

**ORDINANCE NO. 120**

**AN ORDINANCE AMENDING CITY OF GOSHEN  
SUBDIVISION REGULATIONS ORIGINALLY  
ADOPTED BY ORDINANCE NO. 34 AS AMENDED THEREAFTER  
REGARDING EXPANSION OF EXISTING SUBDIVISIONS 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, 105, 108 and 113 amended the previously adopted Subdivision Regulations; and

WHEREAS, the City Council of Goshen seeks to clarify the requirements for expansions and additional phases of existing subdivisions; 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, 105, 108 and 113 is hereby amended as reflected in Section 2 hereof. All changes to said ordinances and regulations are incorporated in the previously adopted "City of Goshen Subdivision Regulations."

SECTION 2: Add a new subsection (d) to Sec. 2-7. Procedure for approval.

(d) If the proposed subdivision is an expansion or an additional phase to an existing subdivision, the developer shall submit proof in the form of (i) a petition signed by a majority of the existing lot owners which shall include their lot number, indicating their approval of the proposal; and (ii) a copy of plat map of the existing subdivision with the owners' names handwritten, in legible form, or typewritten thereon, certified by a title company that the current owners are shown thereon.

SECTION 3: 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 4: 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 5: EMERGENCY CLAUSE: Because of the concern that existing lot owners are not effectively included in decisions about expansions or additional phases of existing subdivisions, decisions which can seriously impact the existing subdivision and its various lot owners and because of the keen public interest in this issue, 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 10th day of November, 2015.

  
\_\_\_\_\_  
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

Paula Anderson  
Andy Bethell  
Brian Buell  
Dick Seddon

Names Of Those Voting NAY

Absent

Max Poye

Lanny Samuels

**ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE**

Names Of Those Voting YEA

Paula Anderson  
Andy Bethell  
Brian Buell  
Dick Seddon

Names Of Those Voting NAY

Absent

Max Poye  
Lanny Samuels