

City of Sherwood

Control of Development and Subdivision of Land

Rules and Regulations

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Updated as of April 6, 2020

Amended by the following ordinances

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Table of Contents

SECTION 1: Purpose. Authority and Jurisdiction.....	1
1.1. Purpose	1
1.2. Authority	1
1.3. Jurisdiction and Application	1
SECTION 2. Definitions.....	3
SECTIONS 3. Procedural Requirements	6
3.1. Pre-Application Consideration	6
3.2. Application for Certificate of Preliminary Plat Approval.....	6
3.3. Approval of the Preliminary Plat.....	6
3.4. Application for Approval of the Final Plat	7
3.5. Approval of the Final Plat.....	7
3.6. Lot Splits	8
3.7. Vacation of Plats.....	9
SECTION 4. Plat Specifications.....	10
4.1. Preliminary Plat Application Specification	10
4.2. Final Plat Application Specifications	12
4.3. Plat Certificates	14
4.4. As-Built Drawings.....	15
SECTION 5. Types of Subdivisions.....	17
5.1. General	17
5.2. Purpose and intent of each subdivision type	17
SECTION 6. General Principles	18
6.1. Suitability of the Land	18
6.2. Adequacy of Public Facilities and Services.....	18
6.3. Access	18
6.4. Conformance of Rules and Regulations	18
6.5. Street and Subdivision Names	18
6.6. Large Tracts or Parcels	18
6.7. Large Scale Developments	18
6.8. Modifications	19

SECTION 7. Design Requirements.....	20
7.1. Streets	20
7.2. Blocks	30
7.3. Lots.....	30
7.4. Easements	31
7.5. Sidewalks.....	31
7.6. Storm Drainage	32
7.7. Street Lights	32
7.8. Commercial/Office Subdivisions	32
7.9. Industrial Subdivisions	34
7.10. Mobile Home Park Subdivisions.....	35
SECTION 8. Improvements	38
8.1. Required Improvements	38
8.2. Recommended Improvements	40
SECTION 9 Assurance for Completion and Maintenance of Improvements	41
9.1. Enforcement	41
9.2. Completion of Improvements	41
9.3. Performance Guarantee.....	41
9.4. Cash Deposit.....	41
9.5. Maintenance Bond	42
9.6. Inspection of Improvements	42
SECTION 10 Fees	43
SECTION 11. Administration	43
SECTION 12. Penalty	43
SECTION 13. Adoption	43
SECTION 14. Title	43
SECTION 15. Severability.....	43

SECTION 1: Purpose. Authority and Jurisdiction

1.1. Purpose

These rules and regulations are intended to serve the following purposes.

- A. To secure equitable handling of all subdivision plans by providing uniform procedures and standards for observance both by subdividers and the Commission.
- B. To protect and provide for the public health, safety and general welfare of the municipality.
- C. To guide the future growth and development of the municipality in accordance with the municipal plan.

1.2. Authority

These regulations are adopted pursuant to the authority granted by Act 186 of the 1957 General Assembly of the State of Arkansas as amended and other applicable laws. The Sherwood Planning Commission shall exercise the power and authority to review, approve and disapprove plats for subdivisions and improvements in accordance with these regulations.

1.3. Jurisdiction and Application

It is hereby declared to be the policy of the City of Sherwood to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the City pursuant to the Municipal Plan, Master Street Plan and other applicable plans 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 jurisdiction. These regulations and development standards shall apply as follows:

- A. Any subdivider of land within the Planning Area jurisdiction shall submit to the Commission plats of the subdivision and plans for indicated improvements according to these regulations. 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 (2) 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.
- B. No subdivider proposing to make or have made a subdivision within the territorial jurisdiction shall proceed with any construction work on the proposed subdivision before obtaining a Certificate of Preliminary Plat Approval, and shall not convey title to any lot or lots or record the plat of the subdivision or any part thereof before obtaining from the Commission a Certificate of Final Plat Approval and acceptance of the plat.
- C. Divisions or platting of a tract or parcel of land into one or more lots, building sites, or other divisions for the purpose of sale or building development, whether immediate or future, shall be considered a subdivision and subject to this ordinance. Parcels of land where a portion of the tract is planned for development or lot division shall be required a preliminary plat the parcel of land (10 acres or less) to the Sherwood Planning Commission. The remaining developmental tract shall be platted through a final plat.¹
- D. 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.

¹ Section C amended by Ordinance 1486, adopted August 28, 2000

- E. Large scale development involving the construction of one (1) or more buildings, together with necessary drives and access ways, which is not subdivided into customary lots, blocks and streets 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 had been given.
- F. A replat of a single-family residential subdivision may be approved by the City Engineer; provided the replat is minor in nature and contains no more than two (2) lots containing less than ten (10) acres. It must meet all requirements of subdivision and zoning regulations, contain all required public improvements and does not require any waiver or variances from the subdivision regulations. The replat must be placed on the Planning Commission agenda as an informational item following the approval.²
- G. No building permits shall be issued for development of the site until the plat has been filed for record.³

² Adopted by Ordinance 917, adopted February 26, 1990. The ordinance did not specify where in the regulations the amendment was to be placed.

³ Added by Ordinance 1047, adopted May 26, 1992. The ordinance directed it to be added as Section 1.3.F., but that position had already been taken as a result of Ordinance 917.

SECTION 2. Definitions

As used in these rules and regulations, words in the present tense include the future: words in the singular include the plural number, and words in the plural include the singular: the word "building" includes the word "structure": the word "shall" is mandatory and not directory.

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

- A. Alley - A minor permanent public serviceway which is used primarily for vehicular service access to the back of the side of properties otherwise abutting on a street.
- B. Bill of Assurance -A legal document specifying the covenants and restrictive conditions applicable to a particular property.
- C. Block - An area of land surrounded by public highways, streets, streams, railroad rights-of-way, parks, or other similar areas or facilities.
- D. Building Line - A line within a property which establishes the minimum, horizontal distance to be provided between a building and the adjacent property line or the street right-of-way line.
- E. City - The City of Sherwood, Pulaski County, Arkansas.
- F. City Clerk - The City Clerk or his/her designated representative of the City of Sherwood, Arkansas.
- G. Commercial Subdivision -All divisions of a tract or parcel of land into two (2) or more buildings sites for commercial uses as defined in the Zoning Ordinance.
- H. Commission -The Sherwood Planning Commission.
- I. County -Pulaski County, Arkansas.
- J. Cul-de-sac -A short street having one end open to traffic and being permanently terminated within the plat by a vehicular turnaround.
- K. Development of Land -The development of land includes, but is not limited to the provision of access to lots and parcels, and the parceling of land resulting in the need for access and utilities.
- L. Easement -A grant by the property owner for the use by the public, a corporation, or persons of a strip of land for special purposes.
- M. Engineer - Engineer refers to a registered professional engineer in good standing in the State of Arkansas whose seal shall appear on all construction drawings and plans for improvements.
- N. Final Plat -A finished drawing showing completely and accurately all legal and engineering information and certification necessary for recording, and must be accompanied by a Bill of Assurance.
- O. Floodplain -A geographic area susceptible to periodic inundation from overflow of natural waterways and determined as to extent by the National Flood Insurance Program as adopted by the City of Sherwood.
- P. Frontage Road -A street parallel to and adjacent to a major highway or thoroughfare, which provided access to abutting properties.
- Q. Health Department -The Pulaski County Health Department, or the Arkansas State Board of Health, whichever has jurisdiction.
- R. Improvements -Street pavement, sidewalk pavement, pedestrian way pavement, water mains, storm sewers, sanitary sewers, signs, monuments, landscaping, street lights, and other similar items.

- S. Improvement Plans -The engineering drawing showing types of materials and construction details for the physical structures and facilities excluding dwelling units to be installed in conjunction with the developments of the subdivision.
- T. Industrial Subdivision -All divisions of a tract or parcel of land into two (2) or more building sites for industrial uses as defined in the Zoning Ordinance.
- U. Lot - A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development.
- V. Lot, Corner -A lot abutting upon two (2) or more streets at their intersection.
- W. Lot. Through -A lot other than a corner lot abutting upon two (2) or more streets.
- X. Lot Split -The dividing or re-dividing of a lot or lots in a recorded plat of a subdivision into not more than two (2) tracts according to the criteria established within these regulations.
- Y. Mobile Home Space -An area of land obtained by purchase or rental for placement of a mobile home.
- Z. Municipal Plan -The complete plan, or any of its parts, for the development of all or part of the territorial jurisdiction area as adopted in accordance with the Arkansas Statutes as is now or may be hereafter in effect.
- AA. Performance Guarantee -Any security which may be accepted in lieu of a requirement that certain improvements be made before the Planning Commission approves a final plat, including performance bonds by subdivider or improvement contractors, escrow agreements, and other similar collateral or surety agreements.
- BB. Pipe Stem Minimum Lot Width - A minimum lot width of twenty feet at the street frontage is required for pipe stem lots. The building setback lines shall include a minimum width of sixty (60) feet for the front building line while the rear setback line shall be twenty-five (25) feet and the side yard setbacks shall be calculated as described within Ordinance 729. Pipe stem lots with frontage less than one-half (60) feet at the street shall be responsible for access available for emergency services; responsible for providing sanitation cans at the street as well as other household waste and yard waste. Each house within a pipe stem lot shall comply with the driveway regulations.
- CC. Planning Commission -The Sherwood Planning Commission of the City of Sherwood, Arkansas.
- DD. Plat - A map or chart indicating the subdivision or re-subdivision of land, intended to be filed for record.
- EE. Preliminary Plat -A drawing, which shows the proposed layout of a subdivision in sufficient detail to indicate unquestionably its workability. It is not in final form for recording and the details are not completely computed.
- FF. Public Open Space - Land which may be dedicated or reserved for acquisition for general use by the general public. It includes parks, parkways, recreation areas, school sites, community or public building sites, and public parking space.
- GG. Roadway Width or Surfaced Width - Roadway width or surfaced width refers to that portion of the street available for vehicular traffic, and where curbs are laid, the portion between curbs.
- HH. Staff - The employees of the City of Sherwood, including the City Engineer and/or the Planning Commission.
- II. Street - A dedicated right-of-way for vehicular traffic which affords the principle means of access to abutting property.
- JJ. Subdivider or 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 subdivider.

- KK. Subdivision - Any division of a lot, tract or parcel of land either by platting or by metes and bounds into two (2) or more lots or parcels for purpose of transfer of ownership or development, including the combination or recombination of two (2) or more previously platted lots.
- LL. Territorial Jurisdiction - All land lying within the corporate limits of the City of Sherwood and that area included by the planning area map filed with the County Recorder in accordance with Arkansas Statute Act 186 of 1957.

SECTIONS 3. Procedural Requirements

3.1. Pre-Application Consideration

Whenever any subdivision of a tract of land is proposed to be made, the subdivider 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 subdivider as to the proposed layout and type of development.

