

**ORDINANCE NO. 137**

**AN ORDINANCE ESTABLISHING A MORATORIUM  
ON APPROVAL OF ANY SUBDIVISIONS, OR LOT SPLITS,  
WITHIN THE CORPORATE LIMITS AND PLANNING AREA OF THE  
CITY OF GOSHEN, ARKANSAS; AND TO DECLARE AN  
EMERGENCY AND FOR OTHER PURPOSES**

WHEREAS, the City Council of the City of Goshen desires to study the subdivision regulations and the manner in which they are currently being construed and implemented;

WHEREAS, the City Council seeks to ensure that no development occurs that would subject the City and its citizens to development that would not preserve and promote a wholesome, serviceable, and attractive community, and generally tend to diminish the well-being of the City and its residents; and,

WHEREAS, it is the desire of the City of Goshen to preserve the status quo of development within the corporate limits of the City and its planning area for the above purposes, until such time as the City Council can complete its study and enact revisions to the subdivision ordinances, rules, and regulations.

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

1. That a moratorium on the approval of lot splits, subdivision plats, or large scale development, within the corporate limits and planning area of the City of Goshen shall be in effect for a period of thirty-five (35) days following the date of the enactment of this Ordinance, and that the Planning Commission of the City of Goshen, its chair, or the Mayor shall not take any further actions to consider lot splits, subdivision plats, or large scale development, during such time.

2. That the moratorium period as established in this Ordinance may be extended if, at the expiration of such period, the Council still sees a need because the revisions to the subdivision ordinances, rules, and regulations for the City and its planning area. If not extended, this Ordinance shall expire on midnight of the 35<sup>th</sup> day after its enactment.

3. That Lot line adjustments as defined in the Subdivision Regulations shall not be affected by this moratorium and may be considered as well as approved if all requirements are met.

4. **EMERGENCY CLAUSE:** Market conditions have caused an increase in real estate sales and the result is that there is more expressed interest in lot splits, subdivisions and such related activity. But it is recognized by the Council that there are some shortcomings in the

current framework related to all types of subdivision of land within the City's corporate limits and its planning area. It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.


PASSED AND APPROVED this 12<sup>th</sup> day of September, 2017

  
\_\_\_\_\_  
Max Poye, Mayor

ATTEST:

  
\_\_\_\_\_  
Sharon Baggett, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Charles L. Harwell, City Attorney

**ROLL CALL**

Names Of Those Voting YEA

Paula Anderson  
Andy Bethell  
Brian Buell  
Cathy Oliver

Names Of Those Voting NAY

Absent

Dick Seddon  
Lanny Samuels

**ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE**

Names Of Those Voting YEA

Paula Anderson  
Andy Bethell

Names Of Those Voting NAY

Brian Buell  
Cathy Oliver

Absent  
Dick Seddon  
Lanny Samuels