

## TITLE 13

### PLANNING

Chapters:

13.04 Planning Commission

#### CHAPTER 13.04

#### PLANNING COMMISSION

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13.04.01 Commission created A Planning Commission for the city of Sherwood is hereby created consisting of five (5) members, none of whom shall hold any public office and who shall be appointed by the Mayor with the approval of the City council for a term of five (5) years each. As soon as possible after the original five members have been appointed, they shall meet and, by lot, shall determine who shall serve for five, four, three and two and one year respectively. At the expiration of a term of office for which they have drawn, the new term shall be for a term of five (5) years. When a vacancy shall occur on said Commission by death, resignation, removal, or expiration of term, such vacancy shall be filled by the Mayor and City

Council, and in the event the vacancy occurs during the term of office of any Commissioner, except by normal expiration of his term, his successor shall fill the unexpired term caused by such vacancy, and at the normal expiration of his term, the Mayor and City Council shall fill such vacancy by the appointment of a Commissioner for a full term of five (5) years. (Ord. No. 670, Sec. 1.)

13.04.02 Officers The Planning Commission shall designate one of its members as Chairman. The Commission may select a Vice-Chairman or other officers as is deemed necessary. The Chairman shall be selected at the first meeting of the Commission each calendar year. The term of Chairman shall be for one (1) year and expire on December 31<sup>st</sup> of each year. (Ord. No. 1895, Sec. 1.)

13.04.03 Meetings, adoption of rules The members of the Planning Commission shall meet at least once each quarter in the City Hall and at such other place and adopt its own rules for its procedure, and shall arrange for the call of Special Meetings. Three (3) members shall constitute a quorum and a majority of the Commission shall vote in the affirmative on all matters before same shall be in full force and effect. (Ord. No. 195, Sec. 3.)

13.04.04 Study of conditions and plan for growth It shall be the duty of the Planning Commission to make a comprehensive study of the present conditions and future growth of the city and its neighboring territory, for the purpose of planning a coordinated adjusted and harmonious development of the city and its environs which would promote, in accordance with the present and future needs, the safety, moral, order, convenience, property and general welfare of the citizens; efficiency and economy in the process of development, convenience of traffic; safety from fire and other dangers; adequate light and air; healthful and convenient distribution of population; good civic design and arrangement. (Ord. No. 195, Sec. 4.)

13.04.06 Plan for city A plan for the city or any portion thereof may be adopted by the City Planning Commission by resolution and after public hearing thereon, notice of the time, and place of which hearing shall be published in a newspaper of general circulation within the city. Said plan may include, in addition to the matters referred to in Section 4, the following subjects:

- A. A master street plan, which with accompanying maps, plats, charts, and descriptive matter shall designate the general location, character and extent of streets, viaducts, subways, ridges, waterways, waterfronts, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public buildings and other public property, and

the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power or other purposes.

B. The plan may also include reservations of locations for mapped streets for future public acquisition and may provide for the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of the ways, grounds, open spaces, building, property, utilities or terminals shown on the map provided for in Subsection (A) above.

C. The plan may designate defined zones within the legal boundaries of the city and prescribe the character, height, area, bulk, location, and use of buildings and premises within the respective zones. The city may be divided into districts of such shape and area as may be deemed advisable, within the erection, construction, reconstruction, alteration, repair or use of buildings structures or premises may be regulated or restricted. (Ord. No. 195, Sec. 6.)

13.04.07 Same-filing plan After adoption of the plan and any amendments, change, addition to or alteration thereof, copy of all maps, plats, charts, and descriptive matter shall be certified to the City Council and shall be filed in the office of the City Recorder, and a certified copy thereof shall also be filed in the office of the Recorder in and for Pulaski County, Arkansas. (Ord. No. 195, Sec. 7.)