Whenever said subdivision falls within the city's extraterritorial 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. No fees shall be collected for Pre-Application Consideration, the purpose of being to acquaint the subdivider with city and county plans and policies in effect that would be significant to the proposed subdivision.

3.2. Application for Certificate of Preliminary Plat Approval

- A. Whenever any subdivision of a tract of land is proposed to be made, the subdivider shall first submit to the staff, at least twenty-eight calendar days prior to the meeting at which the plat is to be considered. The Planner and City Engineer will review the plat and write comments to the Project Engineer fourteen (14) days before the Planning Commission meeting and the corrected plat will be returned to the City Engineer seven days before the Planning Commission meeting. The application for a certificate of Preliminary Plat Approval which shall consist of:
 - (1) a letter of request;
 - (2) plats, plans and data as specified in Section 4.1, concerning existing conditions within the site and its vicinity and which shall convey the intentions of the subdivider as to the proposed layout and type of development;
 - (3) a receipt from the City Collector acknowledging payment of a filing fee, as described in Section 9.

3.3. Approval of the Preliminary Plat

- A. Upon receipt of an application for a Certificate of Preliminary Plat Approval, the staff shall check the plat as to its conformity with the Comprehensive Development Plan, Master Street Plan, Land Use Plan, Flood Plain Regulations, zoning districts, and the rules and regulations set forth and referred to herein.
- B. After staff perusal, the preliminary plat and data shall be transmitted to the commission within seven (7) calendar days of its receipt, with the staff's written recommendations. A copy of the staff's written recommendations shall also be transmitted to the developer's engineer at this time.
- C. All preliminary plats shall be reviewed by the Planning Commission at its regular monthly meeting or special called meeting.
- D. The subdivider shall be notified as soon as possible as to the Commission's approval or disapproval of plat.
- E. The Commission shall indicate approval of the preliminary plat with the issuance of a Certificate of Preliminary Plat Approval.
- F. After changes have been made as suggested, a disapproved preliminary plat may be:
 - (1) re-submitted to the staff, or

(2) carried to the Commission for its direct action at its next regular meeting.

G. Three (3) copies of the approved preliminary plat shall be retained in the Commission's files and one (1) copy endorsed with the Certificate of Preliminary Plat Approval shall be returned to the Subdivider.

H. Approval of a preliminary plat shall be governed by the following qualifications:

- (1) Approval of the Preliminary Plat is tentative pending submission of the Final Plat. The approval is effective and binding upon the Commission for a period not to exceed eighteen (18) months, and thereafter expire and become null and void except to the extent that work on the subdivision has progressed. An extension, not to exceed twelve (12) months, for preliminary plat approval may be granted by the Commission.
- (2) Approval of the Preliminary Plat does not constitute approval of sewer, water or utility improvement plans. The subdivider shall provide copies of letters of response from the appropriate persons and/or agencies as follows:
 - (a) Streets and Drainage - Staff;
 - (b) Water -Staff;
 - (c) Sanitary Sewer -Staff, North Little Rock Sewer Commission, Sherwood Sewer Commission, Arkansas Pollution Control and Ecology, and Arkansas State Department of Health or whichever has jurisdiction;
 - (d) Private Utilities -Staff or other appropriate utility companies that serves the Sherwood area.

It shall be the staff's responsibility to review all engineering improvement plans and specifications and submit recommendation in writing to the Commission and Subdivider.

I. Receipt by the subdivider of the executed Certificate or Preliminary Plat Approval is authorization to proceed with:

- (1) The preparation of any necessary plans and specifications and after staff approval the installation of improvements.
- (2) The preparation of the Final Plat or part thereof as specified in Section 4.2 and 4.3.B.

3.4. Application for Approval of the Final Plat⁴

A. Whenever the provisions of these rules and regulations have been complied with and while the Certificate of Preliminary Plat Approval is in effect, the subdivider may submit to the Commission or City Engineer an application for review and approval of the Final Plat which shall consist of:

- (1) A letter of application requesting review and final approval of the plat.
- (2) The final Plat and other documents as specified in Section 4.2 and 4.3.B.

3.5. Approval of the Final Plat

A. Whenever a final plat has been submitted to the Commission or City Engineer which is in substantial conformity with an approved preliminary plat and the provisions of Section 4.2 and 4.3.B., the Commission shall require a Certificate of Completion submitted by the subdivider and approved by the staff. The

⁴ Ordinance 1489, adopted August 28, 2000, added in part "the subdivider may submit to the Commission or City Engineer an application for review and approval of the Final Plat..."

Certificate of Completion shall certify that:⁵

- (1) All improvements and installations to the subdivision have been made according to the plans and specifications approved by the Planning Commission, or
- (2) A performance guarantee acceptable to the Planning Commission has been posted with the City Clerk in sufficient amount to assure the completion of all required improvements.

B. If the Final Plat is disapproved, the applicant shall be notified in writing within five (5) working days and the reasons therefore shall be enumerated.

C. The Commission or City Engineer shall execute a Certificate of Final Plat Approval only after receipt of the Certificate of Completion (see "A" above).⁶

D. Upon recording of the approved Final Plat, a reproducible copy (copy print) of the Final Plat with all certificates endorsed shall be returned to the Commission for its files.⁷

E. Upon completion of the installation of the improvements required by these rules and regulations, the subdivider shall present to the staff one complete set of the plans and specification (as built) showing the subdivision and its improvements. This set of plans and drawings shall include:

- (1) Plans of all streets and alleys showing the easements of all utilities.
- (2) A letter submitted by a Registered Professional Engineer certifying that all installations have been made in accordance with the approved plans and specifications and the standards established by the City and/or the County, and are functioning properly.

F. The subdivider may, and in conformance with the Provisions of Section 4.2 and 4.3.B of this ordinance, seek final approval for only a portion of the property for which preliminary plat approval was granted. The Planning Commission may require that the performance guarantee 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. No terminal streets shall be constructed without the benefit of a temporary turn-around or cul-de-sac (see Section 7.1.N).

3.6. Lot Splits

- A. General Intent and Definition - The Planning Commission hereby delegates to and designates to the staff the authority for approving or disapproving lot splits where a single lot, tract or parcel is being split into two (2) lots of equal or equivalent size. Such authority shall be exercised in accordance with the following regulations.
- B. Applications of Procedure -request for lot split approval shall be made by the owner of the land to the Office of the City Planning. Four (4) 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, four (4) copies of a survey of the lot (s) and the location of the structure (s) thereon, together with the precise nature, location and dimensions of the split, shall accompany the application.
- C. Approval Guidelines -Approval or disapproval of lot splits shall be given based on the following guidelines:
 - (1) No new street or alley is required.

⁵ Ibid. Added in part "Whenever a final plat has been submitted to the Commission or City Engineer..."

⁶ Ibid. Added in part "The Commission or City Engineer shall execute a Certificate of Final Plat Approval..."

⁷ Ibid. Added in part "Approval of the Final Plat by the Commission or City Engineer..."

- (2) No vacation of streets, alleys, setback lines, access control or easements is required or proposed.
- (3) Such action will not result in any significant increases in public service requirements, nor will interfere with maintaining existing public services levels.
- (4) There is adequate street right-of-way as required by these regulations and the Master Street Plan.
- (5) All easement requirements have been satisfied.
- (6) Both lots created by such split shall have direct access to a public street according to the provisions of this regulation.
- (7) No substandard sized lots or parcels shall be created.
- (8) Such action will not result in a lot being split into more than two-(2) tracts.

D. Approval - The staff shall, in writing, either approve, conditionally approve, or disapprove the proposed lot split within thirty (30) days of application. If approved, and after all conditions have been met, the staff signs and furnishes a certified copy thereof and it shall be submitted by the applicant for recordation with the Circuit Clerk. One (1) copy of the final recorded plat shall be furnished by the applicant to the Office of City Planning.

E. Plat Specifications -The final plat for minor subdivision or lot-splits shall be prepared on accepted tracing material or mylar film at a scale of one inch = one hundred feet (1 "- 100') or larger and shall conform to all requirements for submission of a regular final plat as outlined in Section 4.

F. Fees -No fees shall be required for submittal of lot splits.

3.7. Vacation of Plats

- 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. Vacation of a plat shall be subject to the approval of the City Council. The City Council may reject any proposed plat vacation, which abridges or destroys any public rights in any public use areas, improvements, streets or alleys.
- B. Upon recordation, such vacation shall have the effect of divesting the public of all rights in the streets, alleys, public area, and dedications laid out for describing in such plat.
- 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.

SECTION 4. Plat Specifications

4.1. Preliminary Plat Application Specification

The following materials and information shall be required for all preliminary plats:

- A. Application Form -A subdivision application form) providing the following information shall be completed by the applicant and submitted to the staff.
 - (1) Proposed name of subdivision.
 - (2) Proposed type of subdivision.
 - (3) Name and address of owner of record.
 - (4) Source of title giving deed record book and page number, or instrument number.
 - (5) Name and address of subdivider.
 - (6) Linear feet in streets.
 - (7) Average size of lots, minimum lot sizes and number of lots.
 - (8) Location of the tract by legal description giving acreage to the nearest one-tenth (1/1 0) of an acre.
 - (9) Existing and proposed covenants and restrictions.
 - (10) Source of water supply.
 - (11) Sewage Disposal -Where sewage disposal is to be accomplished by extending existing sewer lines, this circumstance shall be indicated.
 - (12) Lot areas in square feet shall be shown when required by the staff if septic tanks are to be used.
 - (13) Any additional information that the subdivider wishes to bring to the attention of the staff and Commission.
- B. Vicinity Map – The vicinity map shall cover an area within a radius of one (1) mile of the proposed subdivision at a scale of one-inch equals two thousand feet (1" =2,000'). The drawing shall generally locate arterial streets, highways, section lines, railroads, schools, parks, and other significant community facilities; and, if possible, shall be incorporated on the preliminary plat.
- C. Preliminary Plat –A scaled drawing prepared by a professional surveyor or professional engineer showing the site to be platted shall be provided as a paper and electronic submission. The electronic submission shall include digital drawings in Adobe PDF format and Autodesk .DWG file format or ESRI shapefile/geodatabase format with all data organized in a layering system and conveyed as points, polylines, and polygons. The applicant shall provide metadata for the information as a key describing the layering system. The drawings shall be in State Plane Arkansas North Zone coordinates, with the datum being North American Datum 1983 with units as feet. Both the electronic and paper submissions shall include including the following:⁸
 - (1) Contour intervals to sea level datum shown at intervals of not more than two (2) feet when the slope is less than four (4) percent and not more than five (5) feet when the slope is greater than four (4) percent.

