Analysis. Where a portion of a plat is suspected to be flood prone, and the Federal Emergency Management Agency (FEMA) information is not available, an engineering analysis may be required by the Planning Commission. Such analysis shall determine to the best of the engineer's ability the 100 year flood plain so that a safe first floor building elevation may be designated per the requirements of the Flood Hazard Ordinance. The engineer’s 100 year flood plain designation and shall be clearly and legibly drawn on the preliminary plat.

4.19 Soils Test. Soils test may be required by the Planning Commission where it is suspected that soil conditions may affect structural or operational aspects of the facilities to be constructed. Such circumstances may include the stability of slopes, foundation conditions, and potential hazards created by deep cuts and fills required for street or utility construction and similar situations.

4.20 Preliminary Plat Certificates. Each preliminary plat submitted to the Planning Commission shall carry the following certificates as appropriate:

- A. Certificate of Preliminary Surveying Accuracy
- B. Certificate of Preliminary Engineering Accuracy
- C. Certificate of Preliminary Engineering Approval

4.21 Fees. Filing fees for preliminary plats shall be:

- A. Inside the City. Less than 10 acres = \$100 plus \$1 per lot.
- B. Inside the City. More than 10 acres = \$200 plus \$2 per lot.
- C. Outside the City. More than 10 acres = \$150 plus \$1 per lot.
- D. Outside the City. More than 10 acres = \$300 plus \$2 per lot.

4.22 Bill of Assurance. A draft of any Bill of Assurance proposed for the subdivision generally describing proposed covenants, restrictions and conditions applicable to a property shall be submitted for review at the time of preliminary plat review.

4.23 Site Construction. Site preparation, including clearing and grading, shall not commence on the development site prior to approval of the preliminary plat by the Planning Commission. Construction of streets, drainage, utilities and other public improvements shall not commence prior to the approval of streets, drainage plans and Stormwater Pollution Prevention Plan by the City Engineers and utility plans by the utility Departments. Any proposed development in a FEMA designated flood plain will require a Flood Plain Development Permit from the City Flood Plain Manager before construction can begin.

4.24 Homeowners' Association. The rules governing any proposed Homeowners' Association will be submitted along with any other private agreements governing the maintenance of detention ponds, street lights, or other common areas or fixtures.

4.25 Coordination with Pulaski County. Whenever said subdivision falls outside the City Limit line and within the designated planning area the staff shall confer, either by meeting with or transmitting the sketch plans and data to, the Director of the Pulaski County Planning and Development Department. The purpose is to inform the Director of impending new development and to ensure the proposed subdivision or development will comply with County plans and policies. When contradictions and conflicts arise between jurisdictions, the City's regulations shall apply.

4.26 Surveys

A. Horizontal control standards:

1. The horizontal datum for all survey work performed shall be the Arkansas State Plane Coordinate System--North Zone NAD-83 foot adjustment. All measurements and adjustments shall be reduced to mean sea level for reporting. All horizontal control work shall commence and end at a NLR geodetic control network monument or other approved monument.
2. Horizontal positions for all subdivision boundary corners shall be determined to an accuracy standard equal to Urban Type A classification as defined by the Arkansas Minimum Standards for Property Boundary Surveys and Plats. All field techniques and procedures shall be compatible with the equipment utilized to insure that a true urban type A accuracy level is achieved.
3. A minimum of 2 subdivision boundary corners shall be tied to a NLR geodetic control monument by closed traverse. The 2 corners shall be intervisible with each other. Position and reference information shall be provided on a standard control data form for each corner and submitted with the final plat. Forms may be obtained from the City of North Little Rock Community Planning Department. These monuments will be included in the NLR geodetic control network if, after their review by the City staff, they are determined to be suitable for inclusion into the network.
4. All interior corners of the subdivision (lot corners, street center line, control points, etc.) shall be established and monumented to meet the minimum accuracy standards established by the Arkansas Minimum Standards for Property Boundary Surveys and flats far Urban, Type A Property.

B. Vertical Control Standards:

1. The vertical datum for all survey work performed shall be the North American Vertical Datum 1988 Adjustment (NAVD88). All vertical control work shall commence and end at NLR geodetic control monument or other approved monuments.
2. Elevations for all concrete monuments shall be determined to an accuracy standard equal to third order classification as defined by the federal geodetic control committee. All field techniques and procedures shall be compatible with the equipment utilized to insure that a true third order accuracy level is achieved.
3. Elevations shall be determined for all subdivision boundary corners.

ARTICLE 5. FINAL PLAT REQUIREMENTS

5.1 Request for Approval of the Final Plat. Whenever the provisions of these rules and regulations have been complied with and while the Certificate of Preliminary Plat Approval is in effect, the developer may submit to the North Little Rock Planning Department a request for review and approval of the Final Plat which shall consist of:

- A. A letter requesting review and final approval of the plat.
- B. The Final Plat and other documents as specified.

5.2 Review of the Final Plat. Whenever a final plat has been submitted to the Planning Department which is in conformity with an approved preliminary plat and the provisions of this Article, the Administrative Official shall be authorized to approve and take action on the plat. Any major variances from the preliminary plat must be approved by the Planning Commission at its regular monthly meeting. The Administrative Official shall notify the Commission, at the regular meeting, of all subdivisions given final plat approval by the staff.

5.3 Failure to Act. Failure of the Commission to act within 90 days of receipt of the application shall be deemed approval of the Final Plat and waives all further plat requirements of these rules and regulations. Such failure to act shall be so noted by the staff on the Plat to be filed for record.

5.4 Disapproval of the Final Plat. If the Final Plat is disapproved, the applicant shall be so notified in writing.

5.5 Certificate of Final Approval. Final Approval of the Final Plat shall be indicated by the execution of a Certificate of Final Plat Approval on the Plat. The Commission shall direct the Planning Director to execute a Certificate of Final Plat Approval when the City Clerk or the City Engineer certified to the Commission that the City has received one of the following:

- A. A certificate submitted by the developer and approved by the City Engineer, stating that all improvements and installations to the subdivisions required for its approval under the terms of these rules and regulations have been completed in accordance with these specifications; or
- B. A performance bond which shall:
 - 1. Run to the City,
 - 2. Be in an amount determined by the City Engineer to be sufficient to complete the improvements and installations for the subdivision in compliance with these rules and regulations,
 - 3. Be with surety by a company entered and licensed to do business in the State of Arkansas, and
 - 4. Specify the time for the completion of the improvements and installations.

- C. A cash deposit or a cash escrow deposited with an agent approved by the Commission in the full amount as determined by the City Engineer, necessary to complete the improvements and installations for the subdivision in compliance with these rules and regulations. Such cash deposit may be withdrawn in direct proportion to the amount of work completed as approved by the Commission.

5.6 Acceptance of Dedications. Approval of a Final Plat by the Commission or staff shall not be deemed acceptance of any of the dedications shown on the plat. Any acceptance shall be by City Council action.

5.7 Submittal of Construction Plans. Upon completion of the installation of the improvements required by these rules and regulations, the developer shall present to the City Engineer one complete set of the construction plans and drawings showing the subdivision and its improvements. This set of plans and drawings shall include:

- A. Plans of all streets and alleys showing the planned location of all utility lines.
- B. Centerline profiles of all streets.
- C. Profiles or invert elevations of all storm and sanitary sewerage lines as such improvements shall have actually been installed by the developer.
- D. A letter submitted by a Registered Professional Engineer certifying that all improvements and installations have been made in accordance with the submitted construction plans and drawings and the standards established by the City or the County, and said improvements and installations are functioning properly.

5.8 Maintenance Bond. The developer will be required to provide a maintenance bond, in favor of the City or a cash deposit or escrow fund in an amount equal to 1/2 the cost for construction of the streets and drainage improvements. The maintenance bond, cash deposit or escrow fund shall be effective for a period of not less than 2 years from the date of approval letter by the City Engineer. The maintenance bond shall continue in force until released by the City Engineer. The developer may request that the maintenance bond be recalled after a period of 2 years if in the opinion of the City Engineer the streets and drainage systems are functioning satisfactorily and are in satisfactory condition. The developer or developer in addition to repair or replacement of failures in street and drainage improvement, is also responsible for periodic maintenance of the street and drainage system to include removal of debris, silt, and all other obstructions, and repair of erosion areas during the period of the maintenance bond. The developer shall promptly correct all deficiencies upon written notice from the City Engineer or department of public works.

5.9 Staging. The developer may, with the permission of the Planning Commission, and in conformance with the provisions of this Section, seek final approval for only a portion of the property for which the preliminary plat was approved. For residential plats such stages shall contain at least 3 lots of the approved preliminary plat seeking final plat

approval. The Planning Commission may require a performance bond for the public improvements be in such amount as is commensurate with the stage of the plat being filed and may defer additional performance bond requirements until additional stages of the plat are offered for filing.

5.10 Filing a Final Plat. Submission for certification of final plat approval shall consist of 5 copies showing all certificates as specified in this Article, and with the Certificate of Owner, Certificate of Engineering Accuracy and Certificate of Surveying Accuracy being executed. The final plat shall be clearly and legibly drawn in black ink on suitable tracing material at the same scale and dimensions used for the approved preliminary plat. The Final Plat shall conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the developer proposes to record and develop at any one time, provided that such portion conforms to the requirements of these rules and regulations.

