



Planning Commission & Board of Adjustment

Pea Ridge City Hall
975 Weston Street
January 6, 2026 | 6:00 p.m.

- I. Call to Order**
- II. Roll Call**
- III. Review Minutes**
 - 1. December 2, 2025, Planning Commission Meeting
- IV. Announcements**
- V. Public Hearings**
 - 1. **Patterson & Artley - Rezone**
709 Lee Town Road, 897 Lee Town Road, and Property East of 366 South Davis Street
A, Agriculture to R-2, Medium Density Residential; R-3, High Density Residential; and C-2, General Commercial
- VI. Old Business**
 - 1. **Mid-South Exchange - Rezone**
Approximately 800 feet north of the northern end of Captain Miller Boulevard
A, Agriculture to R-1, Low Density Residential
 - 2. **Subdivision Street Responsibility - Text Amendment**
- VII. New Business**
 - 1. **Patterson & Artley - Rezone**
709 Lee Town Road, 897 Lee Town Road, and Property East of 366 South Davis Street
A, Agriculture to R-2, Medium Density Residential; R-3, High Density Residential; and C-2, General Commercial
 - 2. **Rolling Meadows Phase 2 - Final Plat**
Shrader Road, Ratliff Avenue, Ruggles Street, and Rickett Street
 - 3. **Sugar Creek Estates Phase 2 - Preliminary Plat**
Approximately 800 feet north of the northern end of Captain Miller Boulevard
- VIII. Other Business**
 - 1. By-law Amendments
 - 2. Nomination and Election of Chair
 - 3. Nomination and Election of Vice-chair

4. Interviews of Planning Commission candidates

IX. Board of Adjustments

X. Adjourn



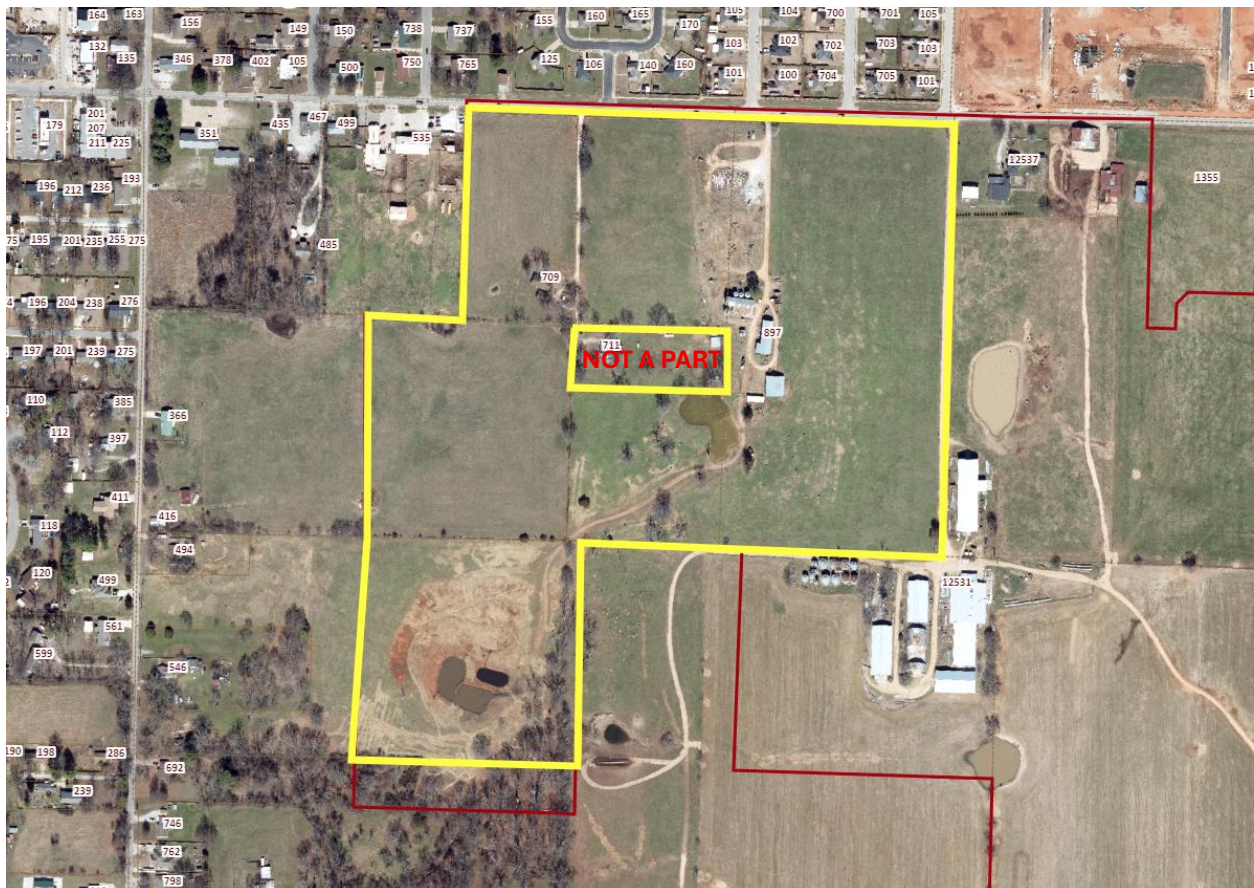
STAFF REPORT

Patterson & Artley Rezone

Location:	709 Lee Town Road, 897 Lee Town Road, and Property East of 366 South Davis Street
Current Zoning:	A, Agriculture
Land Use Designation:	SLC, Slack and Lee Town Corridor; MUC, Mixed Use Commercial; and RS, Residential Subdivision
Proposed Zone:	R-2, Medium Density Residential; R-3, High Density Residential; and C-2, General Commercial
Owner/Applicant:	Jimmy Patterson, Artley Farms/Jesse Fulcher
Property size:	+/- 56.74 acres

Request: Jimmy Patterson, Artley Farms/Jesse Fulcher is requesting to rezone their property from A, Agriculture to R-2, Medium Density Residential; R-3, High Density Residential; and C-2, General Commercial.

Vicinity Map (illustrative only):



Property Description

The subject property is located at 709 Lee Town Road, 897 Lee Town Road, and Property East of 366 South Davis Street, parcel numbers 18-04336-000, 18-04336-001, 18-04335-000, 18-04339-000 and 18-04340-000. The property is presently zoned A, Agriculture, with a Future Land Use designation of SLC, Slack and Lee Town Corridor; MUC, Mixed Use Commercial; and RS, Residential Subdivision. Adjacent zoning districts include A, Agriculture to the south and west; R-1, Low Density Residential to the north and west; R-2, Medium Density Residential to the west; and C-2, General Commercial to the west. Adjacent land use designations include SLC, Slack and Lee Town Corridor to the east and west; MUC, Mixed Use Commercial to the east and west; and RS, Residential Subdivision to the north, south, east, and west. The property presently consists of residential and agricultural uses. This property has direct access to Lee Town Road.

Relationship to the Comprehensive Land Use Plan

The proposed rezoning would meet several of the recommendations out of Section II & III of the Comprehensive Land Use Plan, including:

1. Retaining the relatively low-density residential nature of the community
2. Providing a safe living environment that offers quietness and privacy
3. Providing housing at low and medium densities
4. Protecting the character of single-family areas
5. Providing accessible, convenient, and attractive commercial locations

This request is consistent with the Future Land Use Map which designates this property as SLC, Slack and Lee Town Corridor; MUC, Mixed Use Commercial; and RS, Residential Subdivision.

Analysis & Recommendation

This request meets several of the recommendations of the Comprehensive Land Use Plan in this proposed location. This is also a new submission of a previous request. The major difference being the extension of commercial zoning further east along Lee Town Road and the extension of R-3 further south along a future extension of Greer Street.

While the proposed zoning boundaries are not coincidental with the Future Land Use designations, taken as a whole, the provided mix of zoning does befit a property of this size with the three Future Land Use designations it possesses. Additionally, it is in keeping with the step down in intensity that the sequence of land use designations provides. Furthermore, our zoning districts are not a 1 to 1 match to our land use categories. Each of our land use categories is able to accommodate several of our zoning districts achieve the vision and description of each land use category.

By accommodating a mix of several zoning districts on a property of this size, the city is able to provide for a neighborhood that will be a mix of several residential and commercial uses. By doing so, people are able to access destinations such as jobs and services without having to travel outside of their neighborhood, let alone their city. It also allows for a neighborhood of housing choice meaning as people age through various life stages and events, they do not necessarily have to leave their neighborhood to attain the housing they want or need.

Given the generally compatible location, general consistency with the Comprehensive Land Use Plan, consistency with the Future Land Use Map, and responsiveness to Planning Commission comments, staff recommends approval of this rezoning request.

Supplemental Information

Use Definitions: Ch. 14.04.05 District Regulations

A, Agriculture District. The purpose of this district is to provide for a very low-density single-family district, while helping preserve existing agricultural resources, and to guide the conversion of these lands to higher density residential use when appropriate. Agricultural areas should be protected for development by appropriate standards until they are well served by public facilities and services that will permit higher density residential development.

R-2, Medium Density Residential. This district is intended to accommodate single-family residential uses on moderately sized, medium density lots of at least 8000 square feet. This is the smallest lot size for areas that are exclusively for single-family purposes, and the availability of public sanitary sewer shall be a requirement for R-2 zoning.

R-3, Multi-Family Residential, Varying Densities. This district is to provide for higher density mixes of residential uses including, duplex, triplex, 4-plex and multi-family development complexes. Congregate housing for the elderly is also anticipated in this zone. Areas so classified must have all municipal services available. The maximum density in this district is twelve (12) dwelling units to the acre.

Future Land Use Categories:

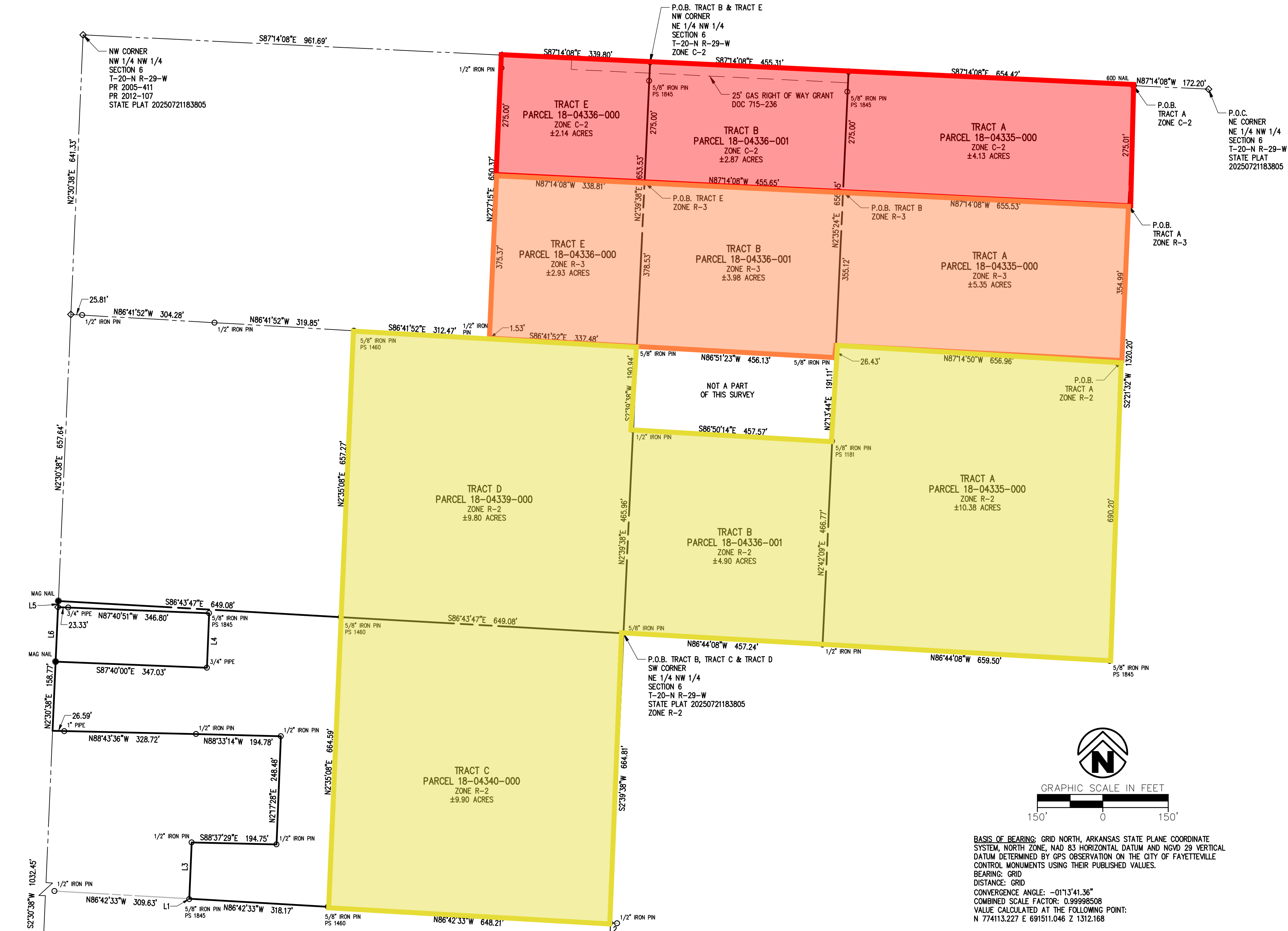
RESIDENTIAL SUBDIVISION (RS)

These areas include low-medium density subdivisions; most have already been platted or are in development. These areas consist of primarily single-family detached homes with front loaded lots and attached garages.