⁸ Revised by Ordinance 2195, adopted 3/26/ 2018

- (2) Proposed design including streets and alleys with proposed street names, lot lines with approximate dimensions, service easements, land to be reserved or dedicated for public uses, and land to be used for purposes other than residential.
- (3) Minimum building front yard setback lines for commercial, industrial, mobile home parks, and residential subdivisions, and all setback lines for zero lot-line apartment and townhouse development.
- (4) Natural features within and surrounding the proposed subdivision including drainage channels, bodies of water, wooded areas, and other significant features. On all water courses leaving the tract, the direction of flow shall be indicated, and for all water courses entering the tract the drainage area above the point of entry shall be noted.
- (5) 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 a not less than one (1) in ten (10) year rainfall.
- (6) Date of survey, north point and graphic scale.
- (7) Any portion of property within the 100-year floodplain, based upon the most recent available calculations of the National Flood Insurance Program.
- (8) Cultural features within and immediately surrounding the proposed subdivision including existing and platted streets, bridges, culverts, utility lines, all easements, park areas, structures, city and county lines, section lines, and other significant information.
- (9) Names of recorded subdivisions abutting the proposed subdivision and when required by the staff, the plat book and page number or instrument number.
- (10) Names of owners of unplattd tracts abutting the proposed subdivision and the names of all owners of platted tracts in excess of 2.5 acres.
- (11) Boundary lines of the tract indicated by a heavy line giving dimensions and all bearings.
- (12) Zoning classifications within the plat and abutting areas if applicable.
- (13) Plat note indicating direction and linear feet along street with most direct access to nearest fire hydrant and size of water line supplying hydrant.⁹
- (14) Other information as may be required by the City Engineer.¹⁰
- (15) Proposed locations of street lights¹¹

D. Engineering Analysis

- (1) 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 at one hundred (100) foot station as follows: on a line at right angles to the center line of the street, and said elevation points shall be at the center line of the street, each property line and points twenty-five (25) feet inside each property line.
 - (b) Street profiles showing existing and proposed elevations along center lines of all roads drawn at a

⁹ Added by Ordinance 1160, adopted April 25, 1994.

¹⁰ Ibid

¹¹ Added by Ordinance 475, 9/28/1981, Section 2.A., but inadvertently left out of Ordinance 2195 (missed because it had not been updated in the hard-copy book used to compose Ordinance 2195)

horizontal scale of one hundred (100) feet to the inch and a vertical scale of ten (10) feet to the inch, or as otherwise allowed by the City Engineer. Where required, such profiles shall be prepared by an engineer registered to practice in the State of Arkansas,

(2) Floodplain Analysis -Where a portion of a plat suspected to be flood plain, and the National Flood Insurance Program information is not available, an engineering analysis shall be required by the Planning Commission. Such analysis shall determine to the best of the engineer's ability a safe building line and shall be clearly and legibly drawn on the preliminary plat.

E. Miscellaneous

(1) Fees -Filing fees for preliminary plats shall be those established by passage of these regulations by the Sherwood City Council.

(2) Bills of Assurance -A draft of any bill of assurance proposed for the subdivision generally describing proposed covenants and restrictions and conditions applicable to a property shall be submitted for review at the time of the preliminary plat review.

4.2. Final Plat Application Specifications

A. Submission for certification of final plat approval shall consist of the document plus a sufficient quantity of copies to supply each member of the Commission or City Engineer with a copy. Only one (1) copy needs to show the executed certificates as specified later in this section.¹²

B. Final Plat – A scaled drawing prepared by a professional surveyor or professional engineer showing the site to be platted shall be provided as a paper and electronic submission. The electronic submission shall include digital drawings in Adobe PDF format and Autodesk .DWG file format or ESRI shapefile/ geodatabase format with all data organized in a layering system and conveyed as points, polylines, and polygons. The applicant shall provide metadata for the information as a key describing the layering system. The drawings shall be in State Plane Arkansas North Zone coordinates, with the datum being North American Datum 1983 with units as feet.¹³

C. The Final Plat shall substantially conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the subdivider purposes to record and develop at anyone (1) time, provided that such portion conforms to the requirements of these rules and regulations.

D. The Final Plat shall contain the following information:

- (1) Name of Subdivision.
- (2) Name and address of owner of record.
- (3) Name and address of subdivider.
- (4) Date of drawing, north point and graphic scale.
- (5) Location of tract by legal description giving acreage.
- (6) Vicinity map, as specified in Section 4.I.B.
- (7) Key map when more than one (1) sheet is required to present plat.

¹² Revised by Ordinance 1489, adopted August 28, 2000. Revised in part “Submission for certification of final plat approval shall consist of the document plus a sufficient quantity of copies to supply each member of the Commission or City Engineer...”

¹³ Revised by Ordinance 2195, adopted 3/26/ 2018

- (8) Courses and distances to the two (2) nearest established section comers or bench marks or other recognized permanent monuments which shall accurately describe the location of the plat.
- (9) Exact boundary lines of the tract or other acceptable control traverse, giving dimensions to the nearest one-tenth (1/10) foot and angles to the nearest minute, which shall be balanced and closed with an error of closure not to exceed one (1) foot to five thousand (5,000) feet.
- (10) Municipal, county or section lines accurately tied to the lines of the subdivision when such lines traverse or are reasonably close to the subdivision.
- (11) Street, alley and other rights-of-way with location, width, and street name and, if required, source of dedications.
- (12) Street centerlines showing radii, length of tangents.
- (13) Lot lines with dimensions to the nearest one-tenth (1/10) foot, necessary internal angles, arcs and chords and tangent or radii of rounded comers.
- (14) When lots are located on a curve or when side lot lines are at angles other than ninety degrees (90°), the lot width at the building line shall be shown when required by the Commission,
- (15) Building setback lines with dimensions.
- (16) Lot and block numbers.
- (17) Easements and public service or utility right-of-way lines giving dimension, location and purpose.
- (18) Accurate outlines and descriptions of any areas to be dedicated or reserved for public use or acquisition with the purposes indicated thereon; and of any areas to be reserved by deed covenant for common uses of all property owners.
- (19) Accurate location and description of all monuments.
- (20) Certificate of engineering accuracy.
- (21) Certificate of owner.
- (22) Certificate of Final Plat Approval.
- (23) Certificate of recording.
- (24) Other information as may be required by the City Engineer ¹⁴

E. The Final Plat shall be accompanied by the following written information and documents.

- (1) When errors of closure are suspected, the Planning Commission may have an engineer to check the final plat for correctness, charging the cost to the subdivider if the plat is found to be in error.
- (2) Certification of approval of water supply and sanitary sewage disposal by the appropriate agency, when not connected to the municipal system.
- (3) The Bill of Assurance shall be submitted to the staff for review and approval with the final plat. Such document shall incorporate the same provisions as those filed with the preliminary plat, including but not limited to the following provisions: offering dedications of streets and alleys, parks and other public lands; establishing easements, setting forth privileges and conditions pertaining thereto; and setting forth the restrictions and covenants of the subdivision; setting forth procedure by which amendments to the

¹⁴ Added by Ordinance 2195, adopted 3/26/2018

Bill of Assurance can be made. Said bill of assurance shall contain reference to the approval of the final plat. Any amendment or amendments to any bills of assurances shall be approved by the Planning Commission of Sherwood, Arkansas, when the land so affected lies within the planning jurisdiction of Sherwood.¹⁵

4.3. Plat Certificates

A. Each preliminary plat submitted to the Commission shall carry the following certificates printed thereon substantially as follows:

(1) PRELIMINARY LAND SURVEYING CERTIFICATE:

I hereby certify that this proposed preliminary plat correctly represents a survey completed by me on _____, 20____, of property shown and described herein; and described monuments placed on the property are correctly described and located in accordance with the established and accepted monuments in the vicinity.

Date of Execution _____ (signed) _____
Name Registered Land Surveyor

(2) CERTIFICATE OF PRELIMINARY ENGINEERING ACCURACY:

I hereby certify that this plat represents a plan made by me; and that all engineering requirements of the Sherwood Subdivision Rules and Regulations have been fully complied with.

Date of Execution _____ (signed) _____
Name _____
Registered Professional Engineer No. __, Arkansas

(3) CERTIFICATE OF PRELIMINARY PLAT APPROVAL:

All requirements of the Sherwood Subdivision Rules and Regulations relative to the preparation and submittal of a preliminary plat having been fulfilled, approval of this plat is hereby granted, subject to further provisions of said Rules and Regulations.

This Certificate shall expire _____ (date) _____ (signed) _____
Date of Execution _____ Named Chairman or Vice-Chairman _____
Sherwood Planning Commission

B. Each final plat submitted to the Commission for approval shall carry the following certificates printed thereon substantially as follows:

(1) CERTIFICATE OF OWNER

We, the undersigned, owners of the real estate shown and described herein do hereby certify that we have laid off, platted and subdivided, and do hereby layoff, plat and subdivide, said real estate in accordance with the within plat.

Date of Execution _____ (signed) _____
Name, Address

¹⁵ Last sentence added by Ordinance 528, adopted 12/20/1982

(2) CERTIFICATE OF RECORDING

This document, number _____ filed for record _____, 20____ at _____ o'clock _____ M.
recorded _____ 20____ in Plat Book _____ Page _____

(signed)

Name _____ Clerk

For Bill of Assurance see Deed Record Book _____, Page _____

(3) CERTIFICATE OF ENGINEERING ACCURACY

I hereby certify that this plat represents a plan made by me; and that all engineering requirements of the Sherwood Subdivision Rules and Regulations have been fully complied with.

(signed)

Date of Execution

Name

Registered Professional Engineer No. ___, Arkansas

(4) The certificate of Final Plat approval shall be printed on both the Final Plat and the Bill of Assurance substantially as follows:

CERTIFICATE OF FINAL PLAT APPROVAL

Pursuant to the Sherwood Subdivision Rules and Regulations, this document was given final approval by the Sherwood Planning Commission at the meeting held _____, 20___. All of the conditions of approval having been completed, this document is hereby accepted and this certificate executed under the authority of said Rules and Regulations.

(signed)

Date of Execution

Name

Chairman or Vice-Chairman
Sherwood Planning Commission

(5) CERTIFICATE OF LAND SURVEYING ACCURACY

I hereby certify that this plat represents a survey made by me; and that all monuments shown herein actually exist and their location, size, type and material are correctly shown.

(signed)

Date of Execution

Name

Registered Land Surveyor No. ___, Arkansas

4.4. As-Built Drawings

As-built Drawings – A scaled drawing prepared by a professional surveyor or professional engineer showing the as-built conditions of the site to be provided as a paper and electronic submission. The electronic submission shall include digital drawings in Adobe PDF format and Autodesk .DWG file format or ESRI shapefile/geodatabase format with all data organized in a layering system and conveyed as points, polylines, and polygons. The applicant shall provide metadata for the information as a key describing the layering system. The drawings shall be in State Plane Arkansas North Zone coordinates, with the datum being North American Datum

1983 with units as feet. Both the electronic and paper submissions shall include all information required for a final plat submission. ¹⁶

¹⁶ Added by Ordinance 2195, adopted 3/26/2018

SECTION 5. Types of Subdivisions

5.1. General

A. Recognizing that subdivision regulations must be applied to various land development types, and because of the special conditions pertaining to each, this ordinance hereby provides for the establishment of four (4) subdivision types: Commercial, Industrial, Mobile Home Parks, and Residential. Design standards applicable to each of these four (4) types are outlined in Section 7 of this ordinance.