5.11 Final Plat Application Requirements. The final plat shall indicate the following information:

- A. Title "Final Plat"
- B. Name of subdivision
- C. Lot and block numbers
- D. Date of drawing
- E. Graphic scale
- F. North arrow
- G. Legal description
- H. Vicinity map
- I. Engineers / Surveyors name and address
- J. Developers name and address
- K. Owners name and address
- L. Names of abutting subdivisions/owners
- M. Street names
- N. Street centerlines with right-of-way widths
- O. Boundary lines with dimensions
- P. Utility easements
- Q. Building setbacks
- R. Section corners or other monuments
- S. Zoning within and around plat
- T. Fire flow / water pressure
- U. FEMA Panel Number with 100 year elevation
- V. 100 year floodplain designation
- W. Area in acres on each lot
- X. Total acreage of subdivision
- Y. Engineer's Certificate
- Z. Surveyor's Certificate
- AA. NLR Planning Certificate
- BB. Owner's Certificate

- CC. List of Planning Commission requirements
- DD. Municipal, County or Section lines (if applicable)
- EE. Phase map, if staging is planned (if applicable)
- FF. Storm water detention easement (if applicable)
- GG. Other easements (if applicable)
- HH. Natural features (if applicable)
- II. Cultural features (if applicable)
- JJ. County Planning's Certificate (if applicable)

5.12 Additional Written Information. The developer shall provide following additional written information as necessary:

- A. Error of closure calculations and field notes shall be submitted when requested. When errors are suspected, the Planning Commission may cause a surveyor to check the final plat for correctness.
- B. Certification of approval of water supply and sanitary sewage disposal by the appropriate agency, when not connected to the municipal system.

5.13 Final Plat Certificates. Each final plat submitted to the Planning Commission shall carry the following certificates as appropriate:

- A. Certificate of Recording
- B. Certificated of Engineering Accuracy
- C. Certificate of Surveying Accuracy
- D. Certificate of Final Approval

5.14 Fees. Filing fees for final plat shall be:

- A. Inside the City. Less than 10 acres = \$100 plus \$1 per lot.
- B. Inside the City. More than 10 acres = \$200 plus \$2 per lot.
- C. Outside the City. More than 10 acres = \$150 plus \$1 per lot.
- D. Outside the City. More than 10 acres = \$300 plus \$2 per lot.

5.15 Bill of Assurance. The Bill of Assurance shall be submitted to the staff with the final plat. Such document shall incorporate the same provisions as those filed with the preliminary plat, including but not necessarily limited to the following: offering dedications of streets and alleys, parks and other lands; establishing easements, setting forth privileges and conditions pertaining thereto, and setting forth the restrictions and covenants of the subdivision; setting forth procedures by which amendments to the Bill of Assurance can be made. Said Bill of Assurance shall contain reference to the approval of the final plat.

5.16 Floor Elevations. Where minimum floor elevations are required to be placed on the final plat, the source of the information by which the elevation was obtained shall be shown on both the plat and contained in the Bill of Assurance.

5.17 Digital File Submittal. An IBM compatible CD-R disc with the data in CAD compatible DXF and/or DWG format containing the final plat of the development in state plane coordinates (North Zone NAD-83) will be submitted to the North Little Rock Planning Department. The survey standards for horizontal control, vertical control, and monumentation shall be required in creating these digital files for all new subdivisions in the City of North Little Rock. In addition an as-built version of the preliminary plat requirements for Stormwater Inventory / Data Maintenance mentioned in Article 4, Section 4.16.B will be submitted to the North Little Rock City Engineering Department.

5.18 Surveys

A. Horizontal control standards:

1. The horizontal datum for all survey work performed shall be the Arkansas State Plane Coordinate System--North Zone NAD-83 foot adjustment. All measurements and adjustments shall be reduced to mean sea level for reporting. All horizontal control work shall commence and end at a NLR geodetic control network monument or other approved monument.
2. Horizontal positions for all subdivision boundary corners shall be determined to an accuracy standard equal to Urban Type A classification as defined by the Arkansas Minimum Standards for Property Boundary Surveys and Plats. All field techniques and procedures shall be compatible with the equipment utilized to insure that a true Urban, type A accuracy level is achieved.
3. A minimum of 2 subdivision boundary corners shall be tied to a NLR geodetic control monument by closed traverse. The 2 corners shall be intervisible with each other. Position and reference information shall be provided on a standard control data form for each corner and submitted with the final plat. Forms may be obtained from the City of North Little Rock Community Planning Department. These monuments will be included in the NLR geodetic control network if, after their review by the City staff, they are determined to be suitable for inclusion into the network.
4. All interior corners of the subdivision (lot corners, street center line, control points, etc.) shall be established and monumented to meet the minimum accuracy standards established by the Arkansas Minimum Standards for Property Boundary Surveys and plats for Urban, Type A Property.

B. Vertical Control Standards:

1. The vertical datum for all survey work performed shall be the North American Vertical Datum 1988 Adjustment (NAVD88). All vertical control work shall commence and end at NLR geodetic control monument or other approved monuments.

2. Elevations for all concrete monuments shall be determined to an accuracy standard equal to third order classification as defined by the federal geodetic control committee. All field techniques and procedures shall be compatible with the equipment utilized to insure that a true third order accuracy level is achieved.
3. Elevations shall be determined for all subdivision boundary corners.

ARTICLE 6. MINOR SUBDIVISIONS AND LOT SPLITS

6.1 Submission of Combined Application. Based upon the pre-application procedure, and for minor subdivisions and lot splits, where no public purpose would be served by separate steps, a combined preliminary and final plat procedure may be authorized in the following circumstances and in conformance with the requirements and standards specified herein.

6.2 Minor Subdivisions – Authorization. The Planning Commission hereby delegates to and designates the Planning Director/Administrative Official the authority for approving or disapproving minor subdivisions meeting the requirements. Such authority shall be exercised in accordance with the following regulations.

6.3 Minor Subdivision – Definition. In order to qualify as a minor subdivision, a proposed subdivision must meet all of the following requirements:

- A. The proposed plat does not create more than 2 lots, tracts or parcels of land.
- B. The proposed plat is intended for single family residential use and is not more than 5 acres in size.
- C. The proposed plat does not involve dedication of a public street or access easement through rather than adjacent to the lot(s), tract or parcel proposed for subdivision.
- D. No waivers are requested.

6.4 Minor Subdivision Review and Approval. Request for minor subdivision approval shall be made by the property owner to the Office of Community Planning. Subdivision requirements shall be the same as those required for final plat. If the final plat is in conformance with the objectives and standards of this regulation and all required information is contained thereon, the Administrative Official shall certify its approval of the plat, making proper notation on the original tracing of said plat, and permit the plat's recording with the County Circuit Clerk.

6.5 Lot Splits - General Intent and Definition. The Planning Commission hereby delegates to and designates the Administrative Official the authority for approving or disapproving lot splits where a single lot, tract or parcel is being split into two lots meeting minimum lot requirements. Such authority shall be exercised in accordance with the following regulations.

6.6 Lot Splits - Application Procedure. Request for lot split approval shall be made by the owner of the land to the Community Planning and Permits Department. Five copies of a drawing to scale of the lots involved if there are no structures thereon, or if the structures are located on any part of the lot being split, 5 copies of a survey of the lot(s) and the location of the structure(s) thereof, together with the precise nature,

location and dimensions of the split, shall accompany the application.

6.7 Lot Splits - Approval Guidelines. Approval or disapproval of lot splits shall be given based on the following guidelines:

- A. No new street or alley is required.
- B. No vacation of streets, alleys, setback lines, access control or easements is required or proposed.
- C. Such action will not result in any significant increases in public service requirements, nor will the split interfere with maintaining existing public service levels.
- D. There is adequate street right-of-way as required by these regulations and the Master Street Plan.
- E. All easement requirements have been satisfied.
- F. Both lots created by such split shall have direct access to a public street according to the provisions of these regulations.
- G. No substandard sized lots or parcels shall be created.
- H. Such action will not result in a lot being split into more than 2 tracts.
- I. No variance of these Regulations are proposed.

6.8 Lot Split – Approval. The Administrative Official shall, in writing, either approve, conditionally approve, or disapprove the proposed lot split within 30 days of application. If approved, and after all conditions have been met, the Administrative Official shall sign the final plat. One copy of the final recorded plat shall be furnished to the Department of Community Planning and Permits.

6.9 Plat Specifications. The final plat for minor subdivision or lot-splits shall be prepared on accepted tracing material at a scale of 1" - 100' or larger and shall conform to all requirements for submission of a regular final plat.

6.10 Fees. Filing fees for final plat shall be:

- A. Inside the City. Less than 10 acres = \$100 plus \$1 per lot.
- B. Inside the City. More than 10 acres = \$200 plus \$2 per lot.
- C. Outside the City. More than 10 acres = \$150 plus \$1 per lot.
- D. Outside the City. More than 10 acres = \$300 plus \$2 per lot.

ARTICLE 7.

GENERAL PRINCIPALS

7.1 Additional Guidelines. In addition to the specific requirements for improvements and their design, the general principals in this article shall guide the staff, the Subdivision Committee, and the Planning Commission in their review of proposed development and subdivision of land. In general, the Commission may require design elements and improvements to solve real or anticipated problems created by the proposed development. The Commission is to apply development conditions and requirements in “rough proportionality” to the anticipated impacts caused by the development proposal.

7.2 Suitability of the Land. Land proposed for development shall be, in the opinion of the City’s professional staff, suitable for development without creating hazards that would threaten the health, safety, and welfare of the general population or adjacent property owners.