MIXED USE COMMERCIAL (MUC) Mixed Use Commercial areas supports commercial uses and include a mix of residential development including single-family attached and multi-unit residential housing. The buildings may be single or multi-storied structures accommodating a mixture of uses inside individual structures. Developments may have individual or shared parking areas and are supported by a well-connected grid network of streets.

SLACK AND LEE TOWN CORRIDOR (SC) The largest commercial area within the City of Pea Ridge, this corridor will have the highest intensity of commercial and residential uses within the city. The mixed-use corridor encourages connected neighborhoods while acknowledging existing conventional, commercial development patterns. The buildings may be single or multi-storied structures accommodating a mixture of uses, including multi-unit residential, within individual structures. Residential uses shall be placed above or behind commercial uses, reserving the corridor frontage for commercial. Developments may have individual or shared parking areas and are supported by a well-connected grid of private and public access points.

DRAWING: G:\2511200-HAWKESLANDING SURVEY\DWG\OVERALL REZONE EXHIBIT.DWG
LAYOUT: LAYOUT1.LAST SAVED: K:\676_12772025 6:47:03 AM
LAST PLOTTED BY: KEVIN MONTGOMERY, 12/7/2025 8:26:19 AM (PLOTTED BY: VALID ON HARD COPY ONLY)



PARCEL LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S2° 20' 23"W	0.90'
L2	S86° 42' 33"E	16.27'
L3	N2° 20' 23"E	129.15'
L4	N2° 24' 11"E	125.07'
L5	N2° 30' 38"E	14.33'
L6	N2° 30' 38"E	124.99'

RECORD INFORMATION

STATE PLAT CODE:

OVERALL REZONE EXHIBIT
PART NW 1/4
SECTION 6
T-20-N R-29-W

PREPARED FOR:

CALARA LAND (AR), LLC

ARKANSAS

PEA RIDGE

DATE: 12/09/2025
PROJECT NO: 25111200
CONTACT: K.MONTGOMERY

901 N. 47th St., Suite 400
Rogers, Arkansas 72756
479.636.4838
www.craftontull.com

CERTIFICATE OF AUTHORIZATION
CRAFTON TULL & ASSOCIATES, INC.
No. 107
ARKANSAS ENGINEER

© 2025 Crafton, Tull & Associates, Inc.

DELTA	DESCRIPTION	DATE

SHEET NO.:

1 OF 1



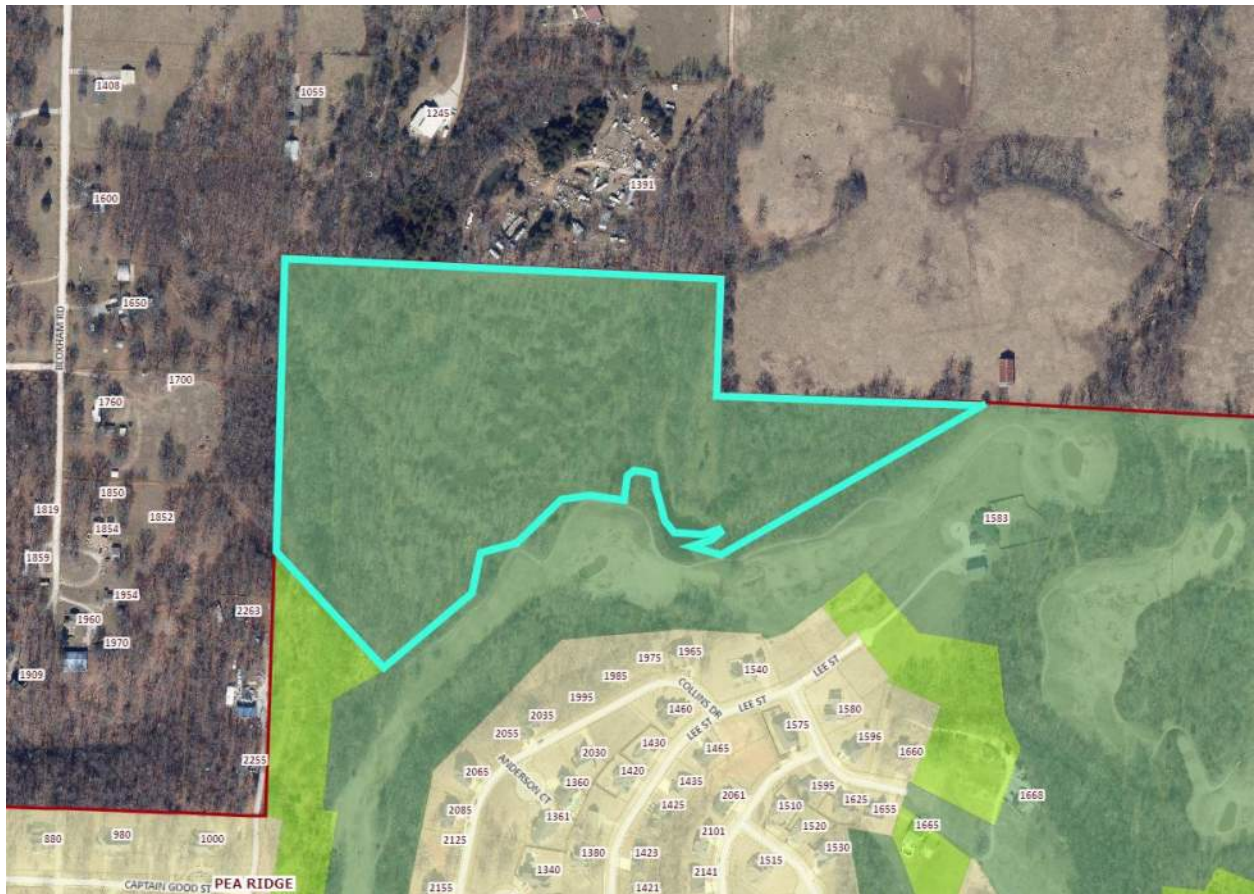
STAFF REPORT

Mid-South Exchange Rezone

Location:	Approximately 800 feet north of the northern end of Captain Miller Boulevard
Current Zoning:	A, Agriculture
Land Use Designation:	RE, Residential Estate
Proposed Zone:	R-1, Low Density Residential
Owner/Applicant:	Mid-South Exchange/Franklin Miller
Property size:	+/- 30.66 acres

Request: Mid-South Exchange/Franklin Miller is requesting to rezone their property from A, Agriculture to R-1, Low Density Residential.

Vicinity Map (illustrative only):



Property Description

The subject property is located approximately 800 feet north of the northern end of Captain Miller Boulevard, parcel numbers 13-00014-025 and 13-01200-018. The property is presently zoned A, Agriculture, with a Future Land Use designation of RE, Residential Estate. Adjacent zoning districts include A, Agriculture to the south; RE, Residential Estate, to the southwest; and unincorporated Benton County to the north, west, and east. Adjacent land use designations include RE, Residential Estate to the west and north; RS, Residential Subdivision to the south; and PR, Recreation – Private, to the south and east. The property is presently undeveloped. This property has direct access to Captain Miller Boulevard.

Relationship to the Comprehensive Land Use Plan

The proposed rezoning would meet several of the recommendations out of Section II & III of the Comprehensive Land Use Plan, including:

1. Retaining the relatively low-density residential nature of the community
2. Providing a safe living environment that offers quietness and privacy
3. Providing housing at low and medium densities
4. Protecting the character of single-family areas

This request is consistent with the Future Land Use Map which designates this property as Residential Estate.

Analysis & Recommendation

This request meets several of the recommendations of the Comprehensive Land Use Plan in this proposed location.

The R-1 district is among the lower densities of residential uses that our code has – which likely lends itself to satisfying the intent of the RE land use that development in these areas be estate style development patterns and provide a range of housing types and lot sizes. This land use may incorporate rural style development patterns. This request is also consistent with the existing development and zoning patterns of homes along and near the Sugar Creek Golf Course. Homes along golf courses are a traditional pattern of single-family development in the city currently and in our region.

Given the generally compatible location, general consistency with the Comprehensive Land Use Plan, and the consistency with the Future Land Use Map, staff recommends approval of this rezoning request.

Supplemental Information

Use Definitions: Ch. 14.04.05 District Regulations

A, Agriculture District. The purpose of this district is to provide for a very low-density single-family district, while helping preserve existing agricultural resources, and to guide the conversion of these lands to higher density residential use when appropriate. Agricultural areas should be protected for development by appropriate standards until they are well served by public facilities and services that will permit higher density residential development.

R-1, Low Density Residential. The purpose of this district is to accommodate single-family residential uses on generously sized residential lots of at least 12,000 square feet. This zone is generally

applied on the built-up areas of the city, where public sanitary sewer is available, and may act as a buffer to RE and R-2 zones.

Future Land Use Categories:

RESIDENTIAL ESTATE (RE) These areas include low-density estate subdivision lots as well as larger tracts of land that have no uniform development pattern. This area will have a range of housing types and lot sizes but will typically be lots larger than 1 acre in size.

Zoning Regulation: Developer Responsibility for Adjacent Street Upgrades

Section 1: Purpose

This regulation aims to ensure that new developments contribute to improving and maintaining public infrastructure, specifically the streets, road, sidewalks, and trails adjacent to the development, to support increased traffic and public usage generated by the project. This zoning regulation ensures that developers contribute to public infrastructure improvements, enhancing the safety, functionality, and sustainability of roads adjacent to new developments.

Section 2: Applicability

This regulation applies to all projects requiring Large Scale Development or Preliminary Plat approval adjacent to public roads or streets within the jurisdiction of the City of Pea Ridge.

Section 3: Developer Responsibilities

1. Street Upgrade Requirement:
 - Any development that meets the applicability standards in Section 2 must ensure that all public roads and streets immediately adjacent to the proposed development are upgraded to meet current city standards for traffic capacity, safety, accessibility, and durability.
 - This requirement applies to the full length of any road or street that borders the development site.
2. Scope of Required Upgrades:
 - Roadway Resurfacing: Developers shall resurface or reconstruct adjacent streets to meet city engineering standards.
 - Sidewalks and Bike Lanes: Developers must install or upgrade sidewalks, crosswalks, trails, and bike lanes, where applicable, per city codes and pedestrian safety requirements.
 - Traffic Signals and Signs: Developers must install or upgrade traffic signals, signage, and other traffic control devices as deemed necessary by a traffic impact study or the Planning Department.
 - Drainage and Stormwater Management: Developers shall ensure that drainage systems are in place or upgraded to accommodate any increased runoff due to the development, including stormwater management systems per City of Pea Ridge regulations and per the approved drainage study.
 - Lighting: Developers must provide appropriate street lighting upgrades, ensuring compliance with City regulations.
3. Traffic Impact Study:
 - A traffic impact study, prepared by a licensed traffic engineer, must be submitted with the development application to assess the impact of the development on

adjacent roadways. The study will recommend necessary upgrades to accommodate the increased traffic flow.

- The study must consider pedestrian, bicycle, and vehicular traffic, as well as public transportation needs.
- 4. Conformance to Comprehensive Plan and Compliance with City Standards:
 - All street upgrades must comply with current engineering and safety standards as outlined by the Master Street Plan and must be approved by the City Engineer.
 - If the existing streets do not meet current standards, the developer is responsible for bringing the streets up to compliance before the issuance of a final plat.
 - Subject to the control of the city according to the Comprehensive Plan, primarily the Land Use and Master Street Plan,

Section 4: Funding and Cost Allocation

1. Developer Funding Obligation:
 - The developer shall bear the full cost of all required street upgrades unless otherwise specified through an agreement with the city or county.
 - No development shall receive final approval or a certificate of occupancy until the required street upgrades have been completed to the satisfaction of the [City/County Planning Department].
2. Performance Bonds:
 - Developers may be required to provide a performance bond or other financial guarantee to cover the cost of the street upgrades prior to issuing the final plat.
3. Fee-in-Lieu Option:
 - In cases where the [City/County Planning Department] determines that it is more efficient or feasible for the city to undertake the upgrades, the developer may be allowed to pay a fee-in-lieu of performing the upgrades directly. The fee will be calculated based on the cost of the required improvements, as estimated by the [City Engineer].

Section 5: Exceptions and Appeals

1. Waivers:
 - The developer may apply for a waiver of certain street upgrade requirements if it can be demonstrated that the existing street infrastructure already meets current standards, or if the required upgrades would create an undue burden that does not proportionately reflect the impact of the development.
2. Appeal Process:
 - Any developer who disputes the requirements imposed under this regulation may appeal to the [Zoning Appeals Board]. The board will review the appeal and decide based on the public interest, traffic safety, and infrastructure needs.