Prior to the approval of any preliminary plat, the Planning Commission shall classify and evaluate each subdivision according to its planned future use, it being the responsibility of the applicant to identify the type of proposed plat. Where a proposed plat incorporates more than one (1) use of the type specified in this section, either the different land use type 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.

5.2. Purpose and intent of each subdivision type

A. Commercial/Office Subdivision -Commercial/office subdivisions are intended to accommodate one (1) or more commercial building sites on either single or multiple lots 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 Sherwood Zoning Ordinance.

B. Industrial Subdivisions -Industrial subdivisions are intended to fulfill a two-fold objective; to provide both opportunity and possibility for industrial activities to take place at appropriate locations in a compatible manner with adjacent non-manufacturing areas; to require the application of sound design principles and the orderly development of industrial parcels involving the creation of one (1) or more building sites or lots. Industrial uses shall be defined as such in the Sherwood Zoning Ordinance.

C. Mobile Home Park Subdivisions -Mobile home subdivisions are intended to ensure proper layout and development of areas for mobile home occupancy by establishing appropriate standards for density, spacing and placement, and by requiring off-street parking, storage facilities and open space. The regulations are also intended to facilitate location of mobile homes within the jurisdiction of this subdivision ordinance by marking available appropriate sites for such occupancy.

D. Residential Subdivisions -Residential subdivisions are intended to ensure efficient, aesthetic and convenient designs for a single family, multi-family, duplex, zero lot line and condominium development, and to provide harmonious relationships with surrounding areas. Residential uses shall be those defined as such in the Sherwood Zoning Ordinance.

SECTION 6. General Principles

6.1 Suitability of the Land

- A. Land subject to flooding, improper drainage, or 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.
- B. Flood Plains -The City will strongly discourage the platting of property for construction purposes that is in a natural floodplain or other area that is subject to flooding. Land may not be platted and subdivided except in conformance to the Floodplain Regulation of the City.

6.2. Adequacy of Public Facilities and Services

Land which is neither provided, nor programmed by the City 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 services, fire protection, police protection, refuse service, public schools, and parks and recreation facilities shall also be considered by the staff in its analysis of the plat.

6.3. Access

All access easements are required to meet or exceed all construction standards of a publicly dedicated street with required easement width to be recommended by the City Engineer and approved by the Planning Commission.¹⁷

6.4. Conformance of Rules and Regulations

All proposed subdivisions shall conform to all applicable laws, rules and regulations contained within the Municipal Plan, Master Street Plan, Municipal Zoning Ordinance, Building and Housing Codes and other standards and regulations adopted by the Sherwood Planning Commission and Sherwood City Council.

6.5. Street and Subdivision Names

The Commission may change street names and subdivisions when in conflict with existing names

6.6. Large Tracts or Parcels

When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged and designed so as to allow for the opening of future streets and to provide access to those areas not presently served by streets.

6.7. Large Scale Developments

The above regulations, to the contrary notwithstanding, the Planning Commission recognized that certain portions of property within the planning boundary will be planned and developed on a large scale (a development or more than twenty (20) acres) and wishes to encourage such developers to contact the Planning Commission at an early date to discuss development plans on a preliminary basis. The purpose of the development insofar as desired street location is concerned and use for which the property is to be utilized (zoning) may also be discussed. In addition, the developer may thus acquaint himself with the desires of the Planning Commission insofar as future

¹⁷ Amended by Ordinance 1241, adopted September 25, 1995

growth of the City is concerned, the need of the City in the way of school sites, land for public buildings, public parks, and the Master Street Plan. After such a meeting, the developer may find it desirable to alter his plan, and likewise, the City may wish to revise its plan for future growth. In the event that such a revision or alteration is decided upon, a subsequent meeting shall be found to be in order at which time the general plan for the city and that of the subdivider might be found to be in accord. Should such an agreement be reached, it will be possible for the developer to file with the City a development plan for the overall area of intended development. This shall be considered by the Planning Commission as a preliminary plat and once approved the developer may consider this as preliminary plat approval for development in the subject area. So long as the developer follows his general development plan to a reasonable degree no re-submission of preliminary plats needs to be made within the overall development area. Should the developer decide to deviate from the general plan, a new submission to the Planning Commission must be made and approved in each instance. All regulations concerning final plat approval must be met.

6.8. Modifications

- A. Modifications of the provisions set forth in these rules and regulations may be authorized by the Commission in specific case when, in its opinion, undue hardships may result from strict compliance. Any determination shall be based fundamentally on the fact that unusual topographical and other exceptional conditions require such modifications, and that the granting of the modifications will not adversely affect the general public or nullify the intent of these regulations
- B. Application for any of the aforementioned modifications shall be filed in writing with necessary supporting documents with the Commission by the subdivider simultaneously with the preliminary plat of the subdivision, and shall explain in detail the reasons and facts supporting the application.

SECTION 7. Design Requirements

7.1. Streets

- A. The location and width of all highways, thoroughfares, streets and roads shall conform to the Master Street Plan. Half streets shall not be permitted, except by permission of the Commission.
- B. Functional Classification -The Pulaski Area Transportation Study (PATS) Policy Committee and the Metroplan Board of Directors have adopted Arkansas Statute Act 308 of 1973 and recommend its use by local governments in Pulaski County to establish a uniform definition of the functional classification of streets and roads. This regulation incorporates the appropriate parts of Act 308.

The six (6) functional classes by levels of service that are hereby made applicable to the network of public highways, roads, and streets in Sherwood and its extraterritorial planning area are as follows:

Functional Classification and Level of Service			
Class No	Rural Systems	Municipal Systems	Level of Service
I	Interstate Freeways	Interstate Freeways	Provide basic interstate service link to major cities
II	Other Principal Arterial Highways	Other Freeways and Expressways	Provide high level of interstate and intrastate service, connect major generators of traffic, serve trans-state travel to and through principal cities
III	Minor Arterial Highways	Other Principal Arterials & Streets	Provide a system for the major traffic generators with a city (or county)
IV	Major Collector Road	Minor Arterial Streets	Provide connections to and through the large centers of population within the state
V	Minor Collector	Collector Streets	Provide inter-county service; serve the economic and State Parks areas not served by a higher system; collect and distribute traffic to and from major streets, provide intra-county service to and into population centers and other recreational and industrial areas
VI	Local Roads	Local Roads	Service small rural communities; provide access to residential areas, subdivisions, and neighborhoods within cities; provide direct access to adjacent properties in rural areas and within cities

- C. Right-of-Way and Geometric Design Standards -The following table and five (5) figures contain minimum right-of-way requirements and geometric design standards for Class II through VI. Standards are not shown for Interstate Highways (Class I).
- D. Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements from each side of the centerline.
 - (1) The entire right-of-way as required by the Master Street Plan, up to one hundred (100) feet shall be provided where any part of the subdivision is on both sides of an existing street.
 - (2) When the subdivision is located on only one (1) side of an existing street, one-half (1/2) of the required right-of-way, in no case less than twenty-five (25) feet, measured from the centerline of the existing

right-of-way shall be provided.

- E. When a tract fronts on streets other than Class VI streets or Class V streets, the Commission may require affected lots fronting on such major streets to be provided with frontage roads.
- F. Grades on Class VI streets and cul-de-sacs shall not exceed fifteen (15) percent. Grades on all other streets shall not exceed Standards of the Master Street Plan, or when no standards have been established twelve (12) percent shall be the maximum grade permitted. Street grades along the gutter shall not be less than one-half (1/2) of one (1) percent.

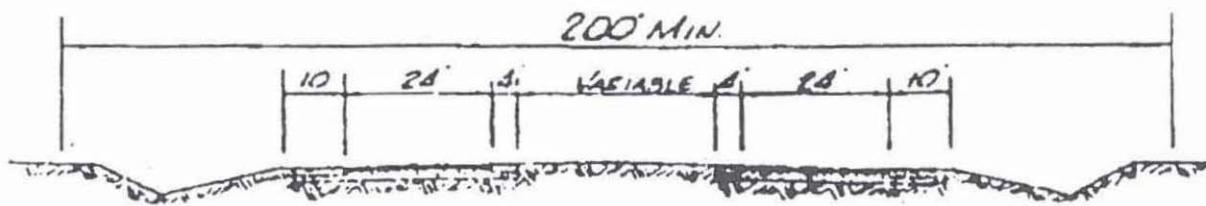
SUMMARY OF RIGHT OF WAY AND DESIGN STANDARDS

(See Sketches for Detail Design Requirements)

	CLASS ¹ II	CLASS III	CLASS IV	CLASS VA	CLASS VB	CLASS VIA	CLASS VIB
Right of Way (Min) ²	200'	100'	80'	70'	60'	60'	50'
Paved Width ³		56'	48'	24'	36'	20'-24'	27'
Shoulder Width ⁴		NA	8'	6'	NA	2'-4'	NA
Centerline Grade (Max) ⁵		9%	9%	12%	12%	15%	15%
Sight Distance (Min)		300'	300'	200'	200'	150'	150'
Radius of Curve (Min)		600'	600'	300'	300'	100'	100'

1. Arkansas Highway and Transportation Standards
2. Class III-Intersection approaches will require an extra width of 20' extending 250' from the centerline of intersecting arterials and collectors. Class IV-intersection approaches may require an extra width of 10' extending 150' from the centerline of intersecting arterials and collectors
3. Widths shown are for final stage for Classes II, III, and IV. State construction is recommended for Classes II, III, and IV.
4. Open ditch sections only. For curb and gutter sections refer to Cross Section sketches.
5. Centerline grades may be increased an additional two percent (2%) for distances not to exceed 200', subject to approval by the Public Works Director and Sherwood Planning Commission, for curb and gutter streets only. However, the average (positive or negative) grade of the entire street shall not exceed the listed requirements.

CLASS II EXPRESSWAYS-PARKWAYS



STAGE CONSTRUCTION IS RECOMMENDED

DESIGN - All features shall conform to A.H.T.D. standards

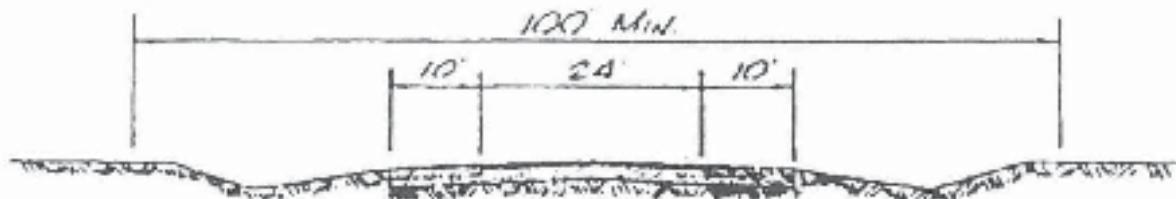
RIGHT OF WAY - must accommodate utilities, drainage facilities, and sub-surface conditions. Intersection approaches may require extra rights of way extending from the centerline of intersecting arterials and collectors.