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

7.4 Land Dedications. The Commission may require the dedication or reservation of land within a proposed subdivision for public streets, parks, wetlands, floodways, major drainage facilities, critical natural areas, and steep slopes. These land dedications shall be clearly identified on the final plat with a statement declaring the purpose of the land dedication.

7.5 Floodplain. In particular, land within the 100 year floodplain as defined by FEMA shall not be platted for urban purposes, unless the developer shall conform in all respects to the city’s adopted Floodplain Hazard Ordinance.

7.6 Adequacy of Public Facilities and Services. Land which is neither provided, nor programmed by the City within the corporate limits to have adequate water, sanitary sewer services or storm drainage facilities shall not be subdivided for purposes which require such services. The availability of transit service, fire protection, police protection, refuse service, public schools, and parks and recreation facilities shall be considered by the staff in its analysis of the plat.

7.6 Subdivision and Street Names. The proposed name of subdivision and streets shall not duplicate, or too closely approximate phonetically, the name of any street or subdivision in the area covered by these regulations. The Planning Commission shall have final authority to designate street and subdivision names, where conflicts exist with other established subdivisions within the county.

7.7 Access. Every subdivision shall be served by a publicly dedicated street or private street. Every lot or parcel within a subdivision shall have direct access to a public

street or public right-of-way.

7.8 Access from Arterial or Collector Streets. Lots shall not, in general, derive access exclusively from an arterial or collector street. Where driveway access from an arterial or collector street may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street. Driveways shall be designed and arranged to avoid requiring vehicles to back into arterial and collector streets.

7.9 Access to Federal or State Highways. When a subdivision or lots and parcels of a subdivision gains the required access as stipulated in this Article, and the access is to any state or federally numbered highway, the rules and regulations of the Arkansas State Highway and Transportation Department regarding access shall apply as a minimum. The Planning Commission may require more stringent access control measures to provide safety and convenience to the affected public.

7.10 Access From Stub-Streets. Proper access in the form of stub-streets or temporary dead-end streets shall be provided to adjacent unplatted property unless, in the judgment of the Planning Commission, topographic conditions or similar physical impediments preclude reasonable provision of such access, or alternate routes of access are, or will be available in the future.

7.11 Conformance to Municipal Plans. All proposed subdivisions shall substantially conform to the Municipal Plans in effect at the time of submission to the Commission.

7.12 Platting and the Master Street Plan. All highways and street right-of-ways up to 100 feet wide, and other features of the Master Street Plan, shall be platted by the developer in the location and the dimension indicated on the Master Street Plan.

7.13 Reservation of Land for Municipal Plan Features. Where such features of the Municipal Plan, other than streets, are located in whole or in part in a proposed subdivision, such planned features shall be reserved by the developer for a period of 120 days from the date of submission of the preliminary plat. At the end of 120 days, if the public body responsible for acquisition of such area has not purchased, condemned or optioned the land, such reservation shall be automatically voided permitting the land to be developed in a manner suitable to the developer subject to the provisions of these rules and regulations.

7.14 Release of Reservation Requirements. The Commission shall waive the above mentioned platting and reservation requirements whenever the public body responsible for land acquisition executes a written release stating that such planned feature will not to be acquired.

7.15 Disapproval of Plats. The Commission may disapprove plats when such planned features, as specified by the Municipal Plan, are not incorporated into the plat.

7.16 Zoning or Other Regulations. No Final Plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to the land use permitted by the Zoning Ordinance. 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 ordinance, the most restrictive shall apply.

7.17 Initiation of Rezoning. When rezoning is required to bring a proposed subdivision into conformance with the authorized land use, such action shall be initiated by the applicant prior to or simultaneous with the request for subdivision approval. If the zoning classification of property is changed subsequent to final approval, a replat of the property may be required by the Commission.

7.18 Large parcel circulation planning. 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.

7.19 Development Site Plan Review. A development, including the construction of one or more buildings, together with the necessary drives and other access ways whether subdivided into customary lots or blocks or retained as a single parcel shall be considered through the Site Plan Review procedure by the Commission. Plans for such developments shall be submitted to the Commission for consideration, whether or not a plat is required and no building permits shall be issued until such approval has been obtained.

ARTICLE 8.

STREET DESIGN

8.1 Streets – General. Streets shall be related approximately to the topography so as to produce useable lots on streets with reasonable gradient. Street grades shall conform as closely as possible to the original topography. Combinations of steep grades and curves shall be avoided. Gutter grades shall be no less than 0.5 percent. Street grades will not exceed 10 percent.

8.2 Layout. 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 use of spite strips is prohibited. Public streets located within 50 feet of common property lines are to establish public right-of-way joining the street to the common property line. Traffic calming devices (roundabouts, traffic circles, chicanes, speed tables, etc.), may be required by the Commission to enhance the neighborhood setting.

8.3 Generators. Major traffic generators such as industries, business districts, schools, shopping centers, and residential neighborhood development with a density in excess of 18 units per gross acre shall obtain primary access from streets classified as collectors and above.

8.4 Residential Streets. Residential streets shall be laid out to discourage the use of through traffic, to permit efficient drainage and utility systems and to require the minimum length of pavement necessary to provide convenient and safe access to property. Curvilinear streets, cul-de-sac, and loop streets shall be encouraged where such use will result in a more desirable layout. Traffic calming techniques may be required within neighborhoods to decrease traffic speeds and improve safety for pedestrians.

8.5 Through Streets. Proposed through streets shall be extended to the boundary lines of the tract to be subdivided, unless the Planning Commission has determined that such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.

8.6 Streets in Subdivisions. Every subdivision shall be served by an adequate system of publicly dedicated streets or their private counterparts. All public streets within the subdivision shall be located, platted and dedicated to the City or the County in accordance with the standards and procedures outlined in this regulations.

8.7 Right-of-Way Dedications. The City may require right-of-way dedications of up to one hundred feet. Right-of-way dedications in excess of one hundred feet as shown on the recorded Master Street Plan shall be reserved for acquisition subject to the following conditions:

- A. The public board, commission, or body having jurisdiction or financial responsibility for the acquisition of said right-of-way shall within twelve 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.
- B. Said option to acquire must be exercised and fully consummated within twelve months following the date of the approval of the preliminary plat.

8.8 Perimeter Half-Streets. New perimeter half-streets shall be avoided. Whenever a proposed subdivision abuts a dedicated or platted half-street, however, the other half-street shall be platted. The Planning Commission may authorize a new perimeter street when the developer improves and dedicates the entire required street right-of-way width within his own subdivision boundaries.

8.9 Additional Right-of-Way. Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the following minimum street width requirements from each side of the centerline.

- A. The entire right-of-way as required by the Master Street Plan, up to 100 feet shall be provided where any part of the subdivision is on both sides of an existing street.
- B. When the subdivision is located on only one side of an existing street, 1/2 of the required right-of-way, in no case less than 25 feet measured from the centerline of the existing right-of-way shall be provided.

8.10 Frontage Roads. When a tract fronts on streets of arterial classification or higher, the Commission may require affected lots fronting on such major streets to be provided with frontage roads.

8.11 Streets - Functional Classification. The Master Street Plan establishes the function of streets. The following sections incorporate the appropriate parts of the Master Street Plan.

8.12 Dead-End Streets and Cul-de-Sacs. Cul-de-sacs shall have a maximum length of 750 feet unless otherwise approved by the Planning Commission. Where a street does not extend to the boundary or a subdivision, and its continuation is not required by the Planning Commission for access to adjoining property, its terminus shall not be closer than 50 feet to such boundary.

8.13 Turnarounds. 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 right-of-way diameter of 100 feet and a pavement width diameter of 80 feet, with an optional inside radius of 20 feet to the back of the curb and 40 feet to the outside of the back of the curb. The use of hammerhead type turnarounds is prohibited.

8.14 Temporary Dead End Streets. In the case of temporary dead-end streets, which are stub streets designed to provide future connections to acreage property, the Planning Commission may require a temporary easement for a turnaround or an appropriate area for a turnaround. Dead-end streets must be barricaded.

8.15 Alignment. The profile grade of local streets shall be connected by vertical curves of a minimum length of 15 times the algebraic difference in grade for a crest curve on collector streets, 20 times the algebraic difference in grades for a crest curve and 20 times the algebraic differences in grade for a sag curve on principal and minor arterial streets.

8.16 Minimum Horizontal – Radii of Centerline Curvature:

- A. Freeways and Expressways, as specified by the Arkansas Highway Dept.
- B. Principal and Minor Arterials, 600 Feet
- C. Collector Streets, 300 Feet
- D. Local Streets, 100 Feet

8.17 Tangents. Between reverse curves there shall not be less than min. tangents for:

- A. Freeways and Expressways, as specified by the Arkansas Highway Dept.
- B. Collector, Principal and Minor Arterial Streets, 200 Feet
- C. Local Streets, 100 Feet

8.18 Visibility Requirements. Minimum vertical visibility (height of eye 3.75 feet and height of object 0.5 feet) shall be as follows:

- A. Freeways and Expressways, as specified by the Arkansas Highway Dept.
- B. Principal and Minor Arterials, 500 Feet
- C. Collector Streets, 300 Feet
- D. Local Streets, 200 Feet

8.19 Intersections and Alignments. The design of intersections and alignments shall conform to the following:

- A. Street intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle less than 60 degrees. Detailed designs of intersections may be required.
- B. Property line radius at street intersections shall not be less than 25 feet. Where the angle of street intersection is less than 90 degrees, the Commission may require a greater radius.
- C. Curb line radius at street intersections shall be at least 25 feet and where the angle of street intersection is less than 90 degrees, the Commission may require a greater radius.