Section 6: Enforcement

1. Penalties for Non-Compliance:

- Failure to comply with the street upgrade requirements will result in withholding of development permits, occupancy certificates, and potential fines as outlined in the City Code: 9.08.17 Penalty

2. Inspection and Approval:

- The City will inspect all completed upgrades before final approval. Any deficiencies must be corrected before the developer can apply for the final plat.

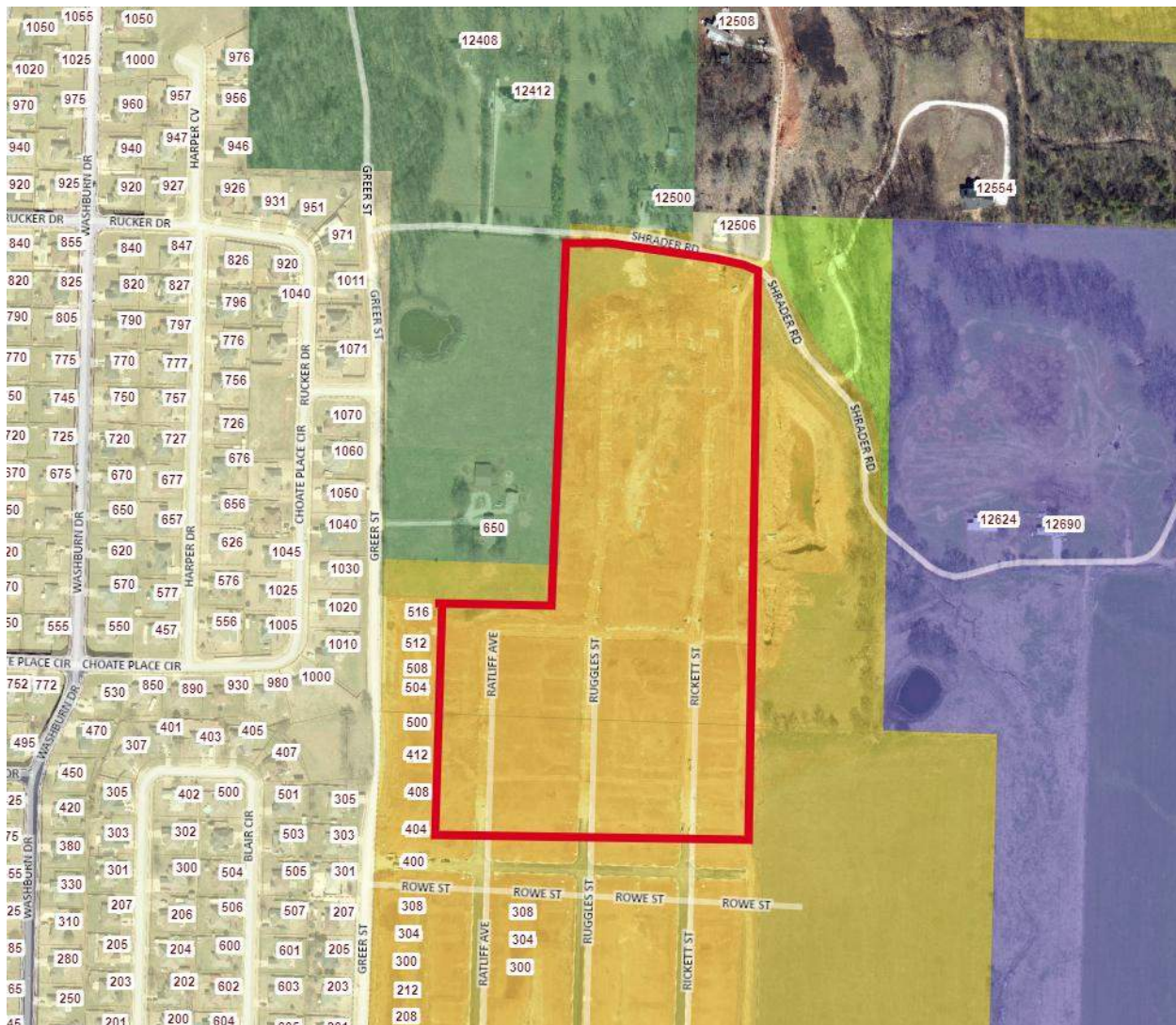


STAFF REPORT

Rolling Meadows Phase 2 - Final Plat

Location:	Shrader Road, Ratliff Avenue, Ruggles Street, and Rickett Street
Current Zoning:	R-2, Medium Density Residential
Land Use Designation:	RS, Residential Subdivision
Owner/Applicant:	DR Horton NW Arkansas LLC

Vicinity Map (illustrative only):



Property Description

The subject property is located along Shrader Road and north of the current termini of Ratliff Avenue, Ruggles Street, and Rickett Street, being a part of parcel numbers 13-00075-126 and 13-00075-121. The property is presently zoned R-2, Medium Density Residential, with a Future Land Use designation of RS, Residential Subdivision. Adjacent zoning districts include R-1, Low Density Residential to the north; R-2, Medium Density Residential to the east, south, and west; and A, Agriculture to the west. Adjacent land use designations include RS, Residential on all sides. The property is presently under development as a single-family subdivision. This property has direct access to Shrader Road, Ratliff Avenue, Ruggles Street, and Rickett Street.

Project Description

The applicant is proposing a Final Plat for Rolling Meadows Phase 2 that consists of 80 lots. The subdivision establishes new public street to service the residential lots and dedicates sufficient right-of-way and easements for access and utility services.

Variances

There are no variances requested with this Final Plat.

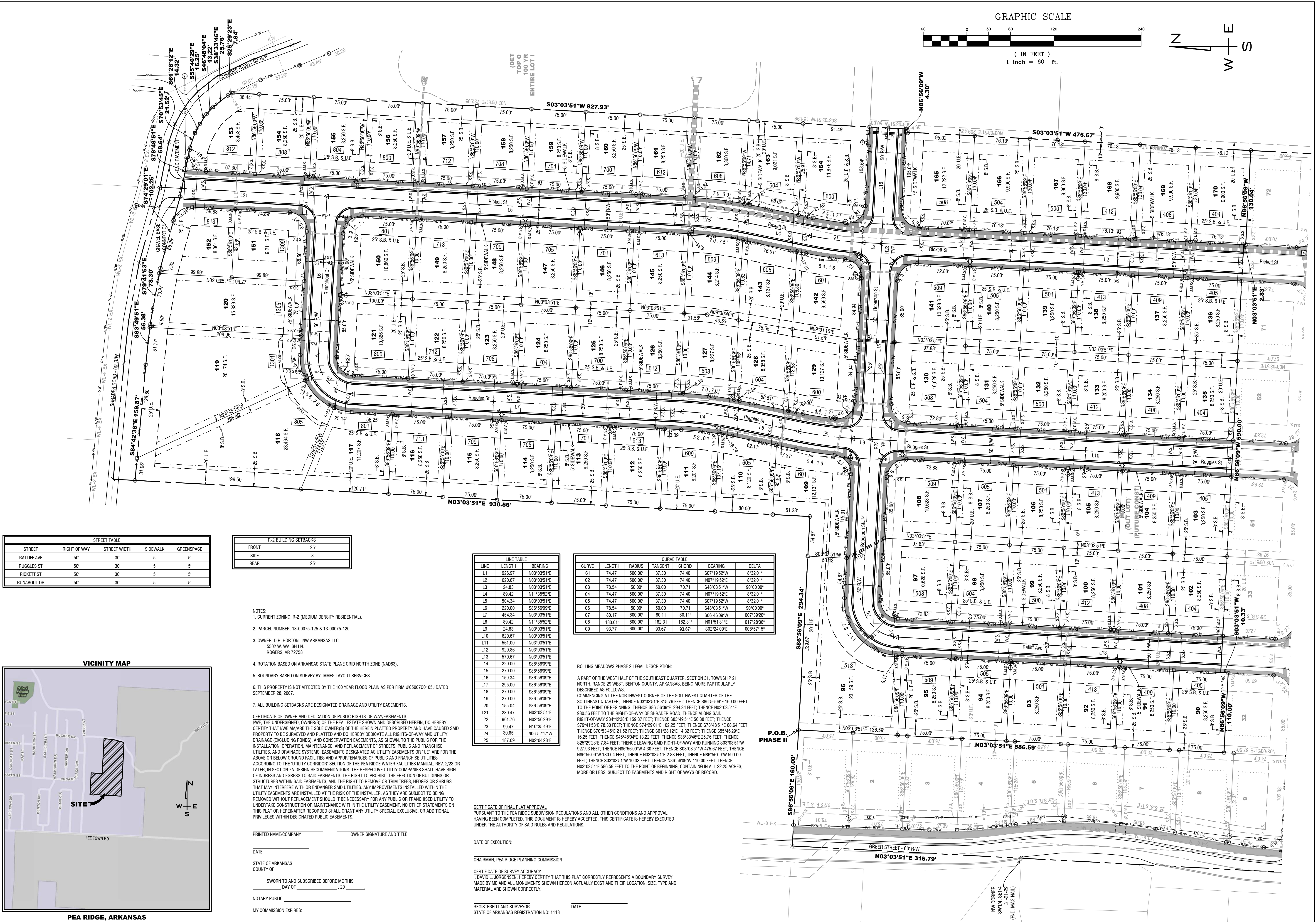
Analysis & Recommendation

The proposed development meets the requirements of the Zoning Ordinance and Subdivision Regulations of the City of Pea Ridge; therefore, staff recommends approval of this Final Plat.

Supplemental Information

MINIMUM DIMENSION REQUIREMENTS RESIDENTIAL DISTRICTS						
ZONING DISTRICTS						
DIMENSION	A	RE	R-1	R-2	R-3	R-4
Lot size						
Single-family (sq. ft.)	5 ac	1 ac	12,000	8,000	NP	NP
Duplex, Triplex & Four Plex (sq. ft.)	NP	NP	NP	NP	12,000	NP
Nonresidential uses (sq. ft.)	5 ac	1 ac	½ ac	12,000	12,000	12,000
Multi-family (units/acre)	NP	NP	NP	NP	12	1 Story-10 2 Story-18 3 Story- 27
Lot width (all uses)	240'	120'	100'	60'	100'	1 Story- 150' 2 Story-150' 3 Story- 150'
Front setback (all uses)	30'	30'	25'	25'	25'	50'
Side setback (all uses)	15'	15'	8'	8'	8'	1 Story-20' 2 Story-20' 3 Story-25'
Street side setback (all uses)	25'	25'	25'	25'	25'	50'
Rear setback (all uses)	30'	30'	25'	25'	25'	45'
NP = not permitted						

A	Agriculture
RE	Residential Estate
R-1	Low Density Residential
R-2	Medium Density Residential
R-3	High Density Residential
R-4	Multi-Family Residential
C-1	Neighborhood Commercial
C-2	General Commercial
I	Industrial



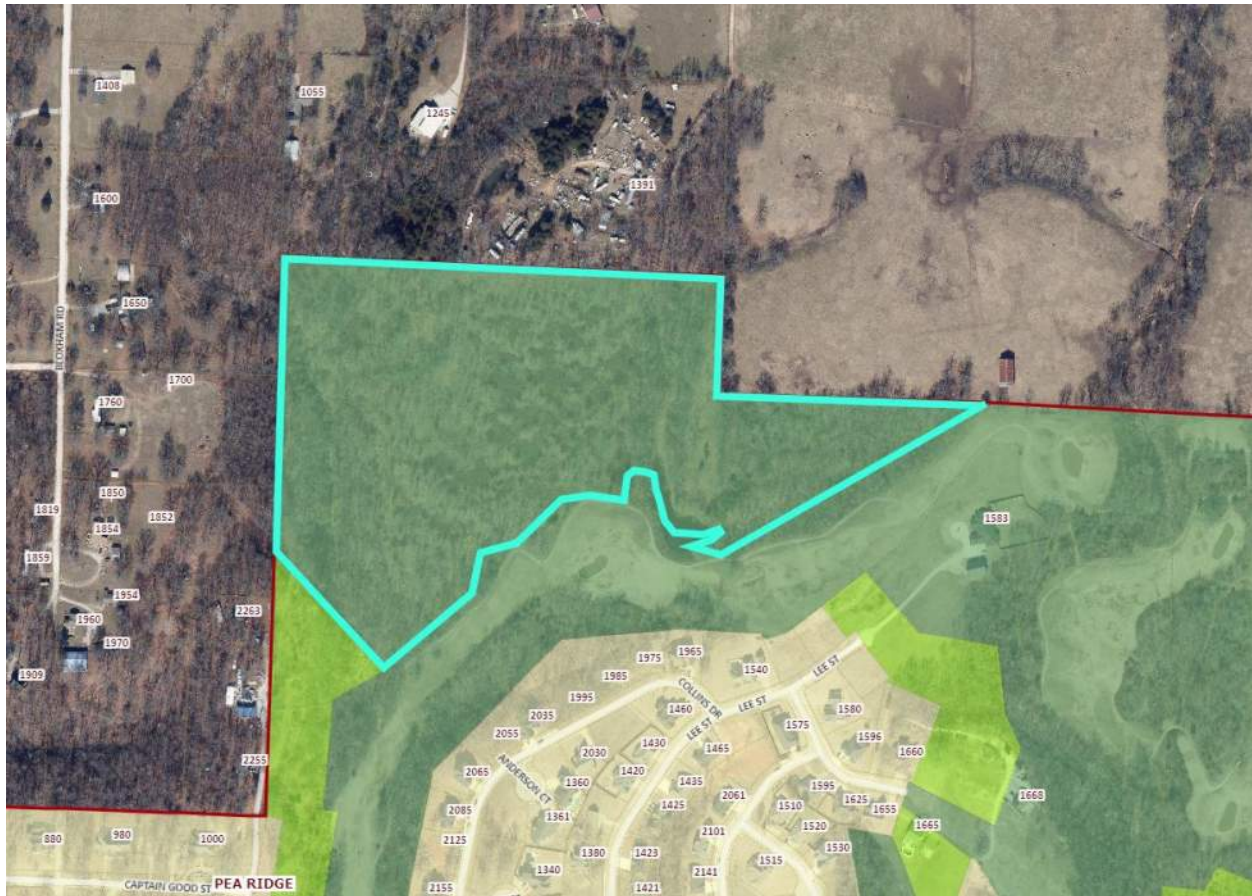


STAFF REPORT

Sugar Creek Estates Ph. 2 Preliminary Plat

Location:	Approximately 800 feet north of the northern end of Captain Miller Boulevard
Current Zoning:	A, Agriculture (pending rezone to R-1)
Land Use Designation:	RE, Residential Estate
Owner/Applicant:	MidSouth Exchange/Tim Lemons