CONTROL OF ACCESS - Median cuts only at intersections with arterials and collectors

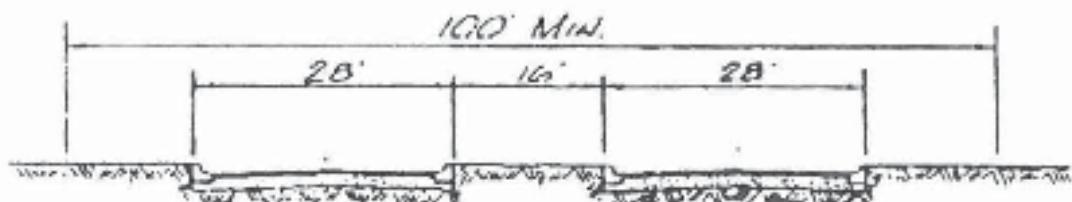
CENTERLINE GRADE - 5% maximum

PAVEMENT CROWN SLOPE - 3%

CLASS III
URBAN PRINCIPAL ARTERIAL/RURAL MINOR ARTERIAL



III A- INITIAL STAGE



III B- FINAL STAGE

STAGE CONSTRUCTION IS RECOMMENDED:

STAGE A - 2 lanes: 0-6,000 A.D.T. (Year 2000)

STAGE B - 4 lanes divided: 6,000-30,000 A.D.T. (Year 2000)

ROADWAY DITCHES -III A-INITIAL STAGE

Front Slope 6:1 for traffic safety and stage construction of III B-FINAL STAGE

Back slope 4:1

Ditch Depth Flowline 18" min. below base

Flowline 1/2% gradient or greater

Erosion Slopes steeper than 3:1 must be seeded or sodded

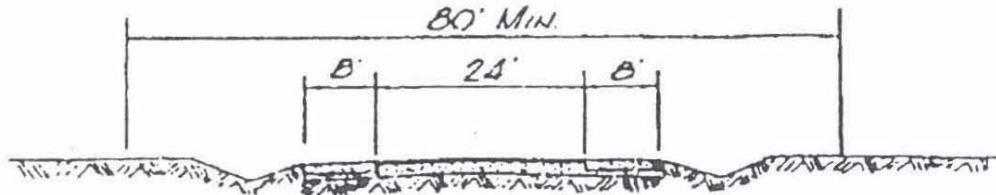
RIGHT OF WAY Must accommodate utilities, drainage facilities, and sub-surface conditions. Intersection approaches will require an extra width of 20', extending 250' from the centerline of intersecting arterials and collectors. Waivers may be approved under extraordinary circumstances.

CONTROL OF ACCESS - Median cuts only at intersections with arterials and collectors.

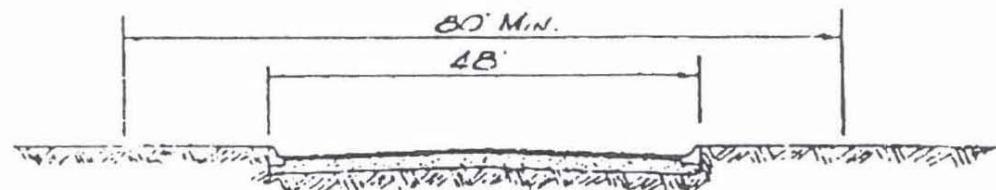
CENTERLINE GRADE - 9% maximum

PAVEMENT CROWN SLOPE 3%

CLASS IV
URBAN MINOR ARTERIAL/RURAL MAJOR COLLECTOR



IV A - INITIAL STAGE



IV B - FINAL STAGE

STAGE CONSTRUCTION IS RECOMMENDED:

Stage A-2 lanes: 0-5,000 A.D.T. (Year 2000)

Stage B -4 lanes undivided: 5,000-20,000 A.D.T. (Year 2000)

ROADWAY DITCHES - IV A - INITIAL STAGE

Front Slope 3:1 maximum

Back Slope 3:1 desirable, 2:1 maximum

Ditch Depth Flowline 18" min. below base

Flowline 1/2% gradient or greater

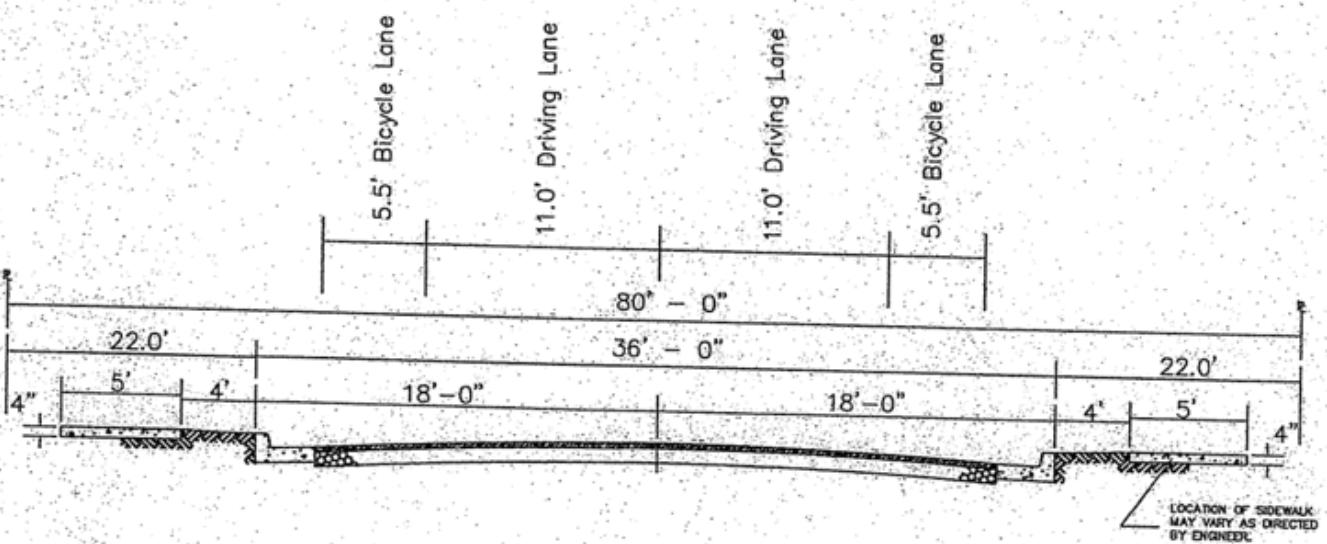
Erosion Slopes steeper than 3:1 must be seeded or sodded

RIGHT OF WAY Must accommodate utilities, drainage facilities, and sub-surface conditions. Intersection approaches will require an extra width of 10', extending 150' from the centerline of intersecting arterials and collectors. Waivers may be approved under extraordinary circumstances.

CENTERLINE GRADE - 9% maximum

PAVEMENT CROWN SLOPE 3%

MODIFIED CLASS IV
For
Maryland Avenue from Highway 107 to Brockington Road ¹⁸
36' Asphalt pavement
(80 ' R/W)



East Maryland Avenue is classified on the Master Street Plan as a minor arterial. The typical street section for a minor arterial is (4) 11-foot driving lanes with curb and gutter and a 4-foot sidewalk on both sides. Although it is a residential area, it will function as a minor arterial when fully constructed. In order to preserve the residential nature and provide for a bicycle-and pedestrian-friendly corridor, it is proposed to have a modified street section consisting of (2) 11-foot driving lanes, (2) 5.5-foot bicycle lanes with curb and gutter and 5-foot sidewalks on both sides. A full round-about shall be constructed at the Oakbrooke intersection. Neighborhood traffic circles shall be constructed at Willow Grove, Hemphill, Peach Tree/Pamela, and Overcup. All other design conditions shall remain the same.

MODIFIED CLASS IV
For
Oakdale Road ¹⁹

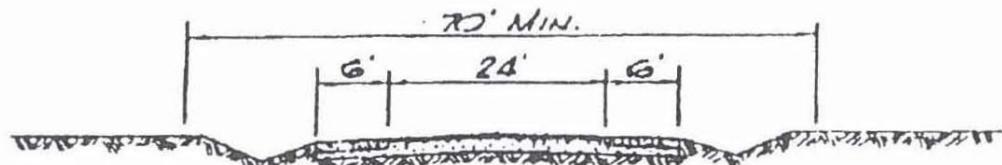
Oakdale Road shall have a 100 foot right of way. The roadway section through the commercial area shall be a 60-foot section and shall consist of four 11-foot lanes and one 12-foot turn lane with 5-foot sidewalks on each side. The roadway section shall transition to a 36-foot section in the single-family residential area and shall consist of two 11-foot lanes and two 5-foot bicycle lanes with 5-foot sidewalks on each side.

¹⁸ Inserted by Ordinance 1825, adopted June 22, 2009

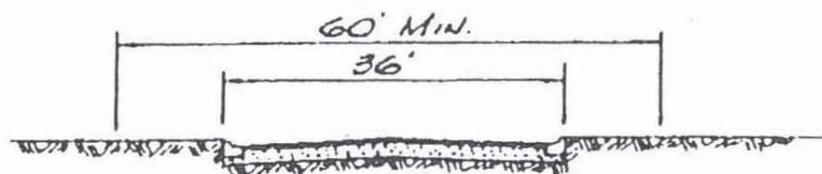
¹⁹ Inserted by Ordinance 2028, adopted July 28, 2014, which repealed Ordinance 1826

CLASS IV

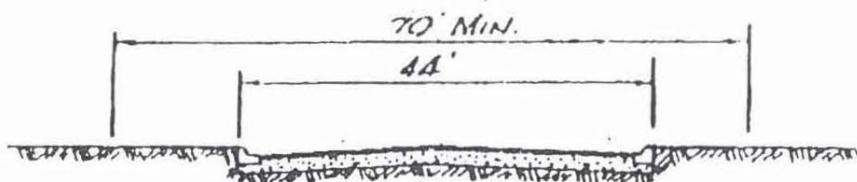
URBAN COLLECTOR/RURAL MINOR COLLECTOR/COMMERCIAL-INDUSTRIAL



IV A - RURAL OPTION



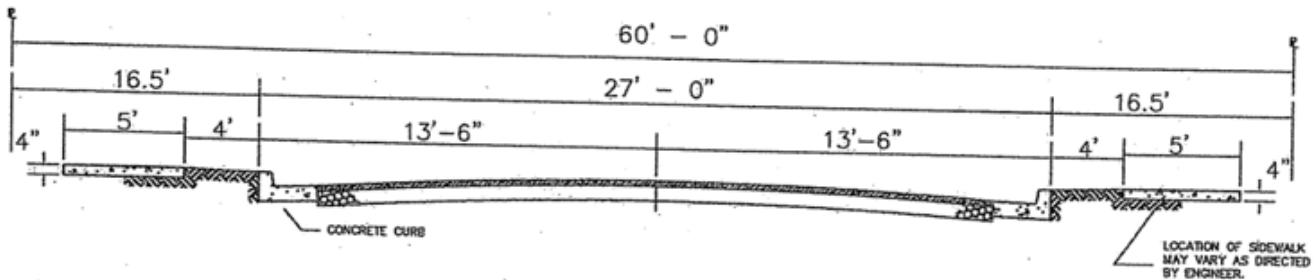
IV B - URBAN OPTION



IV C - COMMERCIAL- INDUSTRIAL

DESIGN TRAFFIC -	0-5,000 A.D.T . (Year 2000) for V A and V B
ROADWAY DITCHES -	V A -RURAL OPTION
Front Slope -	3:1 maximum
Back Slope -	3:1 desirable, 2:1 maximum
Ditch Depth -	Flowline 18" min. below base
Flowline -	1/2% gradient or greater
Erosion -	Slopes steeper than 3:1 must be seeded or sodded.
RIGHT OF WAY -	Must accommodate utilities, drainage facilities, and sub-surface conditions. Waivers may be approved under extraordinary hardship circumstances.
CENTERLINE GRADE -	12% maximum for V A and V B
PAVEMENT CROWN SLOPE -3%	
V C DESIGN -	Commercial and Industrial developments may require higher design standards based upon its size, complexity, location of access points, and traffic generated.