- D. Street jogs with centerline offsets of less than 150 feet shall not be permitted.
- E. Intersections shall be designed with grades as level as possible consistent with proper provisions for drainage. In approaching intersections, the leveling area shall have a grade not exceeding 5 percent for a distance of not less than 30 feet measured from the nearest curb or edge of the pavement.
- F. Additional street paving and/or right-of-way in the form of turning lanes may be required by the Department of Public Works at intersections of collector, minor and principal arterials, and principal arterial streets.
- 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 sight distance.
- H. Street intersections shall be located to avoid creating hazardous driving conditions.

8.20 Private Streets. Private streets for residential development may be approved by the Planning Commission provided that the design standards conform to those of public streets as specified in this regulation or as approved by the Planning Commission and the Director of Public Works. Private streets are permissible only in the form of culs-de-sac and short loop streets and only when it has been determined that these streets can be adequately served by all public service vehicles. Internal Streets within a gated community shall be private streets. Such streets will not be permitted where there is a possibility of through traffic or eventual connection to another public street. It shall be incumbent on 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. Specifically, the use of private streets shall in no way hinder the duties of the fire, police or other municipal departments. The developer shall provide for permanent maintenance of all private streets in the Bill of Assurance.

8.21 Utility and Drainage Easements. Utility and drainage easements for poles, wires, conduits, storm sewers, sanitary sewers, gas lines, water lines and similar purposes shall be provided where required by the utilities or the Department of Public Works. Easements shall be of sufficient width to provide for installation, access and maintenance of the facility or service. Such easements shall be not less than 8 feet on either side of the rear lot line and 6 feet on either side of the side lot line. The specific location of easements not uniform in width and parallel to lot lines must be shown by dimensions. Easements for open drainage channels, streams, creeks and similar waterways shall be of sufficient width to provide the required waterway cross sectional area plus access for maintenance. A minimum of 15 feet on one or both sides may be required for access and maintenance. The minimum width shall be 25 feet. No encroachments of any type shall be permitted in open drainage channels. Vehicle and equipment access for maintenance shall be provided when required by the City Engineer.

8.22 Encroachments. No primary building may be erected over or in an easement. Accessory structures and fences constructed within easements may be removed at the peril of the property owner. No encroachments of any type shall be permitted in open drainage channels without the approval of the City Engineer.

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

8.24 Alleys. Alleys may be allowed at the rear of commercial lots, and will be permitted in residential blocks when the developer produces evidence satisfactory to the Planning Commission of the need for alleys. Such circumstances shall be interpreted to include provisions for alternative access for lots fronting on arterial streets. Alley right-of-way widths shall not be less than 20 feet and paving widths of not less than 17 feet. Where alleys are provided, intersections, sharp changes in alignment and dead-ends shall be avoided.

ARTICLE 9. LOT, BLOCK AND SIDEWALK DESIGN

9.1 Lots. Every lot shall abut upon a public street or private street. 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.

9.2 Minimum Lot Dimensions. Minimum lot dimensions shall conform to the requirements of the Zoning Ordinance for the applicable zoning district within the city limits. Within the planning jurisdiction, where zoning is not established, the following minimum lot dimensions shall prevail:

	<u>Width</u>	<u>Depth</u>
A. Single Family Detached Residential	60 ft.	120 ft.
B. Duplex	70 ft.	100 ft.
C. Apartment Bldg. (3 units or more)	90 ft.	120 ft.

9.3 Frontage on Major Streets. Where a subdivision abuts or contains an existing or proposed arterial streets, freeways, expressways, or railroad right-of-way, the Planning Commission shall encourage 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. Double frontage lots may also be used to facilitate residential development in hillside areas. Otherwise double frontage lots shall be avoided.

9.4 Side Lot Lines. Side lot lines shall be at right angles to street lines or radial to curving street lines unless a variance is approved for cause. Reasons might include an improved layout or to achieve improved energy conservation.

9.5 Platted Building Lines. Platted lines shall conform to the Zoning Code.

9.6 Restricting Access on Major Streets. The Planning Commission may restrict driveway access to expressways and arterial streets. Access management plans may be required to minimize traffic conflicts. Double frontage lots may be required with access to the low volume street.

9.7 Blocks. 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.

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

9.9 Width of Blocks. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth unless a different arrangement is required in the form of a single

tier of lots of maximum depth for blocks adjacent to arterial streets, expressways, freeways, railroads or waterways.

9.10 Crosswalks. In blocks of 900 feet or more in length, the dedication of a public crosswalk for pedestrian travel may be required. Such crosswalks shall have a minimum right-of-way width of 10 feet and a pavement width of 4 feet and extend entirely across such block at approximately the midpoint of the length in the block. Internalized circulation systems in the form of pedestrian paths may be substituted in lieu of crosswalks upon the approval of the Planning Commission.

9.11 Sidewalks. Sidewalks shall be a minimum of 5 feet wide and shall be installed within the dedicated right-of-way adjacent to the property line. Sidewalks shall be required as follows:

- A. Both sides of local, collector, and arterial streets in commercial and residential areas.
- B. Sidewalks are required on designated collector and arterial streets through industrial zoned areas.
- C. Internalized pedestrian circulation system in the form of paved pathways may be substituted for sidewalks along collector and arterial streets upon the request of the applicant, the recommendations of the Planning Director and the approval of the Planning Commission. Said pathways shall be dimensioned at no lesser standard than ordinary street-side sidewalks.
- D. On local streets, a developer may propose locating 6 foot wide sidewalks at the curb.
- E. The Planning Commission may, at its option, require wider sidewalks in conjunction with commercial subdivision approvals or in other places of public assembly, or anticipated heavy pedestrian traffic volumes.
- F. 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. Sidewalks shall be constructed to permit wheelchair access at street intersections.
- G. Sidewalks may be waived on estate residential lots having widths equal or greater than 150 feet.

9.12 Sidewalk In-Lieu Fee. An applicant may submit an application to the Planning Department to allow the applicant to pay an in-lieu fee instead of constructing sidewalks.

- A. The application will be reviewed by the City Engineer, who may recommend approval if:

1. There are no existing or planned sidewalk networks in the area;
 2. There are physical improvements present along an existing or proposed street that would prevent reasonable installation; or
 3. There are other situations unique to the site that make the requirement to construct sidewalks impracticable or unnecessary.
- B. The proposed in-lieu fee shall be determined by the City Engineer, based on the applicable City standards in effect at the time of application; or the City Engineer may require the applicant's engineer to provide a cost estimate, subject to review and approval by the City Engineer, to determine the cost to perform the work. If the in-lieu fee is approved by City Council, the fee shall be paid prior to plat recording or issuance of a building permit.
- C. All in-lieu fees paid shall be used for sidewalks within the Ward for which the in-lieu fee was collected. These expenditures may include, but are not limited to the: construction of new sidewalks and/or repair and maintenance of an existing sidewalk.
- D. If the City Engineer recommends approval of payment of a fee in lieu of construction of sidewalks, after the Planning Commission has reviewed the applicant's site plan, the request to pay a fee in lieu of construction of sidewalks will be submitted to City Council for final review, and may be approved by a resolution approved by a majority of the City Council.
- E. The Finance Department shall set up four sidewalk accounts, one for each Ward.
- F. The expenditure of the four accounts shall be determined by the two Council Members of the Ward and the City Engineer.

ARTICLE 10.

STORM DRAINAGE DESIGN

10.1 General Provisions. Plans for any subdivision submitted shall address storm drainage within the property as well as the impact of drainage on adjoining properties. Plans shall also address the impact of the subdivision upon the overall storm water system of the city's Planning Area. The following general provisions shall govern the design of drainage facilities.

10.2 Approvals. 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 Department of Public Works. No work shall begin until plans and Stormwater Inventory / Data Maintenance are approved by the City Engineer. Approval of plans and Stormwater Inventory / Data Maintenance shall be based on the requirements of the approved preliminary plat and other applicable city standards.

10.3 Drainage Plans. Every subdivision shall make adequate plans and provisions to accommodate, control, and dispose of storm water by means of drains, sewers, catch basins, culverts, detention facilities and other facilities as deemed necessary by the Department of Public Works and the Planning Commission's subdivision review committee, and as approved by the Planning Commission, or as required by city ordinance.

10.4 Control of Increases. Facilities for storm drainage and detention of storm water shall be designed and constructed so as to control increases in the rate of storm water runoff onto adjoining property or downstream systems to that which existed prior to the development.

10.5 On-site Detention. On-site detention facilities or other appropriate and approved means to control the increased runoff from development shall be incorporated in the subdivision drainage plans to accommodate the 25 year storm. Except in single family residential development, on-site detention facilities shall be maintained by the developer, owner of record, or property owners association. Maintenance shall include removal of sediment when the basin's function is impaired, mowing, removal of debris, reseeding or re-sodding. In instances where on-site detention is deemed inappropriate by the City Engineer, based upon submission of proper proof by the engineer of record, due to local topographical or other physical conditions, land area limitations or inaccessibility to an existing drainage system for outlet control; the Planning Commission may allow the developer or owner of the property, as an alternative to on-site detention, to provide payment of a one-time "storm water impact fee" based on a prorated formula of \$5,000 per acre for all multi-family, commercial and industrial development and \$500 per acre for single family residential development. The requirement for detention or "storm water impact fee" shall apply to stage construction and previously approved preliminary plats. In instances where the City Engineer determines that a proposed development will create a flooding problem downstream, the Planning Commission may deny payment of an impact fee and require detention or improvement of the downstream system as a

condition for approval of the development. "Storm water impact fees" are to be deposited with the city prior to final plat approval unless otherwise directed by the Planning Commission.

