

ORDINANCE NO. 108

**AN ORDINANCE AMENDING CITY OF GOSHEN
SUBDIVISION REGULATIONS ORIGINALLY
ADOPTED BY ORDINANCE NO. 34 AS AMENDED THEREAFTER AND
TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES**

WHEREAS, the City Council of Goshen, by Ordinance No. 34, did adopt, by reference, the City of Goshen Subdivision Regulations; and

WHEREAS, the City Council of Goshen, by Ordinance Nos. 41, 44, 49, 57, 61, 65, 75, 86, 93 and 105, amended the previously adopted Subdivision Regulations; and

WHEREAS, the City Council of Goshen has concerns about driveways of subdivisions pouring out onto larger streets ; and

WHEREAS, pursuant to Ark. Code Ann. §14-56-423, the Goshen City Council has the authority to make changes to its subdivision regulations.

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

SECTION 1: That the document entitled: "City of Goshen Subdivision Regulations" adopted by Ordinance 34 on June 2, 2003 and subsequently amended by Ordinances 41, 44, 49, 57, 61, 65, 75, 86 93 and 105, is hereby amended as reflected in Sections 2 and 3 hereof. All changes to said ordinances and regulations are incorporated in the previously adopted "City of Goshen Subdivision Regulations."

SECTION 2: Add Section 2-16, entitled "Driveways" to read as follows:

Section 2-16. Driveways

When platting a subdivision, the developer shall create lots which shall readily comply with the Driveway Ordinance [first adopted by Ordinance 63 along with all subsequent amendments] of the City of Goshen. A developer shall include proposed driveway locations upon any plat where there might be an issue as to whether the subdivision and all lots within it can comply with the Driveway Ordinance. When a subdivision abuts a Minor Collector, Major Collector, Minor Arterial, or Principal Arterial Street and it cannot satisfy the requirements of Driveway Ordinance with the lots abutting such street, then the developer shall be required to cause those lots to have frontage and driveways onto a Local, Cul-de-Sac or Loop Street to be built as part of the improvements contemplated by the subdivision. Every effort shall be


made to minimize interference with the through traffic operations and to reduce vehicular and pedestrian accident hazards. The Planning Commission, prior to approving the plat of a subdivision, may impose such conditions upon a developer as necessary to carry out these regulations.

SECTION 4: That the City Attorney and Recorder are directed to include the above referenced amendments into the current subdivision regulations and incorporate them into the document known as the "City of Goshen Subdivision Regulations" which shall also reflect the effective date of this Ordinance.

SECTION 5: That all regulations and ordinances adopted and in effect prior to the effective date of this Ordinance, are amended as necessary to give effect to this ordinance.

SECTION 6: EMERGENCY CLAUSE: Because of the concern for public safety regarding adverse traffic conditions created by new driveways when lots within subdivisions are not designed with traffic flows in mind and because of the keen public interest as expressed by comments made at meetings of the City Council, these matters are such pressing business that it is viewed that an immediate solution is necessary thereby creating an emergency. It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 11th day of February, 2014.




Joe Benson, Mayor

ATTEST:



Sharon Baggett, City Recorder

APPROVED AS TO FORM:



Charles L. Harwell, City Attorney

ROLL CALL VOTE ADOPTING THE ORDINANCE

Names Of Those Voting YEA

Bethell Samuels
Buell Seddon
Poye

Names Of Those Voting NAY

Absent

Anderson

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names Of Those Voting YEA

Bethell Samuels
Buell Seddon
Poye

Names Of Those Voting NAY

Absent

Anderson