Vicinity Map (illustrative only):



Property Description

The subject property is located approximately 800 feet north of the northern end of Captain Miller Boulevard, parcel numbers 13-00014-025 and 13-01200-018. The property is presently zoned A, Agriculture, with a Future Land Use designation of RE, Residential Estate. Adjacent zoning districts include A, Agriculture to the south; RE, Residential Estate, to the southwest; and unincorporated Benton County to the north, west, and east. Adjacent land use designations include RE, Residential

Estate to the west and north; RS, Residential Subdivision to the south; and PR, Recreation – Private, to the south and east. The property is presently undeveloped. This property has direct access to Captain Miller Boulevard.

Project Description

The applicant is proposing a Preliminary Plat that consists of 30 total lots, The subdivision has primary access off of Captain Miller Boulevard and provides one future connection to adjoining properties for extension. It is also providing one emergency access drive through Lot 9 to the north.

Offsite improvements are needed to make the connection to the existing terminus of Captain Miller. The maximum grades for the streets in this subdivision is 12%.

No recreational space is set aside with this plat.

Variances

There are no variances requested with this Preliminary Plat.

Analysis & Recommendation

The proposed development does not meet the requirements of the Zoning Ordinance and the Subdivision Regulations of the City of Pea Ridge; therefore, staff recommends tabling this Preliminary Plat to allow the applicant to amend their plans.

Supplemental Information

MINIMUM DIMENSION REQUIREMENTS RESIDENTIAL DISTRICTS						
ZONING DISTRICTS						
DIMENSION	A	RE	R-1	R-2	R-3	R-4
Lot size						
Single-family (sq. ft.)	5 ac	1 ac	12,000	8,000	NP	NP
Duplex, Triplex & Four Plex (sq. ft.)	NP	NP	NP	NP	12,000	NP
Nonresidential uses (sq. ft.)	5 ac	1 ac	½ ac	12,000	12,000	12,000
Multi-family (units/acre)	NP	NP	NP	NP	12	1 Story-10 2 Story-18 3 Story- 27
Lot width (all uses)	240'	120'	100'	60'	100'	1 Story- 150' 2 Story-150' 3 Story- 150'
Front setback (all uses)	30'	30'	25'	25'	25'	50'
Side setback (all uses)	15'	15'	8'	8'	8'	1 Story-20' 2 Story-20' 3 Story-25'
Street side setback (all uses)	25'	25'	25'	25'	25'	50'
Rear setback (all uses)	30'	30'	25'	25'	25'	45'
NP = not permitted						

A	Agriculture
RE	Residential Estate
R-1	Low Density Residential
R-2	Medium Density Residential
R-3	High Density Residential
R-4	Multi-Family Residential
C-1	Neighborhood Commercial
C-2	General Commercial
I	Industrial

DETAILED PLANS:

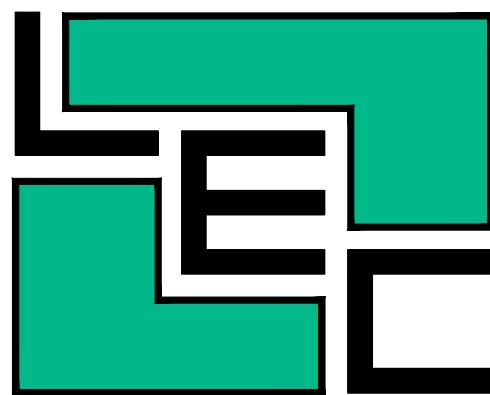
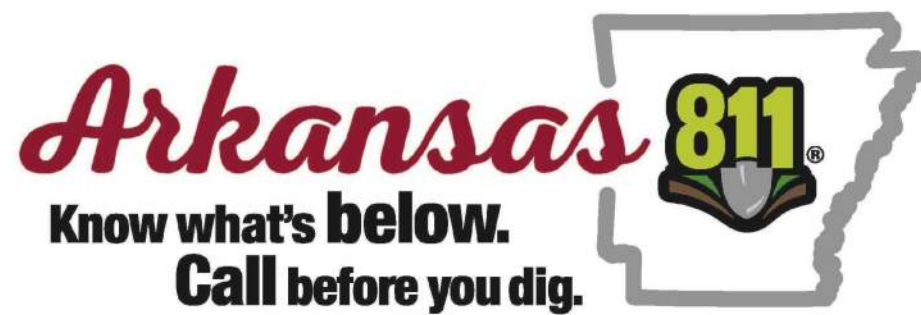
*SUGAR CREEK ESTATES
PHASE II*

PART OF SECTION 7, T-20-N, R-29-W
CITY OF PEA RIDGE, BENTON COUNTY, ARKANSAS

REVISED: DECEMBER 22, 2025

PREPARED FOR:

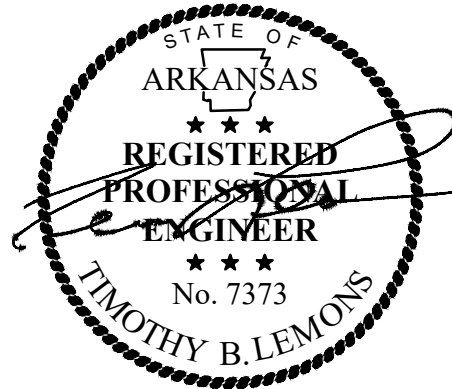
MP DEVELOPMENT
1000 CAPTAIN GOOD STREET
PEA RIDGE, ARKANSAS 72751



Prepared By:
LEMONS ENGINEERING CONSULTANTS, INC.
204 CHERRY STREET
CABOT, ARKANSAS 72023

ENGINEERING • SURVEYING • PLANNING

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CERTIFICATE OF ENGINEERING ACCURACY:

I, TIMOTHY B. LEMONS, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A PLAT MADE BY ME, OR UNDER MY SUPERVISION, AND THAT ENGINEERING REQUIREMENTS OF THE BENTON COUNTY SUBDIVISION RULES AND REGULATIONS HAVE BEEN COMPLIED WITH.

DATE

TIMOTHY B. LEMONS, REGISTERED PROFESSIONAL ENGINEER
NO. 7373, ARKANSAS

CERTIFICATE OF SURVEYING ACCURACY:

I, BILLY A. LAWRENCE, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

DATE

BILLY A. LAWRENCE, ARKANSAS PROFESSIONAL SURVEYOR,
NO. 1552

CERTIFICATE OF PRELIMINARY PLAT APPROVAL:

THIS PLAT HAS BEEN GIVEN PRELIMINARY PLAT APPROVAL ONLY, AND HAS NOT BEEN APPROVED FOR RECORDING AS A PUBLIC RECORD. THIS CERTIFICATE SHALL EXPIRE ON

DATE OF EXECUTION

SIGNED: CHAIRMAN,
PEA RIDGE PLANNING COMMISSION

CERTIFICATE OF OWNERS:

WE, THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED SAID REAL ESTATE IN ACCORDANCE WITH THE WITHIN PLAT AND HEREBY DEDICATE TO THE CITY OF PEA RIDGE ALL ROADS, ALLEYS, EASEMENTS, AND RIGHTS OF WAY IN ACCORDANCE WITH THE WITHIN PLAT.

DATE OF EXECUTION

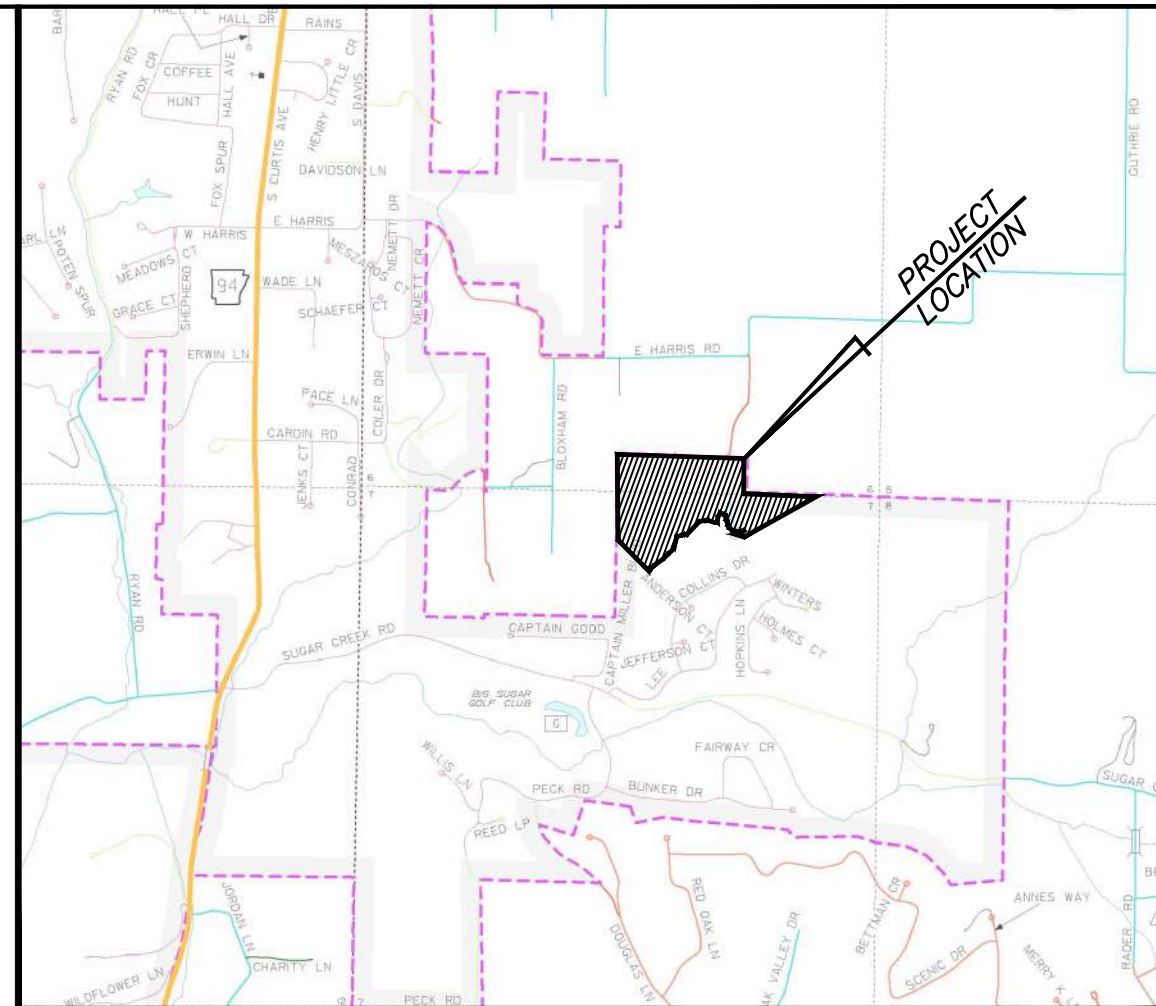
MP DEVELOPMENT
1000 CAPTAIN GOOD ST
PEA RIDGE, AR 72751

LEGAL DESCRIPTION:

A PART OF THE NE 1/4 OF THE NE 1/4, AND PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION 7, & PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 6, ALL IN T-20-N, R-29-W, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 7; THENCE S 86°21'34" E, 751.25 FEET; THENCE S 61°50'46" W, 854.88 FEET; THENCE N 72°08'02" W, 86.87 FEET; THENCE N 78°26'09" E, 35.00 FEET; THENCE N 64°39'59" E, 24.37 FEET; THENCE N 52°04'32" E, 32.40 FEET; THENCE N 29°35'23" W, 8.06 FEET; THENCE S 68°35'42" W, 43.92 FEET; THENCE N 78°36'02" W, 76.96 FEET; THENCE N 48°43'05" W, 47.11 FEET; THENCE N 23°55'07" W, 25.72 FEET; THENCE N 11°23'52" W, 44.88 FEET; THENCE N 32°25'11" W, 21.35 FEET; THENCE N 08°23'50" W, 46.99 FEET; THENCE N 55°32'00" W, 15.09 FEET; THENCE N 76°00'25" W, 42.99 FEET; THENCE S 30°58'43" W, 41.79 FEET; THENCE S 06°04'05" W, 64.48 FEET; THENCE N 78°25'04" W, 32.01 FEET; THENCE N 73°30'54" W, 64.74 FEET; THENCE N 76°45'28" W, 17.79 FEET; THENCE S 85°57'22" W, 17.05 FEET; THENCE S 81°10'01" W, 192.97 FEET; THENCE N 78°04'04" W, 22.73 FEET; THENCE S 74°49'28" W, 26.77 FEET; THENCE S 14°51'36" W, 132.58 FEET; THENCE S 51°57'01" W, 74.69 FEET; THENCE S 44°50'06" W, 76.62 FEET; THENCE S 55°43'28" W, 117.63 FEET; THENCE S 48°09'36" W, 45.25 FEET; THENCE S 38°54'34" W, 30.90 FEET; THENCE S 20°44'00" W, 5.21 FEET; THENCE N 43°28'16" W, 458.03 FEET; THENCE N 00°38'13" E, 891.26 FEET; THENCE S 86°55'29" E, 1320.21 FEET; THENCE S 01°28'31" W, 364.96 FEET TO THE POINT OF BEGINNING, CONTAINING 30.31 ACRES, MORE OR LESS.