10.6 Storm Water Impact Fees. Funds generated from the payment of "storm water impact fees" shall be used for the specific purposes of better management of the drainage systems of the drainage basin in which the fee was received.

10.7 Storm Water Diversion. Storm water may not be diverted from one major watershed to another.

10.8 Floodplain Statement. Any plat, area or lot shall have a floodplain statement indicating the panel number, date and 100 year flood contour on the final plat.

10.9 Maintenance and Erosion Control. During construction of the subdivision and for any maintenance period, the developer shall provide all necessary maintenance and erosion control measures to keep ditches and drainage systems free of debris and sediment. Appropriate "best management" erosion control measures shall include temporary or permanent seeding, sodding, mulching, staked straw bales, silt fences, temporary diversion ditches, silt basins, terracing and ditch checks. Information on erosion and sediment control is available from the soil conservation service. Developments greater than one tenth acre require a Soil Erosion Permit.

10.10 Storm Drainage, Facility Design Specifics. Facilities for storm drainage should be designed and constructed so as to minimize increases in the rate of storm runoff onto adjoining property over that which existed prior to development.

10.11 Frequencies and Methodology. Facilities for storm drainage shall be of adequate capacity, and designed in accordance with not less than a one in 25 year rainfall design frequency except in the Central Business District (CBD), where a one in 50 year rainfall design shall be used. The Central Business District (CBD) is defined as the area bounded by Interstate 30 on the East, Arkansas River South, 10th Street North, Baring Cross Railroad Bridge and rail yards on the West. Developments where the area contributing runoff is less than 200 acres may be designed using the rational method for calculating runoff. Developments where the area contributing runoff is between 200 and 2,000 acres should be designed using the U.S. Soil Conservation Services TR-55 Method (CN Procedure). Areas above 2,000 acres should consider using HEC-1 procedures. Provisions shall be made for storm water emergency overflow in subdivisions having enclosed 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 for a one in 100 year rainfall design frequency.

10.12 Coefficients. In determining a drainage plan for a development, the project engineer shall use a fully developed watershed in calculating the storm water runoff. The engineer shall refer to community zoning maps to determine the classification of

development planned for the undeveloped area in determining "C" factor. The minimum runoff coefficient (C factor) for single family residential areas is 0.60.

10.13 Ditches. All open drainage ditches shall have a concrete paved bottom and sides to a height sufficient to carry the design flow capacity. Major natural streams may be exempted from this requirement. Minimum bottom width shall be 2 feet with maximum side slopes of 1:1. Open drainage ditches along property side lot lines shall not be permitted, unless approved by the City Engineer and only then in extraordinary circumstances.

10.14 Minimum Pipe Size. The minimum allowable pipe size shall be 18 inch diameter, unless approved by the City Engineer.

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

10.16 Headwalls. All pipe culverts and box culverts shall have concrete headwalls at the inlet and outlet ends or flared end sections with concrete paved or grouted riprap slope protection.

10.17 Storm Drainage, Street Related. Facilities for storm drainage shall be of adequate capacity, and designed in accordance with not less than a one in 25 year rainfall (except in the Central Business District, where one in 50 year design will be used). Provision 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 a 100 year return frequency.

10.18 Cross Flows. All roadway pavements shall be designed to eliminate cross flow of drainage across the pavement cross-section or crossing the crown of the street.

10.19 Crowns. All street crowns on standard residential streets shall be 6 inches, including a 1 inch gutter slope to the curb.

10.20 Culverts. Pipe culverts crossing streets in city right-of-way shall extend to the right-of-way line. Box culverts and bridges which cross streets in city right-of-way need not extend to the right-of-way lines on each side but shall be of sufficient width to accommodate the required vehicle roadway section, shoulders and pedestrian walkways.

10.21 Driveways. All driveways within street right-of-way shall be concrete and shall be sloped toward the street with a 6 inch fall to the street gutter. Driveways shall have a smooth transition from the gutter line or an optional 1 inch lip at the gutter line. Where a new driveway ties into existing street curb, the curb shall be removed or the back of the curb cut to provide the above transition. No concrete, asphalt or other material shall be

placed in the curb gutter to provide access to a driveway.

10.22 Valley Gutters. No valley gutters or swaled pavements shall be permitted at street intersections except on minor traffic volume residential streets and only when the contributing drainage area across the intersection is less than 0.60 acre. All approved valley gutters shall be concrete pavement not less than 6 inches thickness.

10.23 Curb Inlets. Curb inlets shall be designed to adequately accommodate the design storm volume of flow in the gutter and shall have a throat inlet capacity of 1.5 times the design gutter flow. Curb inlets shall be spaced so that at no point will the water line extend into the street more than 6 feet from the face of the curb. Maximum inlet spacing shall be 500 feet.

10.24 Storm Drainage - Easements. Where a subdivision is traversed by a major watercourse, channel or stream, a storm drainage easement or drainage right-of-way and access for vehicle and equipment 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 design storm water capacity plus a minimum of 15 feet on each side for access and maintenance, provided that the City Engineer may waive access easement requirement for one side only.

10.25 Encroachments. There shall be no encroachments into open drainage channels.

10.26 Utilities in Drainage Easements. No Utilities, except for utility crossings, shall be allowed to encroach in defined drainage easements.

10.27 Location of Easements. Wherever possible, subdivisions should be designed with utility easements on one side of lot lines and drainage easements on the other, to minimize fence and physical obstructions.

10.28 Storm Drainage – Finished Floor Elevations. Any area or lot which may be prone to local flooding shall have the lowest allowable finished floor elevation indicated on the final plat. This elevation shall be that corresponding to one foot above the flood elevation for a one in 100 year rainfall intensity and must be approved by the Department of Public Works.

10.29 Storm Drainage – Diversion Into Other Watersheds. Storm water may not be diverted from one watershed to another within the plat boundaries. A major watershed is construed to be one that accumulates drainage on an area greater than 40 acres.

10.30 Commercial/Office Subdivisions. In addition to the principals 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.

ARTICLE 11.

COMMERCIAL / OFFICE SUBDIVISION

11.1 Commercial/Office – General. In the design of Commercial/Office Subdivisions, the following general principals and standards shall be observed:

- A. Commercial/office subdivisions of 2 1/2 acres or more abutting single family residential subdivisions or areas zoned for single family residential use shall protect such areas from potential nuisance by complying with the screening requirements of the Zoning Ordinance, providing a minimum of 40 feet and not more than 100 feet buffer strip between buildings and the common property line on side and rear yards, 15 foot buffer strip between drive/parking areas and the common property line on side and rear yards and a fence of not less than 8 feet in height along the common property line. Trees having 6 inch or larger diameter at breast height shall not be removed from a designated buffer without approval of the City Council. If ground cover or trees are sparse or have been removed, the buffer 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 buffer strip. The fence shall be of wood, metal or masonry and extend along the entire property line abutting the single family residential areas.
- B. The Planning Commission shall require the developer 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 20 acres in size, all boundary street improvements shall be completed in conjunction with the initial phase of the staging plan.

11.2 Rights-of-Way and Pavement Width. Perimeter streets abutting a proposed commercial 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 subdivision, the following design standards shall be observed if dedicated:

Design Standards

Street Type	Minimum ROW Width	Minimum Paving	Sidewalks (When Applicable)
Minor Arterial	80 Feet	44 Feet	Both Sides
Collector Street	60 Feet	36 Feet	Both Sides
Alley (When required)	20 Feet	17 Feet	NA

11.3 Vertical and Horizontal Alignment. Vertical and horizontal alignment shall conform to collector street standards as outlined in this regulation.

11.4 Lots. The depth and width of commercial lots shall be adequate to provide for

the off-street service and parking facilities required by the type of use and development contemplated. The minimum dimensions for commercial lots shall be 100 feet of frontage by 150 feet of depth. No commercial/office lot shall have a depth exceeding three times the width.

11.5 Pipe-Stem Lots. Pipe-stem-lots are expressly prohibited in commercial/office subdivisions.

11.6 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 600 feet or more than 1,320 feet in length. The downtown may include blocks of 300 feet dimensions.

11.7 Platted Building Line. The Commission may require front yard building lines for commercial lots of at least 40 feet to ensure adequate space for landscaping, off-street parking, loading facilities, and internalized vehicular movement. The downtown, TND subdivisions, and areas where the Commission desires to establish a pedestrian friendly setting with rear area parking, the front setback may be waived. Where a landscaped green area is substituted for parking and vehicular movement area between the building line and the street right-of-way, however, a 25 foot front yard setback may be approved by the Planning Commission. Approval of the 25 foot commercial building line shall be permitted on all lots fronting on streets as defined in this regulation and shall be contingent upon submission of both a site plan dimensioning the landscaped area and a Bill of Assurance prohibiting use of the yard area for parking. Such landscaped areas may be traversed by not more than two driveways providing access to the sides and rear of the lot. Alternatively, buildings near the front property line with rear parking may also be allowed in Traditional Neighborhood Development.

