

ORDINANCE NO. 65

**AN ORDINANCE AMENDING ORDINANCE 61,
TO DECLARE AN EMERGENCY, AND FOR OTHER PURPOSES**

WHEREAS, the City Council of Goshen, by Ordinance No. 61, did amend ordinances 34 and 57 and did adopt the document known as the City of Goshen Subdivision Regulations; and

WHEREAS, after due notice as required by law, the Goshen Planning Commission has heard all persons desiring to be heard regarding the amendments contained herein; and

WHEREAS, all comments, views, suggestions and recommendations have been considered and addressed, and minor changes made as deemed appropriate; and

WHEREAS, after conducting its public hearing in accordance with law, the Goshen Planning Commission reviewed the attached amendments and made certain recommendations regarding them to the City Council.

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

SECTION 1: That the document entitled: "City of Goshen Subdivision Regulations" adopted by Ordinance No. 61 on December 13, 2005, is amended as reflected in the attached Amendment 4 to Goshen Subdivision Regulations. All provisions of the regulations unchanged by this Ordinance are readopted, but the effective date of those provisions shall be unaffected hereby.

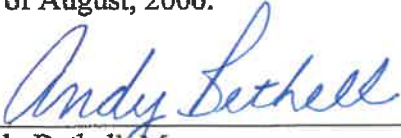
SECTION 2: That the City Attorney and Recorder are directed to include the above referenced amendments into the current subdivision regulations and incorporate them into the document known as the "City of Goshen Subdivision Regulations" and shall also reflect the effective date of this Ordinance.

SECTION 3: That all regulations and ordinances adopted and in effect prior to the effective date of this Ordinance, are amended as necessary to give effect to this ordinance.

SECTION 4. EMERGENCY CLAUSE: Because of the confusion that has existed in the subdivision regulations regarding minor subdivisions and lot splits and because the current ordinance does not make explicit provision for lot line adjustments, therefore making it very difficult for the citizens of Goshen to correct errors in their boundary lines, it is viewed that an immediate solution is necessary thereby creating an emergency. 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 8th day of August, 2006.




Andy Bethell, Mayor

ATTEST:



Fara Ferguson, City Recorder

APPROVED AS TO FORM:



Charles Harwell, City Attorney

ROLL CALL VOTE ADOPTING THE ORDINANCE

Names Of Those Voting YEA

Names Of Those Voting NAY

Poye
Boyd
Benson
Seddon

Absent

Meek
Huskey

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names Of Those Voting YEA

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Absent

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AMENDMENT 4 TO GOSHEN SUBDIVISION REGULATIONS

1. Delete Section 2-3 and in its place insert the following language:

Sec. 2-3. Lot splits and lot line adjustments.

- (a) Lot split. A property owner seeking to accomplish a lot split shall make application and pay the required fee. A lot split request shall include a survey with a legal description and a scaled drawing of the parcel being split, showing dimensions of the new parcels created and shall include all rights-of-way and easements required for utilities and drainage. A lot split shall not be permitted if it seeks to divide a tract of land into more than four tracts. A property owner may not seek successive lot splits so as to avoid compliance with the subdivision regulations. No more than two (2) such splits in eighteen months shall be allowed before the property owner shall be required to apply for preliminary and final plat approvals for a subdivision. No parcel resulting from a lot split shall be less than the minimum area required by ordinance. Lot splits shall be processed in an expedited manner by considering sketch, preliminary, and final plat approval or disapproval at the same meeting. The developer shall be required to fulfill all regulations of this chapter that shall apply.
- (b) Lot line adjustment. A lot line adjustment is the adjustment of the boundary line between adjacent property owners. The result of the transfer shall not cause either the receiving tract or the tract from which it is taken to be below the minimum lot area standard within the City unless the current lot size of affected lots are already less than minimum lot area, in which case, the lot line adjustment shall only be permitted to correct errors in survey, building placement which created insufficient yard area, set back issues, or any other circumstances of a similar nature.

2. Delete Section 2-5 and in its place insert the following language:

Sec. 2-5. Schedule of fees.

The fees to be charged for various provisions of the subdivision regulations shall be those as set by the Goshen City by ordinance as it may be amended from time to time.