LINE TABLE		
L1	N 78°26'09" E	35.00'
L2	N 64°39'59" E	24.37'
L3	N 52°04'32" E	32.40'
L4	N 29°35'23" W	8.06'
L5	S 68°35'42" W	43.92'
L6	N 78°36'02" W	76.96'
L7	N 48°43'05" W	47.11'
L8	N 23°55'07" W	25.72'
L9	N 11°23'52" W	44.88'
L10	N 32°25'11" W	21.35'
L11	N 08°23'50" W	46.99'
L12	N 55°32'00" W	15.09'
L13	N 76°00'25" W	42.99'
L14	S 30°58'43" W	41.79'
L15	S 06°04'05" W	64.48'
L16	N 78°25'04" W	32.01'
L17	N 73°30'54" W	64.74'
L18	N 76°45'28" W	17.79'
L19	S 85°57'22" W	17.05'
L20	S 81°10'01" W	58.40'
L21	N 78°04'04" W	22.73'
L22	S 74°49'28" W	26.77'
L23	S 74°49'28" W	56.51'
L24	S 51°57'01" W	74.69'
L25	S 44°50'06" W	76.62'
L26	S 48°09'36" W	45.25'
L27	S 38°54'34" W	30.90'
L28	S 20°44'00" W	5.21'



VICINITY MAP
SCALE: 1" = 2000'

LEMONS ENGINEERING CONSULTANTS, INC.
1000 KIMBERLY STREET
CABOT, ARKANSAS 72023
(501) 843-5081 • Fax (501) 941-0959
ENGINEERING + SURVEYING
WATER • SEWER • TRANSPORTATION • SUBDIVISIONS

PRELIMINARY PLAT
SUGAR CREEK ESTATES - PHASE II
Part of the NE 1/4, NE 1/4 & NW 1/4, NE 1/4, Section 7, &
Part of the SW 1/4, SE 1/4, Section 6, T-20-N, R-29-W
City of PEA RIDGE, Benton County, Arkansas

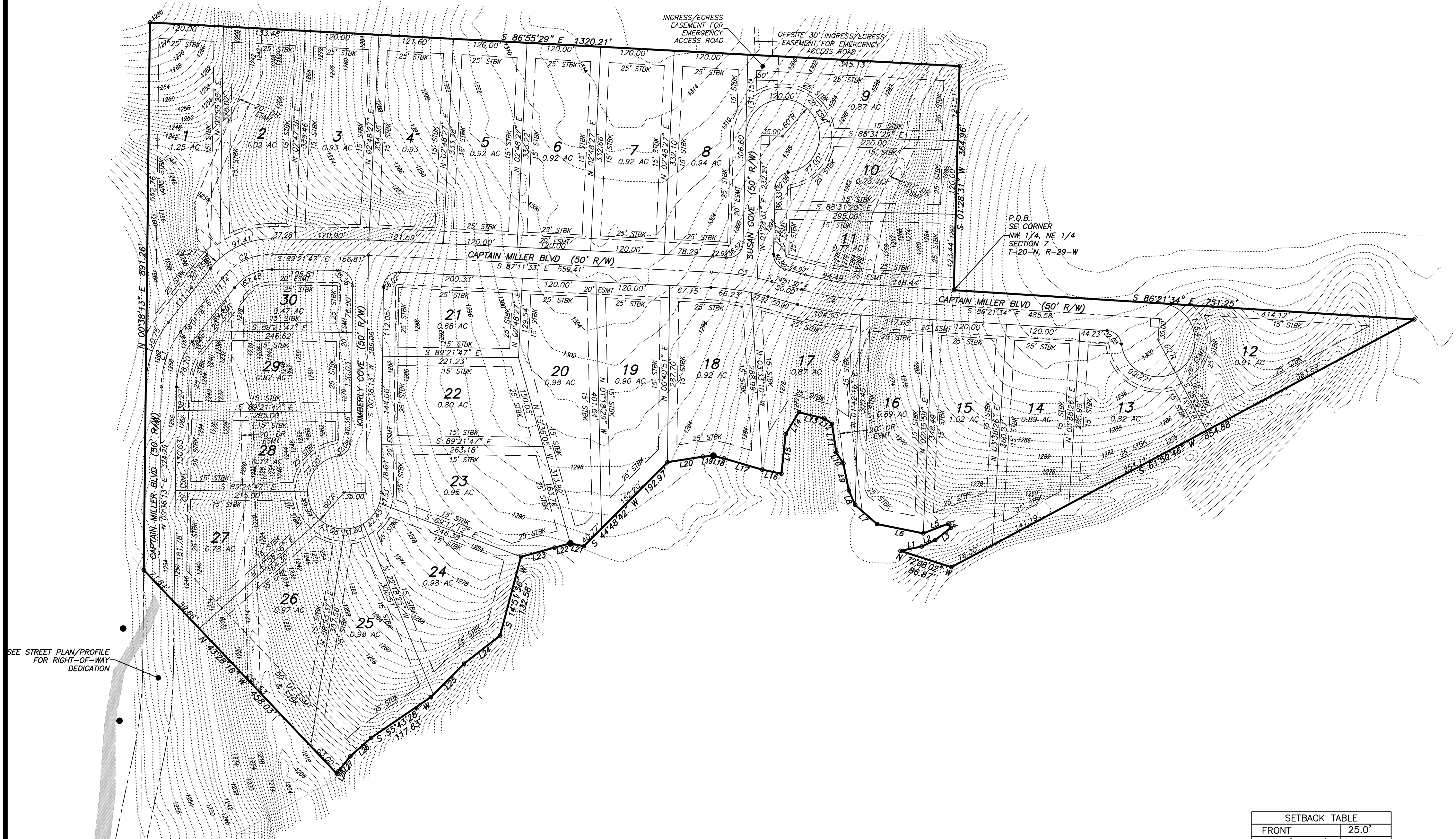
MP Development
1000 Captain Good Street
Pea Ridge, Arkansas 72751

GENERAL NOTES:

- IRON PINS SHALL BE SET AT ALL LOT CORNERS.
- EASEMENTS TO BE USED FOR ACCESS, UTILITIES, AND DRAINAGE.
- ALL EASEMENTS TO BE AS NOTED.
- EASEMENTS BETWEEN LOTS SHALL BE CENTERED ON THE LOT LINES UNLESS OTHERWISE NOTED.
- BUILDING SETBACKS SHALL BE AS NOTED.
- WATER SOURCE: CITY OF PEA RIDGE.
- WASTEWATER DISPOSAL SOURCE: CITY OF PEA RIDGE.
- ALL KNOWN NATURAL FEATURES ON & SURROUNDING THE PROPOSED DEVELOPMENT ARE AS SHOWN ON THIS PRELIMINARY PLAT.
- ALL ACCESS IS TO BE FROM INTERIOR STREETS ONLY.
- ALL STRUCTURES TO BE PLACED WITHIN BUILDING SETBACKS AS SHOWN.
- ZONING IS PRESENTLY A. R-1 BEING REQUESTED.
- SIDEWALKS TO EXIST IN R/W OR EASEMENT.
- ALL BUILDING SETBACKS SHALL BE USED FOR UTILITIES AND/OR DRAINAGE.

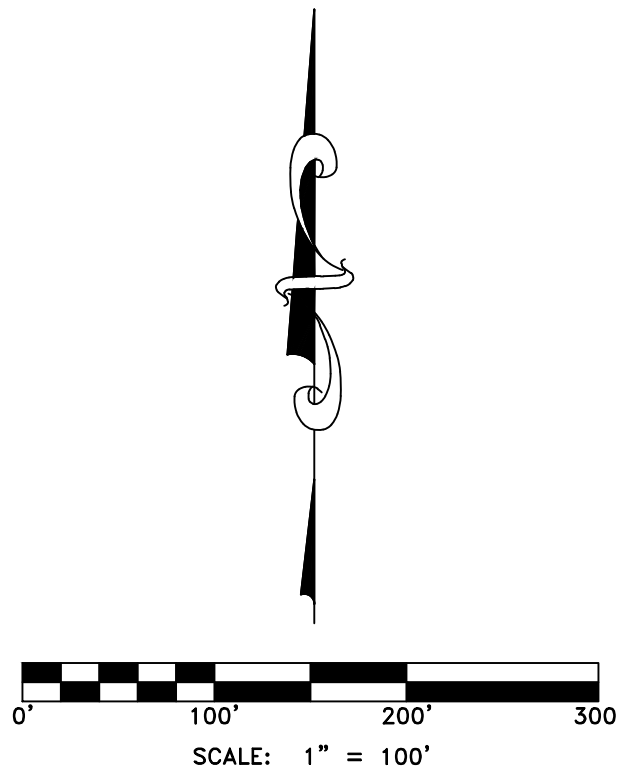
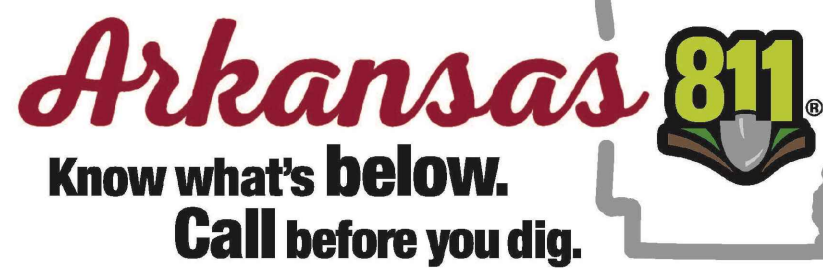
FLOOD NOTE:

BASED ON FIRM COMMUNITY PANEL NO. 05007C0115K, WITH AN EFFECTIVE DATE OF JUNE 5, 2012, THIS PROPERTY APPEARS TO BE LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).