11.8 Internal Circulation. Where any commercial subdivision has in excess of 300 feet of frontage on arterial streets, special provisions for internal circulation shall be required to ensure proper ingress and egress. Alternative design solutions may be required by the Planning Commission with unique circumstances. Elements to be described include public streets, service easements and curb cuts.

11.9 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 streets. Requests for such variance shall be submitted in writing by the developer when the plat is submitted for preliminary approval and shall present justification for such action. Private service easements shall be built to public street standards except where, in the opinion of the staff and the Planning Commission, a reduced pavement width is deemed sufficient to ensure safe and convenient access to the 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 Department of public works.

11.10 Ingress and Egress to Commercial Lots on Major Thoroughfares. Due to the nature of the use proposed and the high volume of traffic generated by commercial/office subdivisions, special conditions applicable to control of ingress and egress may be required. Where any commercial subdivision has in excess of 300 feet of frontage along arterial streets, special provisions for internal circulation may be required to insure proper ingress and egress. Alternative design solutions which may be required by the Planning Commission depending on circumstances unique to each situation include marginal access streets, double frontage lots, common drives, cul-de-sac in the subdivision, or by limited direct access to principal and minor arterial streets. Where a subdivision has less than 300 feet of frontage, the curb cuts shall be approved by the City Engineer. The extent and placement of curb cuts on arterials or collector streets shall be subject to the approval of the Department of Public Works.

11.11 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 Department of Public works.

ARTICLE 12.

INDUSTRIAL SUBDIVISION

12.1 Industrial Subdivisions. Industrial Subdivisions shall conform to the following principals and standards.

12.2 General. In addition to the principals 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 proposed block pattern for industrial subdivisions are specifically adapted to the uses anticipated and that prospective impact on adjacent areas have been taken into account. The following principals 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 comply with the provisions of the screening code of the Zoning Ordinance and protect such areas from potential nuisance by providing a minimum 50 foot buffer strip and a fence not less than 8 feet in height. Where possible, the developer shall retain and maintain the existing plant materials within the buffer strip. Trees having 6 inch or larger diameter at breast height shall not be removed from a designated buffer without approval of the City Council. No building, outside storage, overhead power line, or parking areas shall be constructed in a designated buffer area. An 8 foot fence of wood, masonry, or metal construction 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 extend to the boundaries of adjacent existing or potential residential areas.

12.3 Street Design The following shall govern the design and construction of streets in industrial subdivisions.

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

Industrial Street standards

<u>Street Type</u>	<u>Minimum ROW Width</u>	<u>Minimum Paving Width</u>
Alleys (When required)	20 Feet	17 Feet
Collector	70 Feet	44 Feet
Minor Arterial	80 Feet	48 Feet
Principal Arterial	100 ft, or as req. by the MSP	As required by the

		MSP
Cul-de-sac bulb/turn-around	130 Foot diameter	100 Foot Diameter

- B. The maximum allowable grade shall be 9 percent on all streets within the subdivision, or on a boundary street that provides access to lots within the subdivision.
- C. The property line radius at a street or alley intersection shall be a minimum of 50 feet, and if the angle of street or alley intersections is less than 90 degrees, the Planning Commission may require a greater radius.
- D. Street or alley intersections shall have at least a 50 foot radius. Where the angle of street or alley intersection is less than ninety degrees, the Planning Commission may require both a greater radius, and intersection design sufficient to accommodate turning movements of WB-50 vehicles.

12.4 Blocks. In general, proposed industrial parcels shall be suitable in area and dimension for the type of industrial development anticipated. The depth and width of industrial lots shall be adequate to provide for required off-street service and parking facilities except that minimum lot dimensions for industrial lots shall be 150 feet frontage by 200 feet depth. No such lots shall have a depth exceeding three times the width. Pipe-stem lots are expressly prohibited in industrial subdivisions.

12.5 Building Setback Lines. Building lines and setback lines shall be a minimum of 50 feet from all collector streets and a minimum of 70 feet from all arterial and expressway streets. The side and rear building lines shall be a minimum of 30 feet from all other property lines.

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

- A. Pavement width for collector streets shall be a minimum of 24 feet with 6 foot paved shoulders. These shoulders shall be designed to meet at least 75 percent of the design requirements for the pavement. A double surface treatment may be used for these shoulders.
- B. Open drainage ditches will be permitted at street rights-of-way or easements, provided they meet the following requirements:
 - 1. The side slopes shall commence a minimum of 4 feet from the edge of the paved shoulders.
 - 2. The side slope for both slopes of an earthen ditch shall be at a 3 to 1 or less slope. For concrete lined or ditches with riprap, a 2 to 1 slope is permissible with the approval of the Department of Public Works.

3. The maximum high water ditch elevation for designed capacity shall be a minimum of 6 inches below the bottom of the base of the paved shoulder.
4. Concrete head walls, riprap and/or flume type structures as required by the Department of Public Works shall be required for all underground facilities.
5. Bills of Assurance will require the adjoining property owners to mow and maintain the right-of-way and/or drainage easements adjacent to his property 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.
6. All required drainage ditches shall be designed for appropriate erosion control (such as sodding, ditch checks, riprap, ditch paving, or other accepted engineering practices.)

ARTICLE 13.

RESIDENTIAL SUBDIVISION

13.1 Rowhouse, Townhouse Lots. Submission of a plat creating lots for rowhouse, townhouse, or other similar type dwelling unit arrangements with side wall attachment 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 not be less than 20 feet in width nor less than 80 feet in depth. The multiple of the minimum width or minimum depth shall be such to produce a lot area of no less than 2,000 square feet. Subsequent building location for the proposed rowhouse or townhouse development as shown in the generalized site plan shall conform to the platted building lines shown on the approved final plat.

13.2 Zero-Lot-Line 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 40 feet wide nor 100 feet in depth with a minimum overall size of 4,500 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.

13.3 Lot Widths/Depths. No residential lot, in general, shall be more than 3 times as deep as it is wide, except a residential pipe stem lot. Nor shall any lot, except lots designated for townhouse use, average less than 100 feet in depth. Lot width shall be measured at the building line except in the case of lots abutting culs-de-sac where the average width of the lot shall be used.

13.4 Septic Tanks. 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 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. In addition to the State requirements the City of North Little Rock requires a minimum of 1 acre per residential lot.

13.5 Corner lots. Corner lots for residential use shall have a minimum width of 75 feet to accommodate a front yard building line on both streets and to increase traffic safety with greater visibility. Zero lot line developments may have a 55 foot width.

13.6 Pipe-stem-lots. Pipe-stem-lots may be permitted in residential subdivisions provided that the stem or narrowest part of such a lot shall not be less than 20 feet in width or have a length of more than 200 feet.

13.7 Lots Abutting Freeways or Expressways. In residential subdivisions where lots abut a freeway, expressway, or occupied mainline railroad right-of-way, such lots shall have an overall depth of not less than 175 feet or less if, in the opinion of the Planning Commission, proper separation of residences from adjacent thoroughfare or railroad line is provided.

13.8 Building Lines. Building lines for residential lots shall be at least 25 feet from each street property line except in the following circumstances: residential lots fronting on collector streets shall have a platted building line not less than 30 feet from the right-of-way lines; residential lots fronting on a minor arterial street shall have a platted building line not less than 35 feet from the right-of-way line; residential lots fronting on principal arterials or higher classifications shall have a platted building line not less than 40 feet from the right-of-way line.

13.9 Length of Blocks. Blocks in residential subdivisions shall not exceed 1,320 feet in length. Wherever practicable, blocks along arterial streets shall be not less than 1,320 feet in length.

13.10 Dimensions of Manufactured Homes Parks. The minimum area of a tract for a Manufactured Home Park shall be 8 acres. There shall not be more than 9 manufactured home spaces per acre in the manufactured home park.

13.11 General Requirements as to Site. Sites for development of residential developments shall be improved as hereinafter set forth.

- A. Physical character of the site shall be suitable for development in the manner proposed, without hazards to persons or property, on or off the site, from probability of flooding, erosion subsidence or slipping of soil, or other dangers, annoyances or inconveniences.
- B. Location must be in appropriate existing general land use zone.
- C. Developer must off-set any additional public expense involved in extending or expanding public utilities or facilities to serve the site.

13.12 Common Recreation Spaces. The Planning Commission may require common recreation spaces.

ARTICLE 14.

HILLSIDE REGULATIONS

14.1 General.

- A. The purpose of this article is to control excavation, grading, filling, hillside cuts, construction of retaining structures, and similar activities when conducted upon steep areas of the City.
- B. This article is intended to safeguard against activities which alone or in combination with other activities might tend to cause landslides, flooding, erosion, impairment of lateral support, or other sedimentation problems. These regulations are further intended to safeguard and preserve the scenic character and aesthetic quality of our City neighborhoods.
- C. This article is *not* intended to supersede any federal, state, or local regulation that imposes greater requirements for soil stabilization, beautification, environmental preservation, or safety.

14.2 Application and Exemption.

- A. This article shall apply to all excavation, grading, filling, hillside cuts, construction of retaining structures, and similar topographic alterations if such alterations are performed in an area where: (1) the slope is steeper than a vertical rise of 1 foot for each 4 feet of horizontal distance (referred to hereinafter as a “4:1 slope”) prior to the alteration; *or* (2) the final grade is steeper than a 4:1 slope between abutting lots or tracts of land.
- B. Hillside cuts or retaining structures less than or equal to five feet (5’) in vertical height are exempt from these regulations.