13.04.08 Approval of future building construction, etc., by commission; appeals Whenever the commission shall have adopted the master plan of the municipality or of one or more major section or districts thereof, no new street, square, park, or other public way, ground or open space, or any public building or structure, or public utility either publicly or privately owned, shall be constructed or authorized in the municipality or in such planned section and district until the location, character and extent thereof shall have been submitted to and approved by the commission. Provided that in case of disapproval the commission shall communicate its reasons to the Council which shall have the power to over-rule such disapproval by a recorded vote of a majority of its entire membership provided that if the matter involved is the location of a Fire Station or fire-fighting equipment, the Fire Commission's decision shall stand unless overruled because other solutions are technically and economically more satisfactory and, any decision relative to the Sewer System shall be make by the Sewer Commissions. (Ord. No. 195, Sec. 8.)

13.04.09 Approval of future streets, etc., rules for subdivided land After a master street plan is adopted and filed for record, no plat of a subdivision of any land within the territorial limits shall be received for record or recorded until it shall have been approved by the commission; nor shall any street, alley, square, park, public way, ground, open space, public building, or structure, or public utility, whether publicly or privately owned, by constructed or authorized in the municipality, or in the planned section or district, until the location, character

and extend thereof shall have been approved. This section shall not apply to any public way, space, building, structure, or utility owned by the City of Sherwood. Before exercising the powers granted in this section the Planning Commission shall prepare and adopt rules governing the subdivision of land within its jurisdiction. Such regulation may provide for the proper location and width and area of lots and the installation, or the furnishings of bonds in lieu of installation of physical improvements such as street grading and paving, sewers, water and other utilities, which are necessary to protect the public health and general welfare. Such regulations shall be adopted only after a public hearing has been held thereon, fifteen days notice of which shall be published in a newspaper having general circulation in the city.

The powers of this section shall not be exercised so as to deprive the owner of any existing property of its use or maintenance for the purpose to which it is then lawfully devoted. (Ord. No. 195, Sec. 9.)

13.04.10 Other powers and duties The Commission shall perform all other duties required by and have such powers as imposed by State Law. (Ord. No. 195, Sec. 10.)

13.04.11 Annual report of council The Planning Commission shall make an annual report to the Council for the previous year as soon as possible in the new year. It shall make such supplementary reports as its sees fit from time to time. (Ord. No. 195, Sec. 11.)

13.04.12 Jurisdictional boundaries of Planning Commission The areas for the city of Sherwood and its Planning Commission which has been filed with Metroplan and worked out with the Cities of North Little Rock and Jacksonville, a copy of which is attached hereto, setting out the exact land and jurisdiction of the Sherwood Planning Commission is hereby approved. (Ord. No. 201, Sec. 1.)

13.04.13 Engineer created in planning department There is hereby created a position of engineer for the Planning Department of the city of Sherwood. (Ord. No. 660, Sec. 1.)

13.04.14 Engineer - how approved Said engineer shall be the head of the Planning Department and shall be employed by the city of Sherwood after confirmation by a majority of the City Council (Ord. No. 660, Sec. 2.)

13.04.15 Notice procedures of Planning Commission shall control Henceforth, the notice provisions and procedures of the Planning Commission of the city of Sherwood are hereby to be followed in all rezoning matters that do not first go before the Planning Commission. (Ord. No. 727, Sec. 1.)

13.04.16 Individual agreements of understanding adopted Individual agreements of understanding between Pulaski County and each of the cities of Little Rock, North Little Rock, Sherwood and Jacksonville relative to responsibilities and functions of the County and the Cities to plan and to implement plans through regulation specifically concerning master street and

highway plans and the “Control of Development and Subdivision of Land” regulations is adopted by reference and made a part hereof. (Ord. No. 416, Sec. 1.)

13.04.17 Mayor can exchange city land

- A. The Mayor is authorized to exchange real property in Tract A for real property in Tract B, as described on Exhibit A and incorporated herein as if set out word for word.
- B. The Mayor is to have said property surveyed and appraised and, if he deems it is in the city’s best interest to exchange land, then he is to determine to his satisfaction that title to said property can be properly conveyed to Sherwood.
- C. Upon complying with the provisions in Paragraph 2, the Mayor is authorized to execute the necessary conveyances to exchange said properties.  
(Ord. No. 1330, Secs. 1-3.)