SETBACK TABLE	
FRONT	25.0'
SIDE (Interior)	15.0'
SIDE (Street)	25.0'
REAR	25.0'

CL STREET CURVE DATA					
CURVE	RADIUS	ARC LENGTH	TANGENT	DELTA ANGLE	CHORD BEARING
C1	147.78'	96.43'	50.00'	37°23'05"	N 19°19'45" E 94.73'
C2	101.13'	92.87'	50.00'	52°36'55"	N 64°19'45" E 89.64'
C3	462.73'	99.61'	50.00'	12°20'03"	S 81°01'31" E 99.42'
C4	496.50'	99.66'	50.00'	11°30'04"	S 80°36'32" E 99.50'

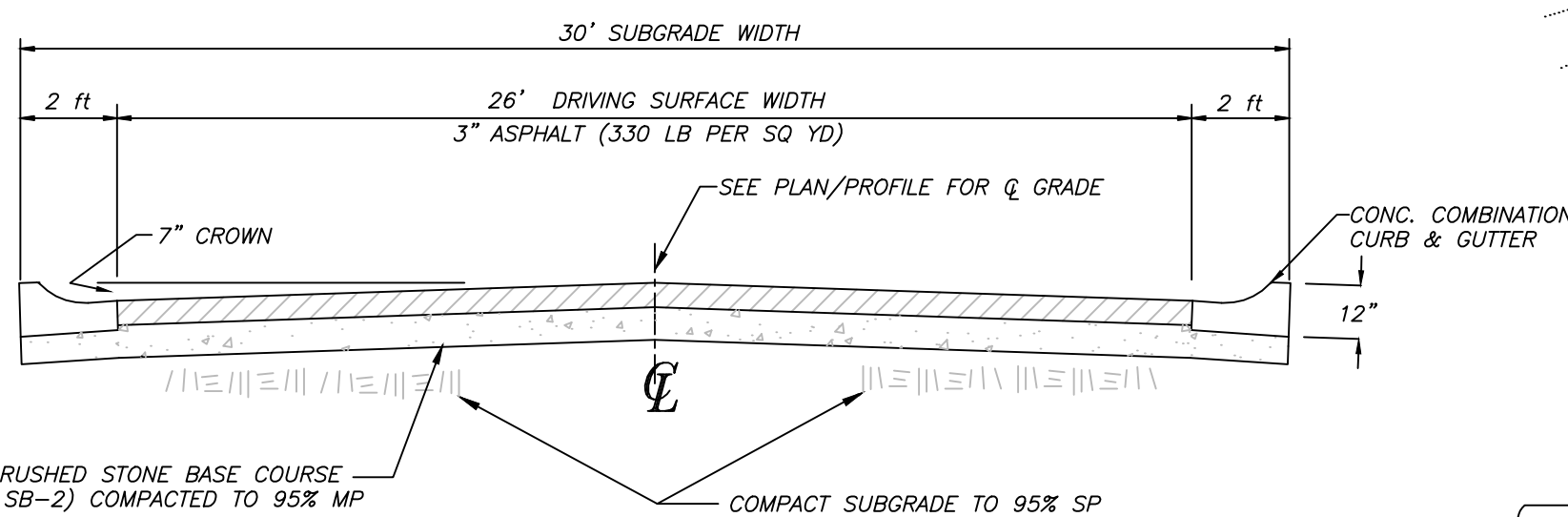
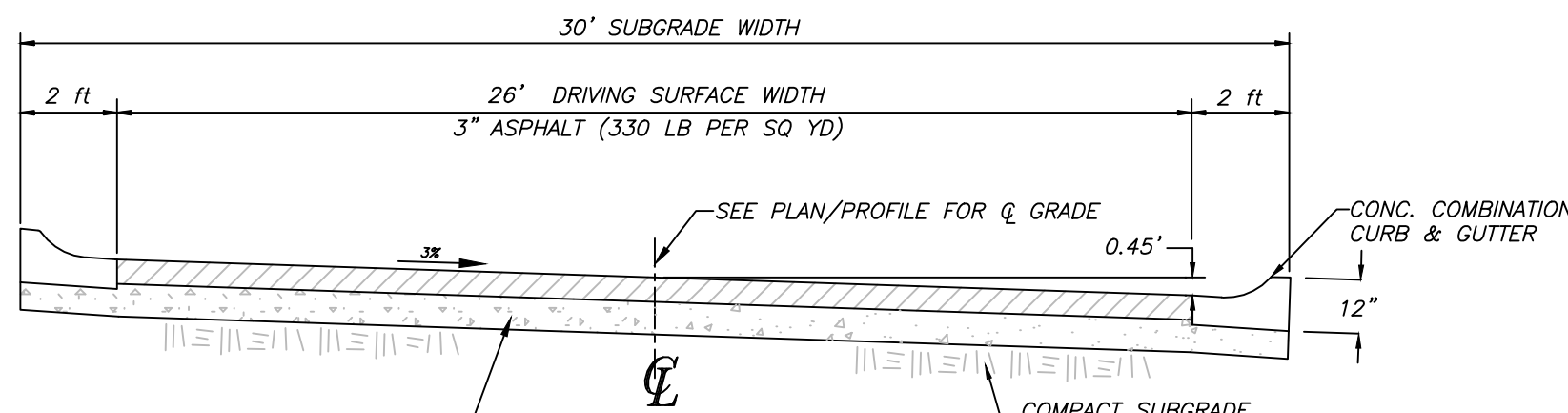


Project No.		Date		By	
25-030		October 17, 2025		B. Judd	
File:		Scale:		Drawn By:	
01_Sugar Prelim		1" = 100'		B. Judd	
Sheet:		1		of 12	

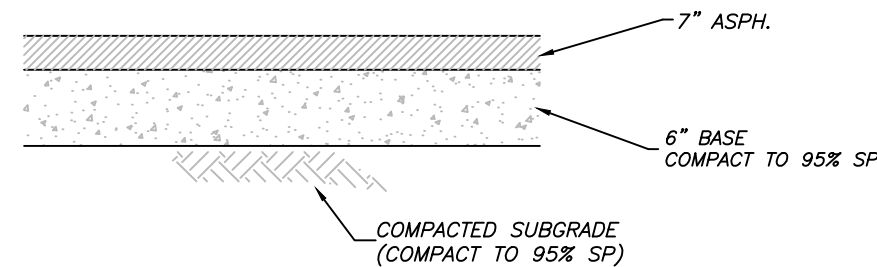
CL STREET CURVE DATA							
CURVE	RADIUS	ARC LENGTH	TANGENT	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	
C1	147.78	96.43	50.00	37°23'05"	N 19°19'45" E	94.73	
C2	101.13	92.57	50.00	52°36'55"	N 64°19'45" E	89.64	
C3	462.73	99.61	50.00	12°20'03"	S 81°01'31" E	99.42	
C4	496.50	99.66	50.00	11°30'04"	S 80°36'32" E	99.50	

6" MINIMUM CRUSHED STONE BASE COURSE
(CLASS 7 OR SB-2) COMPACTED TO 95% MP

TYPICAL CROSS SECTION
KIMBERLY CV & SUSAN CV
NTS

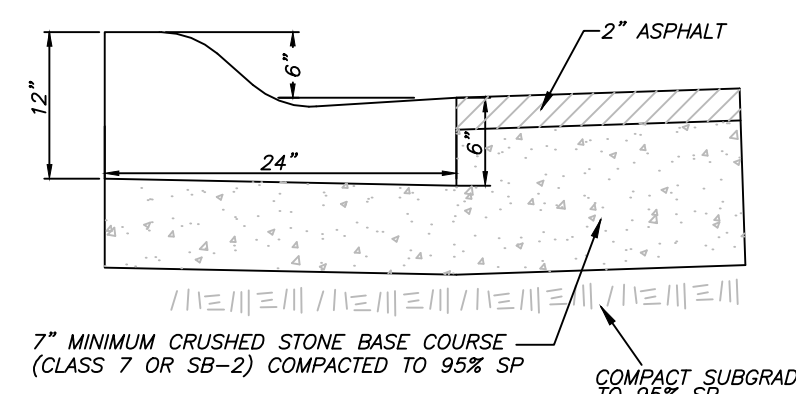


TYPICAL CROSS SECTION
CAPTAIN MILLER BLVD
NTS



PAVEMENT STRUCTURE
NTS

(TO BE VERIFIED W/ GEOTECHNICAL CONSULTANT PRIOR TO CONSTR.)

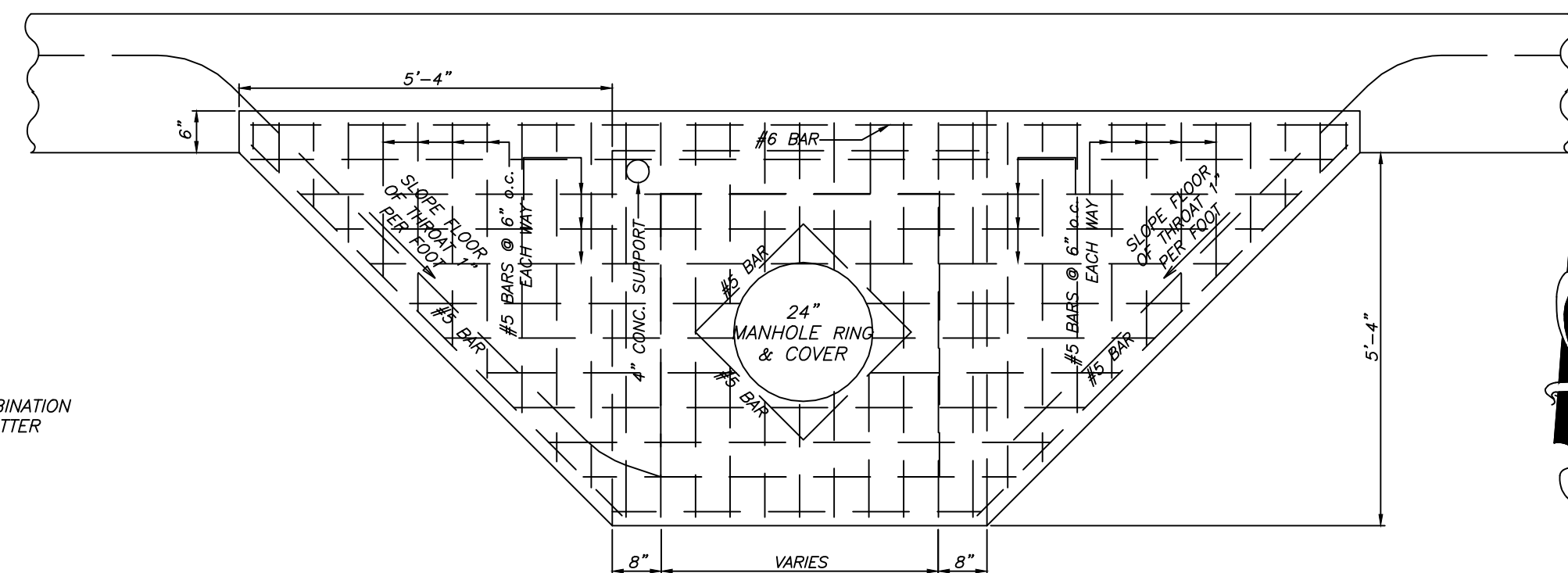


TYPICAL - CONC. CURB/GUTTER
NTS

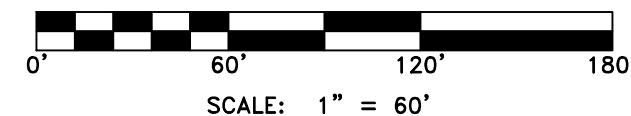
PAVEMENT STRUCTURE TO BE DETERMINED BY GEOTECHNICAL CONSULTANT

GENERAL NOTES:

- 1.) ALL STOP SIGNS SHALL BE 30" X 30"
- 2.) ALL TRAFFIC CONTROL MARKERS MUST MEET MUTCD SPECS.
- 3.) CONTRACTOR SHALL INCLUDE IN BID THE COST FOR COMPACTION TESTS ON SUBGRADE & SUBBASE. TEST TO BE CONDUCTED ON 500' INTERVALS.
- 4.) CONTRACTOR TO PROOF ROLL BOTH SUBGRADE AND SUBBASE (CITY TO INSPECT).
- 5.) ALL BACK OF CURB RADII AT INTERSECTIONS SHALL BE 25' UNLESS OTHERWISE NOTED.
- 6.) CONTRACTOR TO INCLUDE IN BID THE COST OF MATERIAL AND INSTALLATION OF STREET SIGNS & TRAFFIC CONTROL SIGNS.
- 7.) CURB INLETS CONSTRUCTED SO THAT POOLING OF WATER DOES NOT OCCUR AT INTERSECTIONS.
- 8.) WHERE STOP SIGNS & STREET NAME SIGNS ARE SHOWN ON THE PLAN, A COMBINATION SIGN IS ACCEPTABLE.
- 9.) SEE PLAN/PROFILE SHEETS FOR ADDITIONAL INFORMATION.
- 10.) ALL CONCRETE CULVERTS SHALL HAVE A SMOOTH EXTERIOR (NO RAISED BELLS)
- 11.) THE TERM "RCAP" SHALL REFER TO REINFORCED CONCRETE ARCH PIPE.
- 12.) ALL RCP PIPE SHALL BE CLASS IV.