14.3 Determining Average Slope. No plat or Site Plan Review (SPR) containing any land steeper than a 4:1 slope shall be approved *unless* the average slope of each similarly sloped area within the plat or SPR *and* the average slope of the entire plat or SPR have been calculated as described herein and printed on the face of the proposed plat or SPR.

- A. **Calculations.** All slope calculations shall be performed by the developer and indicated on the plat or SPR at the time of submittal.
- B. **Average Slope of Areas within Plat or SPR.** The plat shall be divided into areas that have generally similar slopes. The outline of each of area and its average slope shall be indicated on the plat.
- C. **Average Slope of Plat or SPR.** The slopes of all areas shall then be totaled and divided by the number of areas to obtain the average slope for the entire tract. A single average slope figure shall apply to those areas that are steeper than a 4:1 slope.

14.4 Determining Minimum Lot Size and Maximum Number of Lots. No final plat with any average slope steeper than 4:1 shall be approved *unless* each lot meets the minimum size requirement found in this section *and* the total number of lots is equal to or less than the number authorized by this section.

- A. **Calculations.** All calculations relating to minimum lot size and number of lots shall be performed by the developer prior to the time of preliminary plat submittal.
- B. **Minimum Lot Size.** The minimum lot size shall be calculated to the closest 1,000 square feet for each area of similar slope (*refer to Subsection 14.3B*) through reference to the chart below. However, no lot within any area that is steeper than a 4:1 slope shall be less than 10,000 square feet in area.

Minimum Lot Size Requirement Based on Slope



- C. **Exceptionally Sloped Areas.** The minimum lot size for areas with an average slope steeper than 1.25:1 (meaning, a vertical rise of 1 foot of rise for every 1.25 feet of horizontal distance) shall be two acres.
- D. **Maximum Number of Lots.** The maximum number of lots shall be determined for each area of similar slope (*refer to Subsection 14.3B*) by multiplying the total size of each area by 0.72, and dividing the resulting product by the minimum lot size for the area as shown in the following formula:

$\frac{\text{Total size of area X } 0.72}{\text{Minimum lot size for area}} = \text{Maximum number of lots}$
--

14.5 Determining Minimum Buffer Requirements. No final plat with any average slope area that is steeper than 4:1 and located adjacent to property that is zoned residential or lawfully used for residential purposes shall be approved *unless* every Buffer required by this regulation, or other applicable City ordinance, has been increased by fifty percent (50%). Additionally, the Minimum Buffer shall be increased according to the width of any utility easement present within the Buffer as shown in the following formula:

$\begin{array}{ccccccc} \text{Normally} & & \text{50\% of} & & \text{Width of any utility} & & \text{Minimum} \\ \text{required} & + & \text{Normally} & + & \text{easement in Buffer} & = & \text{Buffer} \\ \text{Buffer} & & \text{required Buffer*} & & & & \text{Required} \end{array}$
--

**ONLY include for Buffers adjacent to residential.*

14.6 Preservation of Public Rights-of-Way. No final plat with any average slope steeper than 4:1 shall be approved *unless* adequate soil retention structures are required to protect public rights-of-way and easements, as determined by the City Engineer. Soil retention structures shall be constructed on private property to protect public rights-of-way and easements from possible erosion and slides, in a manner consistent with aesthetic standards in the area.

14.7 Front Yard Setbacks. In areas of a plat where the average slope is steeper than 4:1, the front yard setback may be reduced to fifteen feet (15').

14.8 "T" Turnarounds. In areas of a plat where the average slope is steeper than 4:1, "T" type turnarounds may be allowed on local streets in conjunction with uphill and downhill slopes in order to minimize disturbance of the site, so long as adequate vehicular access is provided to individual lots.

14.9 Height and Appearance Standards for Retaining Structures. Gravity, semi-gravity and non-gravity retaining walls shall be limited to ten (10) feet in height or to fifteen (15) feet if an architectural stone or approved finish treatment is included to protect the vertical face. Terraces shall be required for retaining walls greater than 15 feet in height. It is recommended that terracing be at a minimum ratio of 1 foot of horizontal terrace for every 2 foot of vertical surface.

14.10 Additional Plat & SPR Requirements for Hillside Modifications. In addition to all other development requirements, the regulations in this section shall apply to excavation, grading, filling, hillside cuts, construction of retaining structures, and similar topographic alternations when such alterations are performed in an area that is steeper than 4:1, also known as “Hillside Modifications.”

A. **Preliminary Plat & SPR Requirements.** In addition to the general requirements of a preliminary plat (*refer to Section 4.15*), any preliminary plat or SPR that includes any Hillside Modification shall include the following information:

1. Boundaries of any Hillside Modification.
2. Existing topography prior to the Hillside Modification.
3. Temporary topography while Hillside Modification is performed.
4. Final topography after Hillside Modification is complete.
5. Preliminary location of any retaining structures.
6. Plan showing all existing property owners adjacent to the proposed development.
7. Proof those property owners within two hundred feet (200') have been notified of the proposed Hillside Modification in writing prior to consideration by the Planning Commission.
8. Preliminary geotechnical engineering report.

B. **Final Plat & Replat Requirements.** In addition to the general requirements of a final plat (*refer to Section 5.11*), any final plat that includes any Hillside Modification shall include such information as is required for the preliminary plat (*refer to Section 14.10A*) and the following information:

1. Typical engineering cross-sections showing existing hillside slopes prior to, during, and after any Hillside Modification.
2. Final geotechnical engineering report.

C. **Engineering Review.** Prior to approval, the City Engineer shall review any plat or SPR which indicates a Hillside Modification to verify that the design complies with the safety standards of the Arkansas State Fire Prevention Code and the City of North Little Rock. The City Engineer will submit all comments to the Planning Department for consideration during plat approval.

14.11 Additional Plat & SPR Requirements for Hillside Modifications adjacent to

Residential Properties. In addition to all other development requirements, the regulations in this section shall apply to excavation, grading, filling, hillside cuts, construction of retaining structures, and similar topographic alternations when such alterations are performed in an area that is steeper than 4:1, also known as “Hillside Modifications,” and adjacent to property that is zoned residential or lawfully used for residential purposes.

A. **Preliminary Plat & SPR Requirements.** In addition to the general requirements of a preliminary plat and SPR (*refer to Section 4.15*), any preliminary plat or SPR that includes any Hillside Modification shall include the following information:

1. Boundaries of any Hillside Modification.
2. Existing topography prior to the Hillside Modification.
3. Temporary topography while Hillside Modification is performed.
4. Final topography after Hillside Modification is complete.
5. Preliminary location and description of any retaining structures.
6. Preliminary geotechnical engineering report.
7. Plan showing all existing property owners within four hundred feet (400') of the proposed development.
8. Proof those property owners within four hundred feet (400') have been notified of the proposed Hillside Modification in writing prior to consideration by the Planning Commission.

B. **Final Plat & Replat Requirements.** In addition to the general requirements of a final plat (*refer to Section 5.11*), any final plat that includes any Hillside Modification shall include such information as is required for the preliminary plat (*refer to Section 14.11A*) and the following information:

1. Proof that property owners within four hundred feet (400') have been notified of the proposed Hillside Modification in writing prior to consideration by the Planning Commission.
2. Typical engineering cross-sections showing existing hillside slopes prior to, during, and after any Hillside Modification. Maximum spacing between engineering cross-sections shall be 50'
3. Final geotechnical engineering report. For hillside cuts, geotechnical engineering reports must address short and long-term global stability,

internal and global stability of retaining structures, temporary erosion control, final erosion control, and proposed final re-vegetation.

- C. **Engineering Review.** Prior to approval of Plat or SPR, the City Engineer shall review any plat which indicates a Hillside Modification to verify that the design complies with the safety standards of the Arkansas State Fire Prevention Code and the City of North Little Rock. The City Engineer will submit all comments to the Planning Department for consideration during plat approval.

14.12 Legal Actions. Appropriate actions and proceedings may be taken at law or in equity to prevent any violation of the hillside regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation and to prevent occupancy of any building or structure related to illegal hillside cut activities.

14.13 Penalties. Any person found in violation of any rule found in this Article shall be punished by a fine of not less than \$100, nor more than \$1000, or, if such offense is continuous in nature, by a fine of not less than \$50, nor more than \$500, per day.

14.14 Waivers. Requests for waivers of any requirement found in this Article as interpreted by the Planning Commission may be made to the City Council, which shall be considered according to the criteria established for other waivers under this regulation (*refer to Section 1.12*).

14.15 Appeal Process. Appeals of any decision made under this Article may be made to a Court of Record having jurisdiction over the same.

ARTICLE 15. IMPROVEMENTS

15.1 Required Improvements. Every developer engaging in the subdividing and development of land as identified in this regulation shall be required to install, at his own expense, or to have installed by the appropriate public utility the following improvements:

15.2 Street Grading. Street grading shall conform to the following:

- A. All streets shall be cleared and graded as approved by the City Engineer. On streets with a right-of-way greater than 100 feet the extent of grading shall be as specified by the Planning Commission and approved by the City Engineer. On such streets, the Planning Commission may consult with the appropriate agency, regarding specifications for grading.
- B. Finished grades shall be at levels approved by the City Engineer or the appropriate agency.

15.3 Street Paving. Street paving shall conform to the following:

- A. Street paving widths shall be in conformance with the requirements set forth in this regulation, however, no developer shall be required to install a street width of more than 48 feet.
- B. Street pavements shall be installed according to standards adopted by this regulation and by the City Engineer.