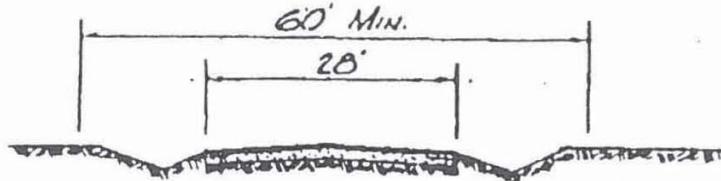
**Modified Class V for
East Woodruff Avenue / Rock Ridge Drive ²⁰
27' ASPHALT PAVEMENT
(60' R/W)**



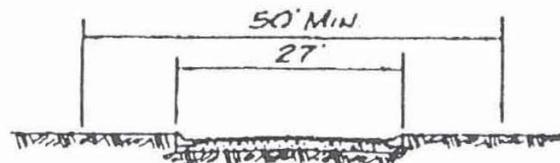
East Woodruff Avenue, from Highway 107 to Brockington Road, is classified on the Master Street Plan as a Collector. The typical street section for a collector roadway is the equivalent of (2) 11-foot driving lanes and an 11-foot turning lane with curb and gutter and a 4-foot sidewalk on both sides or a 5-foot sidewalk on (1) side. It will function as a collector when the entire roadway is constructed, in that it will collect and distribute traffic to and from major streets within the City. In order to preserve the residential nature of the area and provide a pedestrian-friendly corridor, it is proposed to have a modified street section consisting of (2) 12-foot driving lanes with curb and gutter and 5-foot sidewalks on both sides. All other design conditions shall remain the same.

²⁰ Added by Ordinance 1824, adopted June 22, 2009

*CLASS VI
LOCAL*



VI A-ESTATE RESIDENTIAL



VI B-URBAN RESIDENTIAL

DESIGN TRAFFIC -	0 -2,500 A.D.T. (Year 2000)
ROADWAY DITCHES -	VI A-ESTATE RESIDENTIAL
Front Slope -	3:1 maximum
Back Slope -	3:1 desirable, 2:1 maximum
Ditch Depth -	Flowline I8" min. below base
Flowline -	1/2% gradient or greater
Erosion -	Slopes steeper than 3:1 must be seeded or sodded.
RIGHT OF WAY	Must accommodate utilities, drainage facilities, and sub-surface conditions. Waivers may be approved under extraordinary circumstances.
CENTERLINE GRADE -	15% maximum
PAVEMENT CROWN SLOPE -	3%
PAVED WIDTH -	Shall be based upon size and density of development, internal circulation plan of development, forecasted traffic volume and safety considerations. However, in no case shall the paved width be less than 20' nor greater than 24' for VI A ESTATE RESIDENTIAL. Paved width for VI B URBAN RESIDENTIAL shall be as shown.
SIDEWALKS -	In accordance with these subdivision rules and regulations

G. Alignment:

Type Street	Required
(1) Minimum Horizontal Radii of Centerline Curvature	
a. Freeways and Expressways	Specified by the Arkansas Highway Department
b. Class III and IV Arterials	600 feet
c. Class V Collector Streets	300 feet
d. Class VI Minor Streets	150 feet
e. Loop Streets and Cul-de-sacs	50 feet
(2) Tangents - Between reverse curves there shall be not less than minimum tangent for:	
a. Freeways and Expressways	Specified by the Arkansas Highway Department
b. Class V Collector Streets and Class III and IV Arterials	200 feet
c. Class VI Minor Streets	100 feet
(3) Visibility Requirements	
a. Minimum vertical visibility (measured between two points, three and one-half (3½) feet above pavement level) shall be:	
1.) Freeways and Expressways	Specified by the Arkansas Highway Department
2.) Class V Collector Streets and Class III and IV Arterials	300 feet
3.) Class VI Minor Streets	150 feet
b. Minimum horizontal visibility measured on centerline shall be:	
1.) Freeways and Expressways	Specified by the Arkansas Department
2.) Class V Collector Streets and Class III and IV Arterials	300 feet
3.) Class VI Minor Streets	200 feet

H. Street intersections shall be as nearly right angles as possible, and no intersection shall be at an angle less than seventy-five (75) degrees. The centerline of no more than two (2) streets shall intersect at anyone (1) point. Detailed designs of intersections may be required.

J. Property line radius at street intersections shall not be less than twenty (20) feet and where the angle of street intersection is less than ninety (90) degrees the Commission may require a greater radius.

J. Curb line radius at street intersections shall be at least twenty-five (25) feet and where the angle of street intersection is less than ninety (90) degrees, the Commission may require a greater radius.

K. Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet shall not be permitted. There shall be no jogs on collector or major streets.

L. Cul-de-sac streets or courts designed to have one (1) end permanently closed shall be no more than seven hundred and fifty (750) feet long. There shall be provided at the closed end a turn-around having an outside right-of-way diameter of at least one hundred (100) feet and a pavement width of at least eighty (80) feet.

M. All terminal streets shall provide a temporary turn-around or cul-de-sac and must be approved by the City Engineer.

- N. Alleys may be required at the rear of all lots to be used for business purposes, but shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the Commission of the need for alleys.
- O. Single family residential development shall provide for driveway access to Class VI, local streets. The provision of driveway access to Class V, collector streets shall be discouraged. Direct access to Class IV, Minor Arterial and higher functional classification of streets shall not be permitted. The developer in the subdivision process may apply to the Planning Commission for a waiver to this driveway access regulation. The application for a waiver must be justified to the Planning Commission as a "no reasonable alternative" situation based on physical characteristics of the property proposed for subdivision development.²¹

7.2. Blocks

- A. Residential blocks shall be not less than two hundred (200) feet in width or more than twenty-two hundred (2,200) feet in length, except as the Commission considers necessary to secure efficient use of land or to achieve desired features of the street system. In blocks over one thousand (1,000) feet long, the Commission may require public crosswalks across the block.
- B. Residential blocks shall be wide enough to provide two (2) tiers of lots of minimum depth, except where fronting on freeways, expressways or major thoroughfares or prevented by topographical conditions or size of the property, in which case the Commission may approve a single tier of lots of minimum depth.

7.3. Lots

- A. Insofar as practical, side lot lines shall be perpendicular or radial to street lines. Each lot shall abut upon a public street or road, or access easement. All access easements are required to meet or exceed all construction standards or a publicly dedicated street with required easement width to be recommended by the City Engineer approved by the Planning Commission.²²
- B. The size, shape, and orientation of every lot shall be subject to approval of the Commission for the type of development and use contemplated. No lot shall be more than four (4) times a deep as it is wide, nor shall any lot average less than one hundred (100) feet deep.
- C. Minimum lot dimensions shall conform to the requirements of Zoning Ordinance for the applicable zoning district within the city limits. Within the planning jurisdiction, the following minimum lot dimensions shall prevail:

	<u>Width</u>	<u>Depth</u>
Single Family Detached Residential	60 ft	100 ft
Duplex	70 ft	100 ft
Apartment Building (four (4) units or less)	70 ft	100 ft

Townhouse Lots - Submission of a plat creating lots for townhouse residences shall be accompanied by a generalized site plan showing the proposed location and dimensions of all buildings, accessory uses and other improvements. Such lots shall be not less than twenty-two (22) feet in width by eighty (80) feet in depth, and with overall size of two thousand (2,000) square feet. Platted building lines shall conform to building location shown in the generalized site plan.

²¹ Added by Ordinance 1128, adopted October 25, 1993 as Section 7.1.P.

²² Revised by Ordinance 1241, adopted September 25, 1995

Zero-Lot-Line Residential Lots - Submission of a plat creating a zero-lot-line development shall be accompanied by a generalized site plan showing the proposed locations and dimensions of all buildings, accessory uses and other improvements. Such lots shall be not less than fifty (50) feet wide by one hundred (100) feet in depth and with a minimum overall size of five thousand five hundred (5,500) square feet. Platted building lines shall conform to building locations shown on the generalized site plan.

D. For residential lots not served by a public or community sewerage system, lot sizes shall be determined as follows:

- (1) When a subdivider shall have conducted a percolation test in a subdivision and indicated the test on the preliminary plat; the dimensions and area of each lot may be established at the levels necessary to fulfill the requirements of the Health Department subject to the approval of the Health Department.

E. Building lines for residential lots shall be at least twenty five (25) feet from each front and side street property line.²³

F. Lots, other than corner lots, fronting on two (2) streets, shall not be platted except under exceptional circumstances in which case building lines shall be established on both frontages.

G. Size, shape, and arrangement of commercial and industrial lots, shall be subject to the approval of the Commission, provided that approval is not granted under the provisions of Section 7.7 and 7.8 of these rules and regulations.

7.4. Easements

Easements no less than ten (10) feet wide may be required by the Commission for drainage, utility lines and other uses.

7.5. Sidewalks

A. Sidewalks shall be a minimum of four (4) feet wide and shall be installed within the dedicated improvement right-of-way, except where otherwise specified in this section. Sidewalks shall be required as follows:

- (1) On both sides of Class III and Class IV minor arterials.
- (2) On both sides of Class IV and V collector streets or on one (1) side provided the sidewalk is a minimum of five (5) feet wide.
- (3) Internalized pedestrian circulation system in the form of paved walking paths or jogging trails may be substituted for sidewalks along collector and residential streets upon the request of the applicant and the approval of the Planning Commission.
- (4) On both sides of Class VI local streets platted for multi-family development, and on one (1) side of the other Class VI streets.²⁴
- (5) The Planning Commission may, at its option, require five (5) foot sidewalks in conjunction with commercial subdivision approvals or in other places of public assembly, or anticipated heavy pedestrian traffic volumes.

²³ Amended by Ordinance 849, adopted August 22, 1988

²⁴ Ordinance 1179, adopted July 25, 1994 struck the previous last sentence originally added by Ordinance 991.