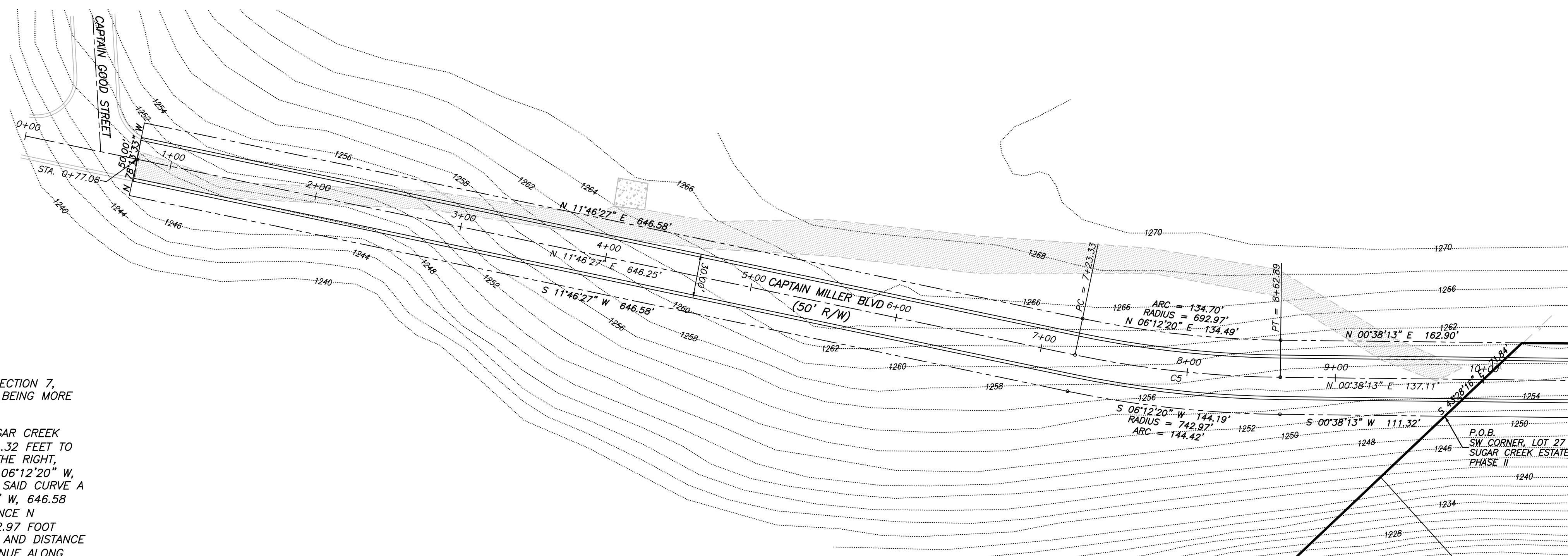


TYPICAL - DROP INLET TOP
WITH EXTENDED THROAT



No.	Date	Revisions
1	11-25-25	B. Judd
2	11-17-25	B. Judd
3	12-22-25	B. Judd

Project No.	25-030
Date	October 17, 2025
Scale	1" = 60'
Drawn By	B. Judd
Sheet	2 of 12

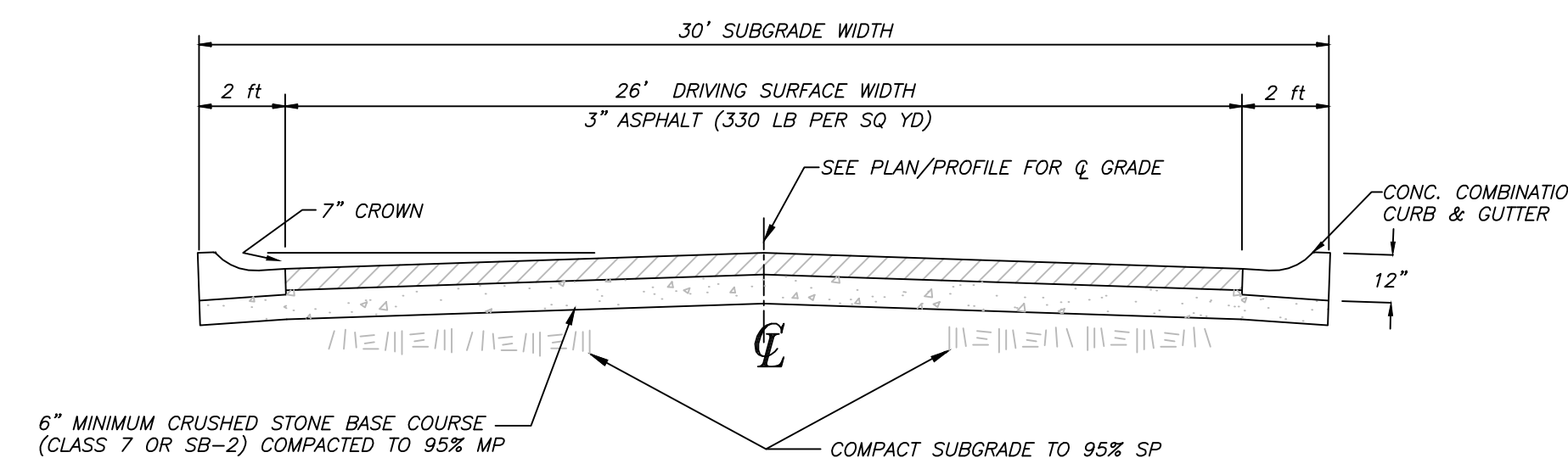


RIGHT-OF-WAY DESCRIPTION

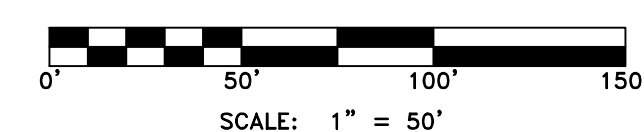
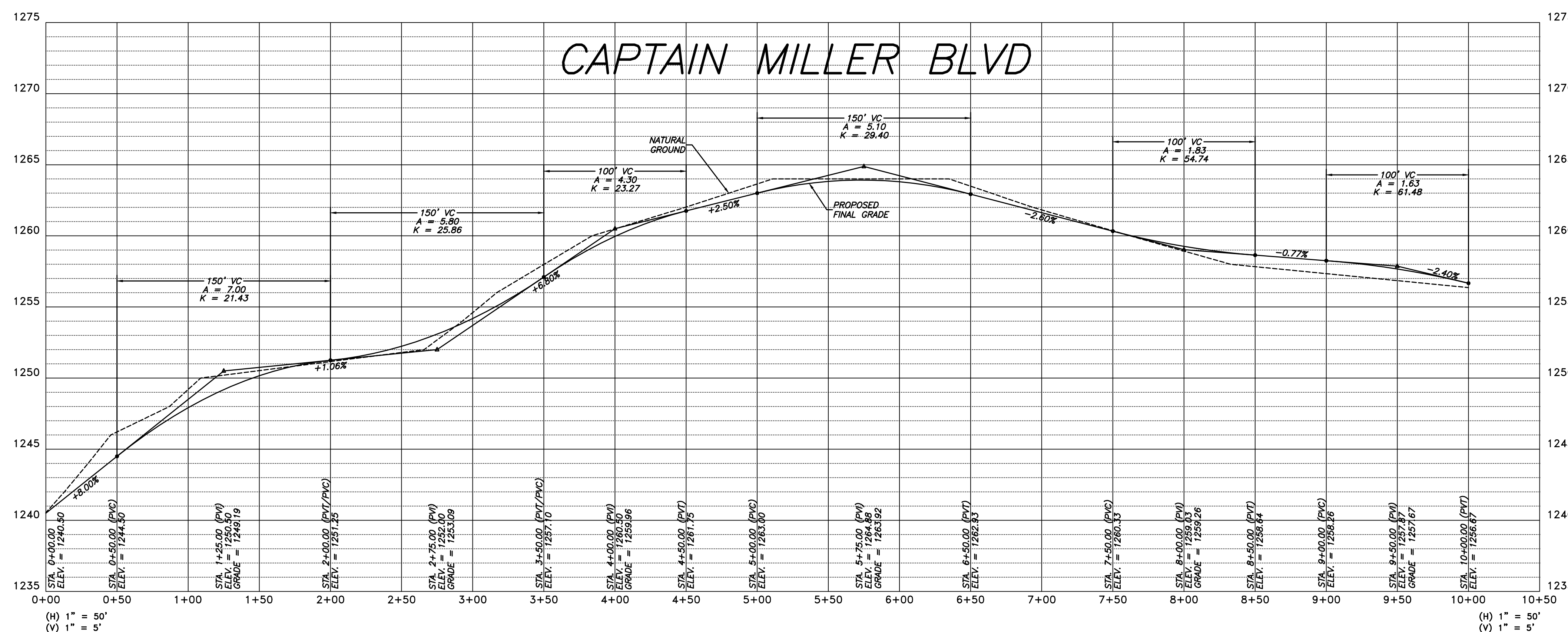
A PART OF THE NW 1/4 OF THE NE 1/4 OF SECTION 7,
T-20-N, R-29-W, BENTON COUNTY ARKANSAS, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

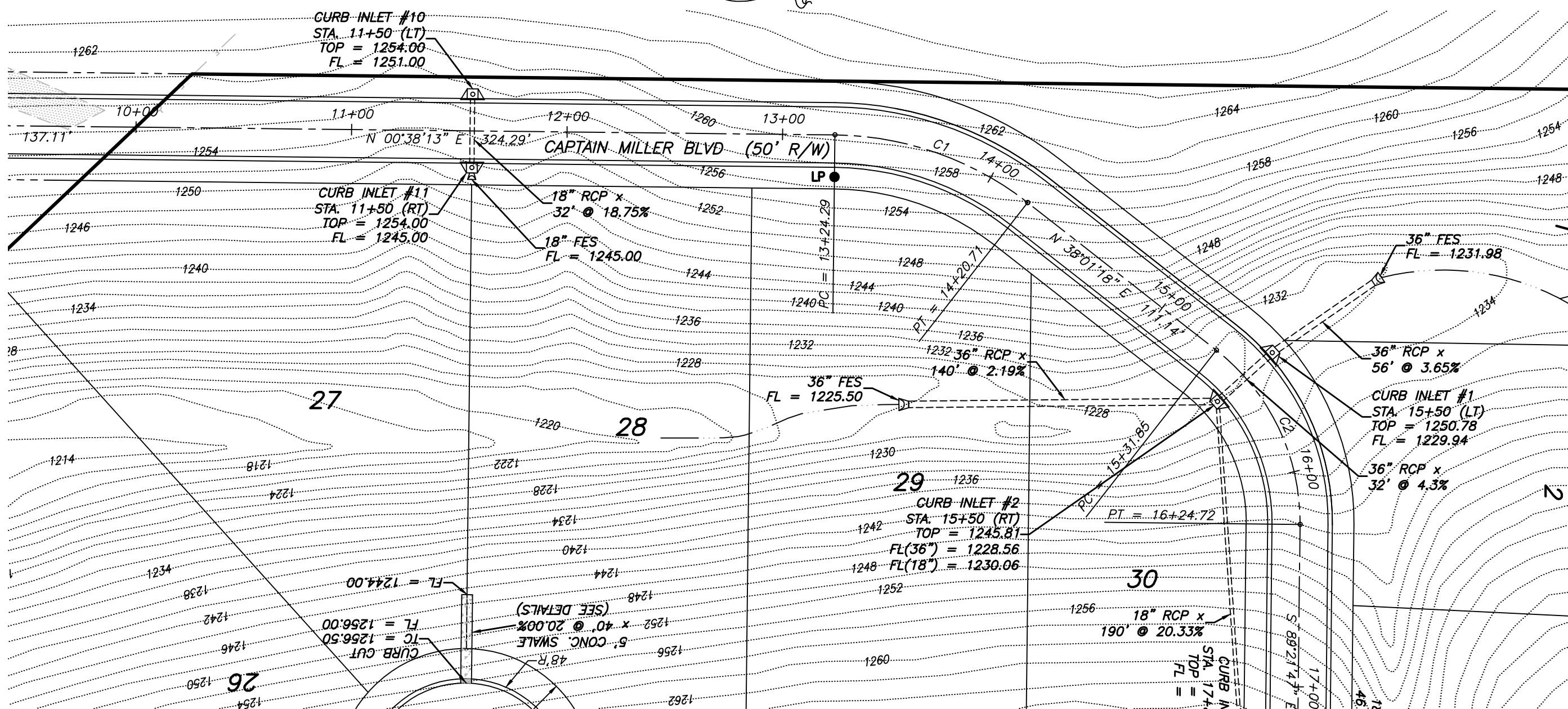
BEGINNING AT THE SW CORNER OF LOT 27, SUGAR CREEK ESTATES, PHASE II, THENCE 00°38'13" W, 111.32 FEET TO THE POINT OF A 71.97 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CHORD BEARING AND DISTANCE OF S 06°12'20" W, 144.19 FEET; THENCE CONTINUE ALONG ARC OF SAID CURVE A DISTANCE OF 144.42 FEET; THENCE S 11°46'27" W, 646.58 FEET; THENCE N 78°13'33" W, 50.00 FEET; THENCE N 11°46'27" E, 646.58 FEET TO THE PC OF A 692.97 FOOT CURVE TO THE LEFT, HAVING A CHORD BEARING AND DISTANCE OF N 06°12'20" E, 134.49 FEET; THENCE CONTINUE ALONG ARC OF SAID CURVE A DISTANCE OF 134.70 FEET; THENCE N 00°38'13" E, 162.90 FEET; THENCE S 42°38'16" E, 71.84 FEET TO THE POINT OF BEGINNING, CONTAINING 1.06 ACRES, MORE OR LESS.

