

ORDINANCE NO. 0-96- 10

AN ORDINANCE AMENDING THE CONWAY SUBDIVISION ORDINANCE TO ALLOW APPROVAL OF LOT SPLITS AND MINOR SUBDIVISIONS BY THE PLANNING DIRECTOR; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:

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

Section 1: That the Conway Subdivision Ordinance adopted by Ordinance 80-10 is hereby amended to add Article 7 which shall read as follows:

"ARTICLE 7  
LOT SPLITS AND MINOR SUBDIVISIONS

SECTION

7-1: Definition

7-2: Procedure

7-1: DEFINITION

This section of the land Subdivision Regulations is designed to expedite the platting and recording of minor subdivisions and lot splits but shall be permissive and not mandatory. By definition, a lot split is a subdivision which involves the dividing or redividing of a land area of one or more lots within not more than one (1) block of a recorded subdivision and which does not involve the dedicating, vacating, widening, narrowing, or change of alignment of any thoroughfare, street or alley or the vacating, narrowing or change of alignment of any easement and does not require the construction of any public streets or utilities. For the purpose of effectuating this section of the code, a subdivision is considered a "minor subdivision" when it contains four (4) or fewer lots and no streets, utilities, or other improvements are required to be made. The lot size and building setback requirements stated above in Article 4, Section 4-3 apply to lot splits and minor subdivisions.

7.2 PROCEDURE

.1 When a lot split or minor subdivision as defined above is involved, a subdivider shall prepare and submit to the Planning Director an application for approval of lot split or minor subdivision.

.2 The application shall not be accepted until the subdivider has paid the application fee set forth in Article 6, Section 6-2.

.3 The subdivider shall prepare the application as a Final Plat to include all information required in Article 2, Sections 2-1, 2-2 and 2-3, except none of the preliminary certificates are required and the Certificate of Final Plat Approval will be signed

by the Conway Planning Director. Three (3) copies shall be submitted for initial review. After final approval and filing of the plat, a reproducible mylar shall be submitted to the Planning Department. All other requirements shall be the same as those in Articles 3 and 4.

.4 The Planning Director is hereby authorized to review the application for approval of a lot split or minor subdivision and provide approval. The Planning Director shall inform the full Planning Commission at the next regular meeting that approval has been granted to the lot split or minor subdivision.

.5 Approval or disapproval of lot splits and/or minor subdivisions shall be given based on the following guidelines:

No new street or alley is required.

No vacation of streets, alleys, setback lines, access control or easements is required or proposed.

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

There is adequate street right-of-way as required by this Subdivision Ordinance and the master street plan.

All easement requirements have been satisfied.

All lots created by such split shall have direct access to a public street according to the provisions of this Subdivision Ordinance.

No substandard lots or parcels shall be created."

**Section 2:** That all ordinances in conflict herewith are repealed to the extent of the conflict.

**Section 3:** That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 13<sup>th</sup> day of February, 1996

APPROVED:

Harold A. Finley  
Mayor

ATTEST:

Maitha Hartwick  
City Clerk