7.6. Storm Drainage²⁵

- A. Storm drainage shall not be carried upon surfaces of a street for more than six hundred (600) linear feet unless recommended by the City Planning Commission and approved by the City Council. Said water and other surface water from street surfaces and within the street right-of-way and other easements shall be piped underground or flow to a natural flowing stream.
 - 1. The water carrying capacity of the drainage pipe shall be calculated by using a four inch (4") per hour design rainfall (or equivalent) with proper run-off coefficient.
 - 2. Drainage pipe shall be set upon grade that will allow a minimum velocity of two feet (2') per second.
- B. The entire subdivision drainage system shall be designed and constructed to handle rainfall runoff that originates within and/or transverses the proposed subdivision.
- C. Adequate drainage facilities within the proposed subdivision and outside streets rights-of-ways may include ground swales, underground piping and/or open ditches with concrete bottoms and concrete side walls. The proposed locations and types of drainage shall be indicated on the development plans.
- D. Typical sectional detail drawings of underground piping including drop inlets, junction boxes, headwalls, etc., and the open ditches with concrete bottoms and walls shall be shown on development plans of the proposed subdivision.

7.7. Street Lights²⁶

- A. Proposed locations of street lights in any subdivision shall be indicated on the development plans.
- B. Street lights may be installed during development construction or installation of lights may be deferred until a later date if recommended by the City Planning Commission and approved by the City Council

7.8. Commercial/Office Subdivisions

- A. General-In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Planning Commission that the street, parcel, and block pattern of all proposed commercial subdivisions are adapted to the uses anticipated and that the prospective physical impact on adjacent areas has been taken into account. The following general principles and standards shall be observed:
 - (1) 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 intention of these regulations.
 - (2) Residential areas abutting proposed commercial subdivisions shall be protected from potential nuisance by backing up on existing or potential residential developments or by establishing permanently landscaped buffer strips or by other means as determined by the Planning Commission.
 - (3) The Planning Commission may, at its option, require the subdivider to file a proposed subdivision phasing plan providing for continuity of development and individual phases of reasonable proportions. Single lot final plats and plats, which create discontinuity within the development, may be prohibited by the Planning Commission.

²⁵ Ordinance 475, adopted September 28, 1981 replaced the entirety of this section

²⁶ Added by Ordinance 475, adopted September 28, 1981. The ordinance did not specify where this was to be inserted.

B. 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, said streets or private service easements plans shall be approved by the Commission.

C. 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; except that minimum dimensions for commercial lots shall be one hundred (100) feet of frontage by one hundred and fifty (150) feet of depth. No commercial lot shall have a depth exceeding three (3) times the width. Pipe-stem lots are prohibited in commercial subdivisions.

D. Block - 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 subdivisions shall generally be not less than six hundred (600) feet or more than one thousand (1,000) feet in length.

E. Platted Building Line - Front yard building lines for commercial lots shall be at least forty (40) feet from each street right-of-way to ensure adequate space for landscaping, off-street parking, loading facilities, and internalized vehicle movement, however, a twenty-five (25) foot street side yard setback shall be allowed on commercial lots at street intersections. Where a landscaped green area is substituted for a parking and vehicular movement area between the building line and the street right-of-way, however, a twenty-five (25) foot front yard setback may be approved by the Planning Commission. Approval of the twenty-five (25) foot commercial building line shall be limited to lots fronting on commercial streets as defined in this ordinance and shall be contingent upon submission of both a site plan dimensioning the landscaped area and a bill of assurance prohibiting use of the front yard area for parking. Such landscaped area may be traversed by not more than two (2) driveways providing access to the sides and rear of the lot.²⁷

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

- (1) Public Commercial Streets - Public commercial streets shall be provided according to the provisions of Section 7.7.B above.
- (2) Service Easements - Where a commercial subdivision requires the creation of an internalized circulation system to provide access to multiple lots and building sites, the Planning Commission may, at its option, authorize the use of a service easement in lieu of public commercial streets. Requests for such variance shall be submitted in writing by the subdivider 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 Ordinance. Design of private access easements shall be subject to the review and approval of the City Engineer.

²⁷ Ordinance 1488, adopted August 28, 2000, changed 45' to 40' in the first sentence.

7.9. Industrial Subdivisions

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

- (1) 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.
- (2) Residential areas abutting proposed industrial subdivisions shall be protected from potential nuisance by requiring extra depth for parcels backing up on existing or potential residential developments, by establishing permanently landscaped buffer strips, or by other means determined by the Planning Commission.
- (3) In order to preclude the possibility of through traffic, industrial streets as defined in the ordinance shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

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

Street Types	Minimum ROW Width	Minimum Paving Width
Class IIIB Principal Arterial	100 ft or as required by the Master Street Plan	As required by the Master Street Plan
Class IV B Minor Arterial	80 ft	48 ft
Class V C Commercial Industrial Streets	70 ft	44 ft
Alleys (when required)	20 ft	16 ft
Cul-de-sac	130 ft	100 ft
Turn-around	Diameter	Diameter

- (1) Street Grades -The maximum allowable grade shall be nine percent (9%) on all streets within the subdivision or on a boundary street of subdivision where there are lots having access from the boundary street.
- (2) Intersections -The property line radius at street or alley intersections shall be a minimum of fifty (50) feet, and if the angles of street or alley intersections is less than ninety (90) degrees, the Planning Commission may require a greater radius.
- (3) Curb Line -At street or alley intersections shall have at least fifty (50) foot radius. Where the angle of street or alley intersection is less than ninety (90) degrees, the Planning Commission may require both a greater radius, and an intersection design sufficient to accommodate turning movements of WB-50 vehicles.

C. 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 one hundred fifty (150) feet frontage by two hundred (200) feet depth. No such lots shall have a depth exceeding three (3) times the width. Pipe-stem lots are expressly prohibited in industrial subdivisions.

D. Building Lines and Lot Coverage -Building lines and setback lines shall have a minimum of fifty (50) feet

from all Class V C streets and a minimum of seventy (70) feet on all Class III and IV streets property line. The building lines shall have a minimum of thirty (30) feet from all other property lines. One-half (1/2) of any adjacent permanent open space or easement retained by the grantor for utility or other purposes or dedicated to the public shall be allowed as part of the required thirty (30) feet building line requirements except that, in no case shall the total separation between buildings on adjacent tracts or lots be less than sixty (60) feet. Building coverage shall not exceed fifty percent (50%) of the lot area.

E. Provision of Open Drainage -The following improvements and requirements are alternates in lieu of curb and gutter and underground drainage:

- (1) Pavement width for minor streets shall be a minimum of twenty-eight (28) feet with six (6) foot paved shoulders. These shoulders shall be designed to meet at least seventy-five percent (75%) of the design requirements for the pavement. A double surface treatment may be used for these shoulders.
- (2) Open paved drainage ditches will be permitted in street rights-of-way or easements provided it meets the following requirements:
 - (a) The side slopes shall commence a minimum of four (4) feet from the edge of the paved shoulders.
 - (b) The side slope for both slopes of the ditch shall be at a three (3) to one (1) or lesser slope.
 - (c) The maximum high water ditch elevation shall be minimum of six (6) inches below the bottom of the base of the paved shoulder.
 - (d) Concrete head walls, and/or flume type structure as required by the staff shall be required for all underground facilities.
 - (e) 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, the area may be maintained, and the property owner billed as per the procedure on vacant lots within the City.
 - (f) All required drainage ditches shall be designed for appropriate erosion control (such as sodding, ditch checks, ditch paying,' or other accepted engineering practices).
 - (g) In case of open drainage within the street right-of-way the following shall be the setback line from the centerline of the right-of-way.
 - (1) Class V Industrial Street 70 ft.
 - (2) Class III or Class IV 120 ft.
 - (3) Cul-de-sacs 70 ft.
 - (4) Cul-de-sac Turn-Arounds 105 ft.

When street right-of-way requirements as set forth above are greater than normal requirements, the building line shall be a minimum of twenty (20) feet from the right-of-way line. In no case shall it be less than the requirements set forth immediately above.

7.10. Mobile Home Park Subdivisions

- A. General -In order to ensure proper placement of individual mobile homes within mobile home parks, to provide for necessary off-street parking and storage facilities, and to integrate such developments appropriately with their surroundings, the following design standards shall be applied. For the purpose of these regulations, all divisions of land into two (2) or more spaces for the placement of mobile homes is hereby defined as a subdivision and shall be submitted to the Planning Commission for approval.
- B. Minimum Size -Mobile home parks shall be a minimum of twenty (20) acres in size including open spaces.

C. Design Requirements

- (1) Each mobile home site shall have a clearly defined minimum lot size of four thousand (4,000) square feet with a maximum density of eight (8) units per gross acre.
- (2) The park shall have a minimum frontage on a dedicated public street to provide access to the park at collector street standards. The depth of the park shall not be more than three (3) times the width.
- (3) A side yard on each side of the park and a rear yard of twenty-five (25) feet or more shall be provided around the edge of the mobile park. Such yards shall not be occupied by or counted as part of any individual mobile home site.
- (4) The minimum width of a mobile home space at the platted setback line shall be forty (40) feet and the minimum depth shall be one hundred (100) feet. In the case of a corner space the minimum width shall be sixty (60) feet.
- (5) The minimum separation between individual mobile homes shall be twenty (20) feet.
- (6) The minimum setback from any service easement shall be twenty (20) feet.
- (7) Open unenclosed awnings and carports may occupy only forty (40%) percent of the required minimum spacing between mobile homes.
- (8) Each mobile home space shall be provided with a minimum of two (2) nine feet by twenty feet (9'X20') paved parking spaces located on the mobile home space.
- (9) No mobile home space having double frontage shall take access on a dedicated public street.

D. Service Easement -A platted forty-(40) foot wide service easement with a minimum of twenty-two (22) feet of pavement shall be provided adjacent to all mobile home spaces. A service easement cul-de-sac shall have a paved turn-around of not less than eighty-(80) foot diameter.

E. Screening -Mobile home parks shall be effectively screened on all sides by means of walls, fences or plantings except where the area is sufficiently removed from other urban uses as determined by the Planning Commission. Fences shall be of wood, masonry, or metal construction having a height of not less than six (6) feet. In lieu of such wall or fence, a strip of land not less than ten (10) feet in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height may be substituted.

F. Recreation Space -Common recreation space shall be provided at the rate of five hundred (500) square feet per mobile home. Minimum size of any recreation space shall be five thousand (5,000) square feet. All required recreation areas shall be located back of the required setback lines. All recreation areas shall be used solely for recreational purposes.

G. Storage Facilities -A paved storage area shall be provided at a central location at the rate of fifty (50) square feet per mobile home for the storage of boats and campers, etc. Enclosed storage facilities shall be provided on each lot, or in compounds located with a reasonable distance, generally not more than one hundred (100) feet from each stand. These facilities shall be designed in a manner that will enhance the appearance of the subdivision and shall be constructed of suitable weather resistant materials. Each storage building shall provide a minimum of ninety (90) square feet of space.