15.4 Curbs and Gutters. Curbs and gutters shall conform to the following:

- A. Curbs and gutters shall be installed on all streets except as this regulation may direct.
- B. Installations shall be in accordance with standards adopted by the City Council.

15.5 Sidewalks. Sidewalks shall conform to the following:

- A. Sidewalks shall be installed per the requirements of this regulation and the Master Street Plan.
- B. Installation shall be in accordance with ADA standards and approved by the City Engineer.

15.6 Utility Lines – Water Supply. Water supply shall conform to the following:

- A. Where a public water supply is within a reasonable distance, the developer shall install or have installed a system of water mains and connect to such supply. A

connection to each lot shall be installed prior to the paving of the street.

- B. Where a public water supply is not available, each lot in a subdivision shall be furnished with a water supply system approved by the Arkansas Health and Human Services Department.

15.7 Utility Lines - Sanitary Sewage Disposal. The sanitary sewer system shall conform to the following:

- A. Where a public sanitary sewer is within 300 feet of any point of a subdivision, the developer shall connect with such sewer and provide a connection to each lot.
- B. Such sanitary sewerage system shall be installed prior to the installation of the street pavement.
- C. Where a public sanitary sewer is not accessible, an alternate method of sewage disposal for each lot, or a community sewage disposal system may be used when in compliance with the standards of the Health Department. If an NPDES permit is required, the developer shall present said permit to the Planning Commission for its information.
- D. In all Sections, the phrase “Every developer shall be required to install...” shall be interpreted to mean that the developer shall cause the improvements referred to herein to be installed, or whenever a septic tank and absorption system or private water supply is to be installed, that the developer shall require, as a condition of the sale of each lot or parcel in the subdivision, that those facilities shall be installed by the developers of the lots in accordance with these rules and regulations.

15.8 Storm Drainage. Storm drainage shall conform to the following:

- A. Every subdivision shall be served by storm drainage facilities including drains, sewers, catch basins, culverts and other facilities.
- B. All drainage facilities shall be so designed to serve the entire drainage area.
- C. All surface water drainage shall be transported to existing storm sewers or to drainage facilities approved by the City Engineer.
- D. Inlet spacing shall be at a maximum spacing of 500 feet.

15.9 Fire Hydrants. Fire hydrants shall be placed to meet the requirements of the Arkansas Fire Prevention Code. In a residential subdivision, hydrants are to be no more than 500 feet from a residential structure. Arkansas Fire Prevention Code requires closer spacings for commercial and industrial subdivisions.

15.10 Street Name Signs. Street name signs shall be placed on diagonally opposite corners of each street intersection in conformance with standards adopted by the City Traffic Engineer.

15.11 Street Lights.

- A. Residential Streets and Subdivisions - Street lights shall be installed at every intersection and spaced approximately at 200 foot intervals within the block. Street lights shall be installed within the street right-of-ways. Street lights within the block should be near the common, side yard lot lines.
- B. Commercial and Industrial Subdivisions - Street lights shall be installed at every intersection and spaced approximately at 200 foot intervals within the block. Street lights shall be installed within the street right-of-way.
- C. Payment - Street lights shall be at the cost of the developer with a plan designed by the NLR Electric Department. Developers are responsible for a set fee per street light installed. A bond may be provided allowing the delay of installation to expedite a building permit or the issuance of a final plat.
- D. Relocation – Any relocation of street lights shall be at the cost of the developer.

15.12 Electric Service.

- A. Residential Subdivisions – Electric service shall be installed underground unless NLR Electric Department deems otherwise. The developer will be responsible for opening and closing all trenches, and the Electric Department will install conduit, set transformers, secondary pedestals and install primary and secondary conductors. The Electric Department will install service conductors after standards are met and approved by City inspection. Contact the NLR Electric Department for a full set of standards.
- B. Commercial and Industrial Subdivisions - Contact the Distribution Design Department at NLR Electric for rules and regulations regarding these areas.
- C. Payment - Developers are responsible for a set fee per transformer base.

15.13 Monuments. Monuments shall conform to the following:

- A. Two NLR monuments shall be set per phase of any subdivision exceeding 4 lots as shown on the approved preliminary plat. These monuments may be cast in place or prefabricated and shall be of similar construction described as follows:
 - 1. Six-inch diameter steel reinforced concrete post set flush with ground.

2. Monument shall be a minimum of 30 inches in depth.
3. Steel reinforcement shall consist of a minimum of two 3/4 inch long and one-half inch diameter steel bars. Bars shall be driven a minimum of 6 inches into undisturbed soil.
4. A brass or aluminum survey cap, a minimum of 2 inches in diameter, shall be cast or grouted into the top of the concrete post. The following information shall be stamped into the survey cap.
 - a. A stamped "X" or "." to mark the precise location of the point.
 - b. Registration number of the surveyor in charge.
 - c. Monument number as assigned by City staff.

B. All lot corners and boundary corners other than those described above, shall be monumented according to the specifications outlined with the "Arkansas Minimum Standards for Property Surveys and Plats" and any amendment made thereto.

C. All street center line intersections and beginning and ending points of curves shall be monumented and shall be of a similar construction described as a 1/2 inch or larger diameter steel rebar, a minimum of 24 inches in length. The highest point shall be at least 1/2 inch below the surface of the asphalt roadway. For concrete roads, the monuments shall be flush with the finished roadway. Test bore hole may be used to set pin.

ARTICLE 16. ASSURANCE FOR COMPLETION OF IMPROVEMENTS

16.1 General. Upon final approval of construction plans for required improvements, the developer shall enter into an agreement with the City to install or ensure the completion of the improvements as outlined below. The City 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 developer to guarantee that improvements required by these regulations can or will be installed in accordance with approved plans and specifications.

16.2 Certificate of Completion of Improvements. The developer may submit for approval to the Department of Public Works 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.

16.3 Performance Bond. If the developer cannot certify that all improvements and installation in the subdivisions have been completed, a performance bond may be posted in favor of the City of North Little Rock. Such performance bond shall specify the time for the completion of the improvements and installations and shall be in an amount determined by the Engineer and agreed to by the Department of Public Works to be sufficient to complete the improvements and installations for the developer 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.

16.4 Cash Deposit. The developer may provide a cash deposit in a full amount as specified by the Engineer and agreed to by the Department of Public Works as sufficient to complete the improvements and installations required to comply with these rules and regulations.

16.5 Tri-Party Agreement. The developer 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, and
- 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 payments for completion of the improvements if the applicant becomes in default under the contract for improvements.

16.6 Plat Certification. When one of the 4 described mechanisms assuring completion of improvements has been executed, the staff shall sign the final plat. The plat may then be recorded. A copy of the recorded plat shall be provided to the Planning Dept.

ARTICLE 17. INSPECTION OF IMPROVEMENTS

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

17.2 Inspections. The Department of Public Works shall then inspect 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 Department of Public Works shall notify the subdivision engineer and contractor in writing of such defects, deficiencies or deviations. The developer shall, at his expense, correct such defects or deviations within 6 months of the date of notifications. When such defects, deficiencies or deviations have been corrected, the developer shall notify the Engineering Division in writing that the improvements are again ready for final inspection.

ARTICLE 18. MAINTENANCE BOND

18.1 Requirement. A 2 year maintenance bond shall be furnished by the Contractors to cover all construction and improvements in the public right of way. 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.

18.2 Methodology. Contractors shall furnish a Maintenance Bond to the Department of Public Works covering any defects in materials and workmanship for the required improvements installed by that Contractor in the amount of 50 percent of the total cost of those improvements. The bond(s) shall be in full force and effect for not less than 2 year from the date of the letter from the Department of Public Works 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 Department of Public Works.

ARTICLE 19. ACCEPTANCE OF PUBLIC FACILITIES, DEDICATIONS AND RECORDATION

19.1 Acceptance and Dedication. All public dedications of streets and public facility sites must be accepted by the City Council. Those improvements not completed as of the date of approval of the Final Plat shall be accepted as Public Facilities when the Engineering Division certifies that the construction has been approved, maintenance bonds furnished.

19.2 Recording with the Circuit Clerk. The final plat can be recorded only after the plat has received a Certification of Final Approval from the City of North Little Rock. Submittal for recordation to the Circuit Clerk shall be the developer's responsibility. The developer shall provide the Community Planning Department with copies of the recorded plat to be retained.

19.3 Notification of Recordation. No building permits may be issued until a copy of the recorded final plat with all recording information has been presented to the Department of Community Planning.

ARTICLE 20. ENFORCEMENT

20.1 Acceptance of Plats for Recordation. No plat of any tract of land within the planning area jurisdiction of the Planning Commission shall be accepted by the County Recorder for filing of record until the plat has been approved by the North Little Rock Planning Commission.

20.2 Duty of Enforcement. It shall be the duty of the Directors of Community Planning and Public Works to enforce these regulations and to bring to the attention of the City Attorney any violations or lack of compliance herewith.

20.3 Issuance of Building Permits. No building permit shall be issued for construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations.

20.4 Legal Actions. 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, to prevent illegal occupancy of a building, structure or premises.

20.5 Penalties. 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 fine them not less than \$25, nor more than \$500 for each offense or violation. If the violation is continuous in respect to time, the maximum penalty or fine shall not exceed \$250 for each day the violation may be unlawfully continued.