H. Utility Installations -Each mobile home site shall be provided with a wastewater outlet and a water connection. All utility installations shall meet the requirements established by the Subdivision Rules and Regulations and shall be provided for each mobile home.

I. Improvements -Every subdivider shall be required to install as his own expense or have installed by the appropriate public utility the following improvements.

- (1) All surfaces subject to vehicular traffic shall be paved, according to the standards of the City.
- (2) Accommodations for on-site fire hydrants shall be provided by the installation of necessary T's, and cut-off valves as required by the Central Arkansas Water Department and Sherwood and Sylvan Hills Fire Department.

SECTION 8. Improvements

8.1. Required Improvements

- A. Every subdivider shall be required to install, at his own expense, or to have installed by the appropriate public utility the following improvements. No street, drainage or utility construction work shall begin until receipt of a Certificate of Preliminary Plat Approval.
 - (1) Streets -All streets shall be graded and paved in accordance with applicable City of Sherwood standards and specifications as adopted by the City Council.
 - (2) Curbs and Gutters -Curb and gutters shall be installed on all streets in accordance with standards adopted by the City Council.
 - (3) Sidewalks -Construction plans shall show the location of all sidewalks. Installation shall be in accordance with these plans, but shall be the responsibility of the builder. No building permit shall be issued for any lot where a required sidewalk is shown unless the site development plan indicated the required sidewalk; and no Certificate of Occupancy shall be issued for any property until the sidewalk is constructed.
 - (4) Utility Lines
 - (a) Water Supply
 - 1.) Where a public water supply is within a reasonable distance, the subdivider 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, if possible.
 - 2.) 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 Department of Health.
 - (b) Sanitary Sewage Disposal
 - 1.) Where a public sanitary sewer is within a reasonable distance and elevation of any point of subdivision, the subdivider shall connect with such sewer and provide a connection on each lot.
 - 2.) Such sanitary sewage system shall be installed prior to the installation of the street pavement.
 - 3.) 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 Arkansas Department of Health and Arkansas Pollution Control and Ecology.
 - 4.) In the preceding paragraph Section 8.I.A: the phrase "Every subdivider shall be required to install..." shall be interpreted to mean that the subdivider shall require, as a condition of the sale of each lot or parcel in the subdivision, that those facilities shall be installed in accordance with these rules and regulations.
 - (c) Storm Drainage
 - 1.) Every subdivision shall be served by storm drainage facilities including drains, storm sewers, catch basins, culverts and other facilities.
 - 2.) All drainage facilities shall be so designed to serve the entire drainage area.
 - 3.) All surface water drainage shall be transported to existing storm sewers or to drainage

facilities approved by the staff.

- 4.) Said improvements shall be installed in accordance with regulations adopted by the City Council, but in no case shall be designed to accommodate less than a one (1) in ten (10) year rainfall.
- 5.) Whenever drainage ditches are used, such ditches shall retain "original" design (slope and alignment) characteristics and be so designed that they do not present a hazard to life, safety and improved property.

(d) Other Utilities

- 1.) Other utilities to be installed in a subdivision, including water, sewer, electricity, gas and telephone shall be located within the public right-of-way and outside curb lines or dedicated easements. If stubs to the property lines are not installed then connections between the lots and the utility shall be made without breaking into the wearing surface of the street. When street cuts are necessary the cut specifications shall be approved by the City Engineer and accompanied by a permit issued by the City of Sherwood.

(5) Monuments

- (a) Permanent reference monuments shall be required on all outside lines of the subdivision at angle points and points of curve or as required by the City Engineer. Such monuments shall be of steel one (1) inch in diameter, twenty-four (24) inches in length, or other approved monument. The top of monuments shall have an identified apron or metal pin to identify properly the location of the point and shall be set flush with the ground.
- (b) All lot comers shall be marked with metal pins not less than one-half (1/2) inch in diameter and fifteen (15) inches long and driven so as to be flush with the finished grade.
- (6) Fire hydrants shall be placed so that no lot in a residential subdivision is more than five hundred (500) feet from a fire hydrant, the distance to be measured along street lines. In multi-family residential subdivisions hydrant placement shall be based on the density and value of the property as determined by the City Engineer. The Commission may require special spacing in commercial and industrial subdivisions.
- (7) Street name signs shall be placed on diagonally opposite corners of each street intersection according to standards adopted by the Public Works Director.
- (8) Where required, street lighting plans shall be designed by appropriate public utility companies serving the Sherwood area. Subdividers wishing to provide street lights shall notify the Public Works Director of their intent to install lighting. The Public Works Director will then request the appropriate utility company to prepare the construction plans.
 - (a) Street lights may be installed during development construction or installation of lights may be deferred until a later date if recommended by the Planning Commission and approved by the City Council.²⁸
 - (b) Street lights as needed and/or required in any subdivision shall be provided at the expense of the developer and/or the subdivider.²⁹

B. The Commission, upon request of the subdivider, may permit special exceptions to be made to the

²⁸ Section 2.B. of Ordinance 475, adopted 9/28/1981

²⁹ Section 2.C. of Ordinance 475, adopted 9/28/1981

improvements required by these rules and regulations, when in the opinion of the Commission such exceptions are in keeping with the intent of these rules and regulations, and when exceptions will provide for a development, the character of which will be in conformance with existing platting and development in the general neighborhood of the proposed subdivision. The subdivider may be required to furnish special information in order to aid the Commission in its determinations.

8.2. Recommended Improvements

- A. Street trees that may be planted shall be placed or retained so as not to obstruct sight distances.
- B. In order to protect the surrounding environment, as many trees and as much of the ground cover as possible should be retained.

SECTION 9 Assurance for Completion and Maintenance of Improvements

9.1. Enforcement³⁰

- A. No plat of any tract of land within the planning area jurisdiction of the City of Sherwood shall be accepted by the County recorder for filing of record until the plat has been approved by the Sherwood Planning Commission.
- B. It shall be the duty of the City Engineer to enforce these regulations and to bring to the attention of the City Attorney any violations or lack of compliance herewith.
- C. 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; nor shall any building permit be issued for the final ten percent (10%) of lots in a subdivision, or if ten percent (10%) be less than four (4), for the final four (4) lots of a subdivision until all required public improvements have been completed.
- D. Appropriate actions and proceedings may be taken at law or in equity to prevent any violation of these regulations, to prevent unlawful constructions, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building, structure or premises.

9.2. Completion of Improvements

Before final plat approval is granted by the Commission, all applicants shall be required to complete, in accordance with all the applicable rules and regulations of Sherwood and to the satisfaction of the City Engineer, all the street, sanitary, and other improvements on the individual lots of the subdivision as required in these regulations, specified in the final subdivision plat, and as approved by the Commission, and to dedicate same to the City, free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

9.3. Performance Guarantee

- A. If the subdivider cannot certify that all improvements and installations in the subdivision have been completed, a performance bond may be posted in favor of the City of Sherwood. Such performance bond shall specify the time for the completion of the improvements and be of sufficient amount to ensure to the city the satisfactory construction, installation and dedication of the uncompleted portion of the required improvements.
- B. The bond shall also secure all lot improvements on the individual lots of the subdivisions as required in these regulations. The surety company issuing the bond must be authorized to do business within the State of Arkansas.

9.4. Cash Deposit

The subdivider may elect to deposit in escrow the full amount of funds, or as specified by the staff, to complete the required improvements and installations. Such cash deposit may be withdrawn in direct proportion to the amount of work completed and approved by the staff.

³⁰ Added as 9A. by Ordinance 1047, adopted May 26, 1992

9.5. Maintenance Bond³¹

Henceforth, a maintenance bond, the amount to be determined by the City Engineer, and in a form approved by the City Attorney, shall be required of any developer or builder for a twenty-four (24) month period following acceptance of any improvements by the City, and is to be used for any deficiencies in the improvements in said subdivision.

9.6. Inspection of Improvements³²

A. Inspection of Improvements

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 City 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. The City shall then inspect or cause to be inspected those facilities, improvements and installations for conformance with plans and specifications. Additional inspections shall be made in accordance with other applicable ordinances.

B. Issuance of Building Permits

Once the City has inspected the subdivision and has determined that the majority of the required improvements and installations have been completed and has approved the fire hydrants and the water distribution/sanitary sewer systems, the City may then begin issuing building permits on a lot-per-lot basis for a period of six (6) months. The City Engineer shall prepare and maintain a list of the required improvements that must be completed before building permits shall be issued.

If any inspection reveals any defects or deficiencies in such improvements as installed or that the improvements differ from the final engineering plans and specifications, the City shall notify the subdivision engineer, in writing, of such defects, deficiencies, or deviations within the six (6) month period above. When such defects, deficiencies or deviations have been corrected, the subdivider shall notify the City, in writing, that the improvements are again ready for final inspection.

At the end of the six (6) month period, if all required improvements are completed and the improvements are offered to and accepted by the City for dedication purposes, the City will continue to issue building permits for all lots in the subdivision. However, if the subdivision is not completed or is not acceptable for dedication purposes at that time, the City may discontinue issuing building permits in the subdivision until such time as the subdivision is acceptable to the City.

³¹ Ordinance 1011, adopted September 23, 1991, appears to have amended this entire section.

³² Added by Ordinance 1047, adopted May 26, 1992

SECTION 10 Fees

- A. At the time of filing an application for preliminary plat approval, the subdivider shall pay to the City Clerk fees according to the following schedule:
 - (1) Twenty-five (\$25.00) dollars, plus
 - (2) One (\$1.00) dollar per lot, plus
 - (3) One (\$1.00) dollar per acre for all parcels or lots larger than one (1) acre in size.
- B. An application for an extension of a Certificate of Preliminary Plat Approval will require five (\$5.00) dollars for each one (1) year period for which the extension is requested.
- C. No fees shall be charged for land to be dedicated to the public.
- D. The staff shall calculate the fee for each application.
- E. Fees shall be payable in advance of processing the plat.

SECTION 11. Administration

- A. The Sherwood Planning Commission and staff shall administer these rules and regulations.
- B. The Commission may from time to time issue instructions and operating procedures to be followed in the administration of these regulations to the end that the public may be informed and that approval of plats be expedited.

SECTION 12. Penalty

Any violation of these rules and regulations or amendment hereto shall be a misdemeanor under the laws of State, and the offender upon conviction shall be punished as for a misdemeanor, and any court having jurisdiction of misdemeanor cases shall have jurisdiction to try such offenders and upon conviction to fine them not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for each offense; and each day that any violation of these rules and regulations are in effect shall constitute a separate offense.

SECTION 13. Adoption

The rules and regulations shall be in full force and effect upon adoption by the Commission.

SECTION 14. Title

These rules and regulations shall be known as the Sherwood Subdivision Rules and Regulations.

SECTION 15. Severability

If any section, clause, paragraph, provision or portion of these rules and regulations shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of these rules and regulations.