CL STREET CURVE DATA							
CURVE	RADIUS	ARC LENGTH	TANGENT	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	
C1	147.78'	96.43'	50.00'	37°23'05"	N 19°19'45" E	94.73'	
C2	101.13'	92.87'	50.00'	52°36'55"	N 64°19'45" E	89.64'	
C3	462.73'	91.61'	50.00'	122°20'03"	S 81°01'31" E	99.42'	
C4	496.50'	99.66'	50.00'	11°30'04"	S 80°36'32" E	99.50'	
C5	717.97'	139.56'	70.00'	11°08'14"	N 06°12'20" E	139.34'	

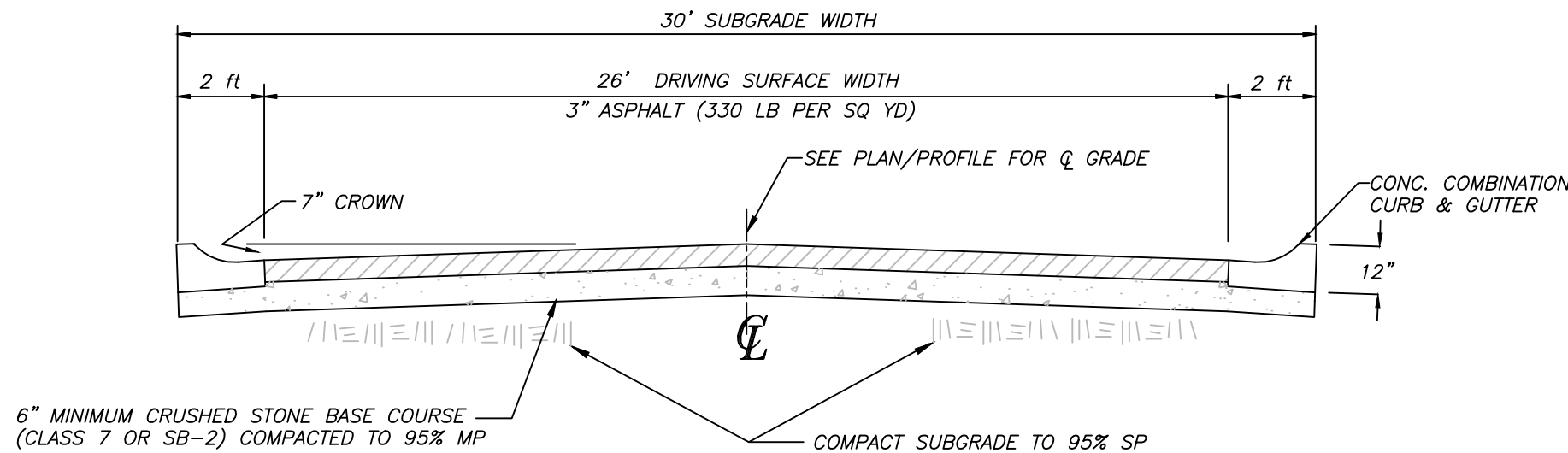
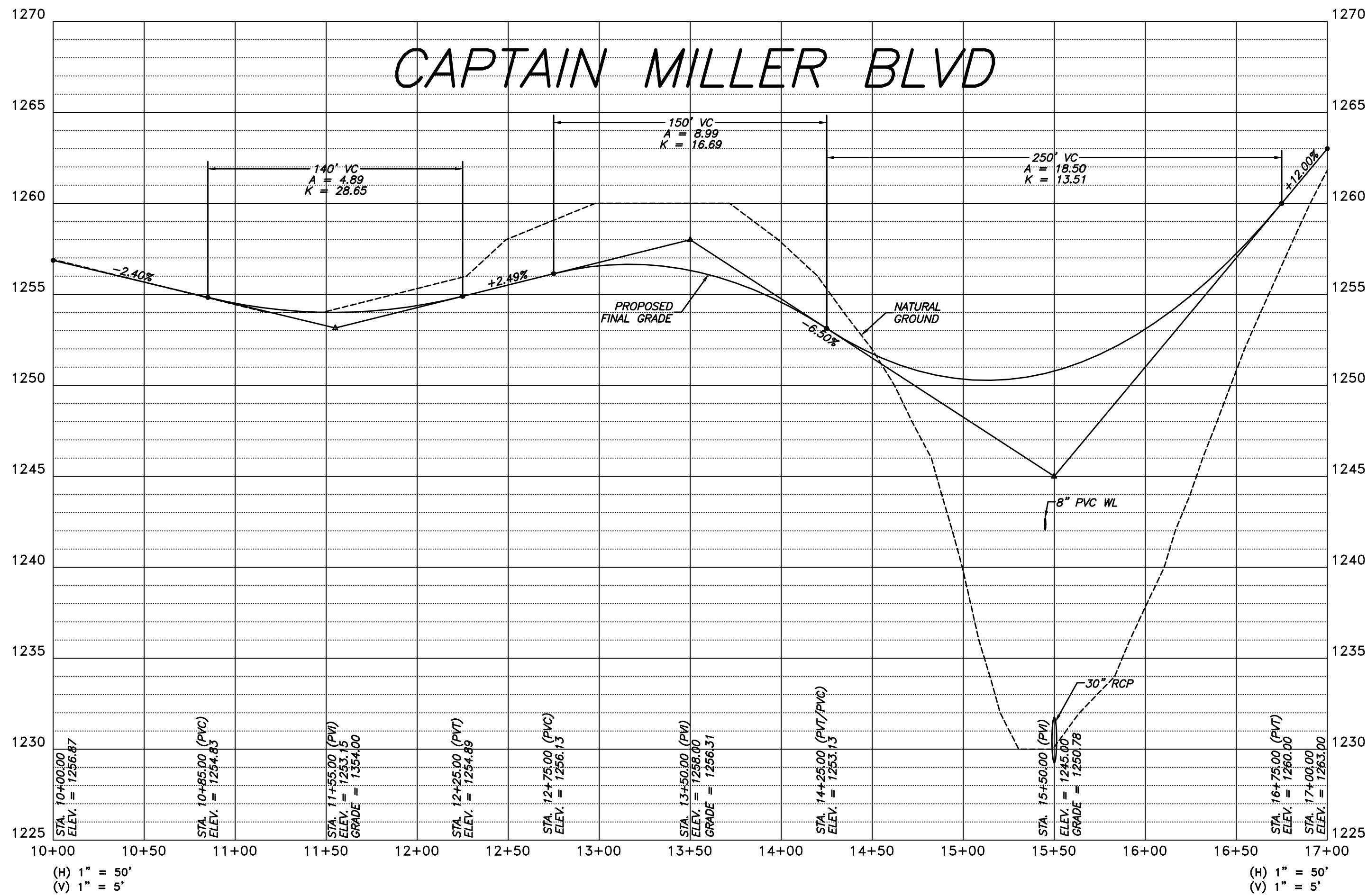


TYPICAL CROSS SECTION
CAPTAIN MILLER BLVD
NTS

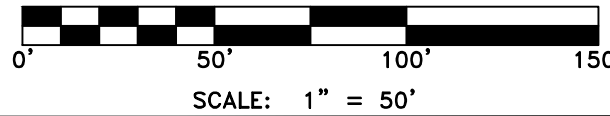




CL STREET CURVE DATA						
CURVE	RADIUS	ARC LENGTH	TANGENT	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	147.78	96.43'	50.00'	37°23'05"	N 19°19'45" E	94.73'
C2	101.13	92.87'	50.00'	52°36'53"	N 64°19'45" E	89.64'
C3	462.73	199.61'	50.00'	12°20'03"	S 81°01'31" E	99.42'
C4	496.50	99.66'	50.00'	11°30'04"	S 80°36'32" E	99.50'
C5	717.97	139.56'	70.00'	11°08'14"	N 06°12'20" E	139.34'



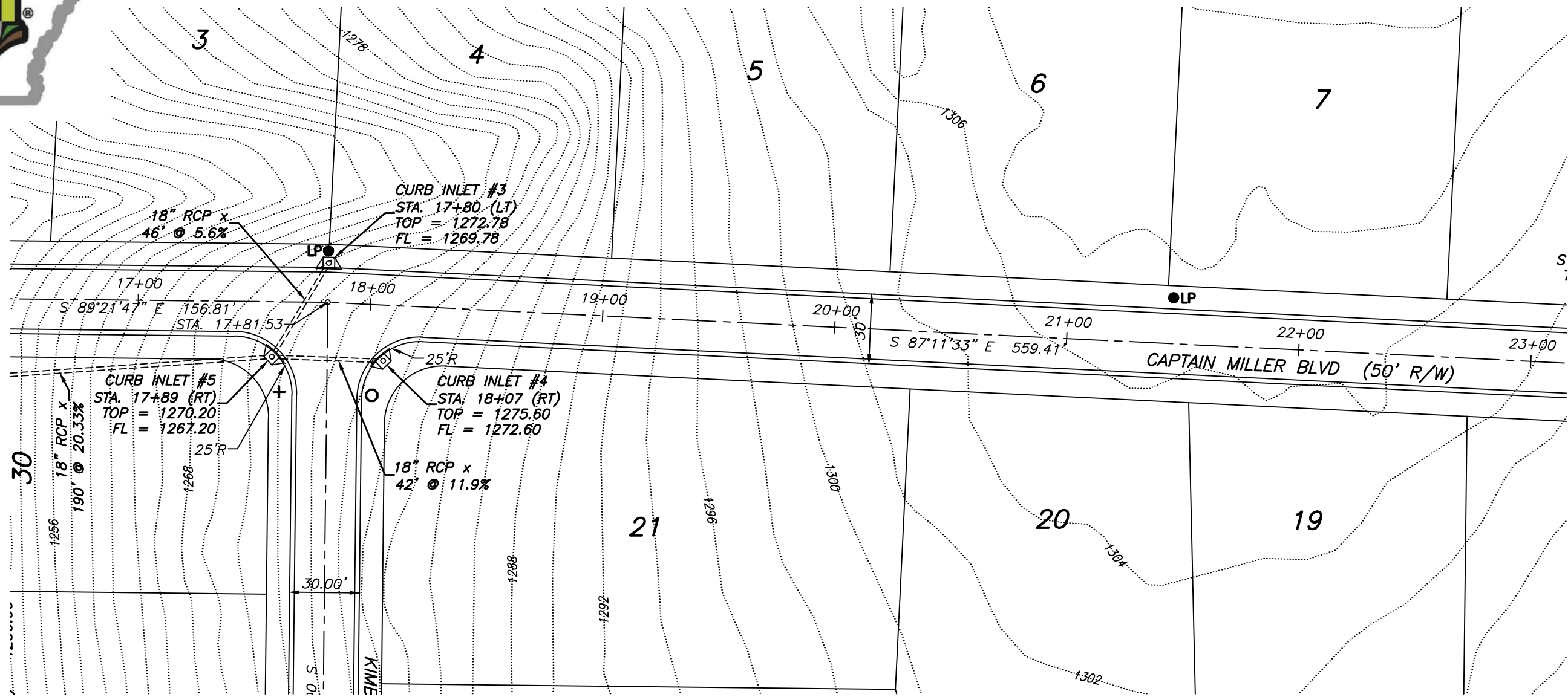
TYPICAL CROSS SECTION
CAPTAIN MILLER BLVD
NTS



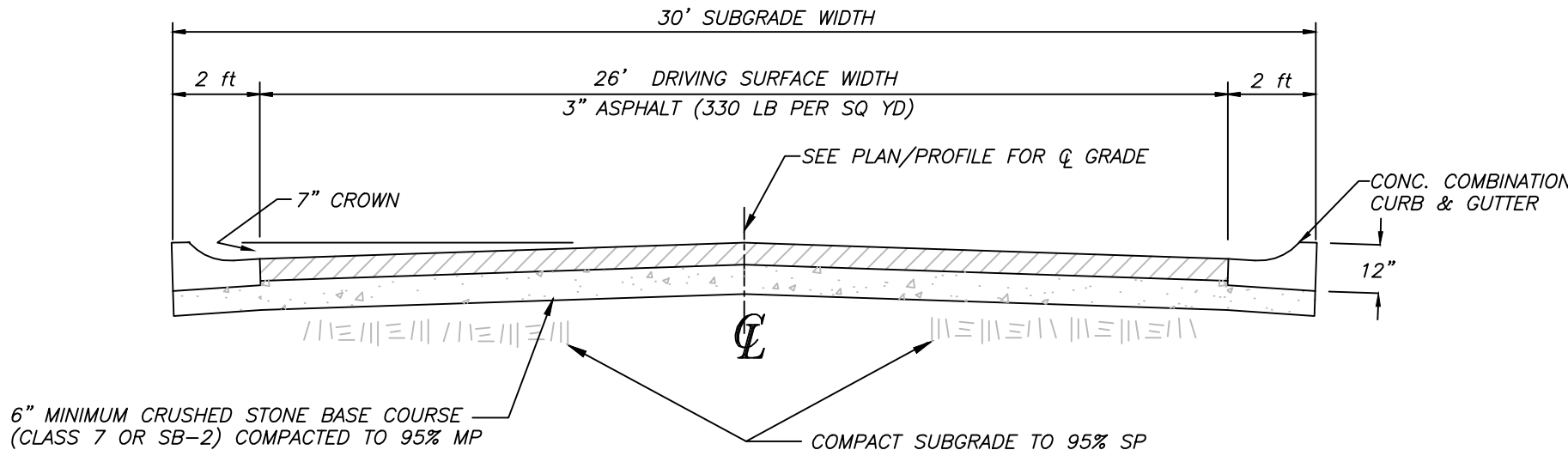
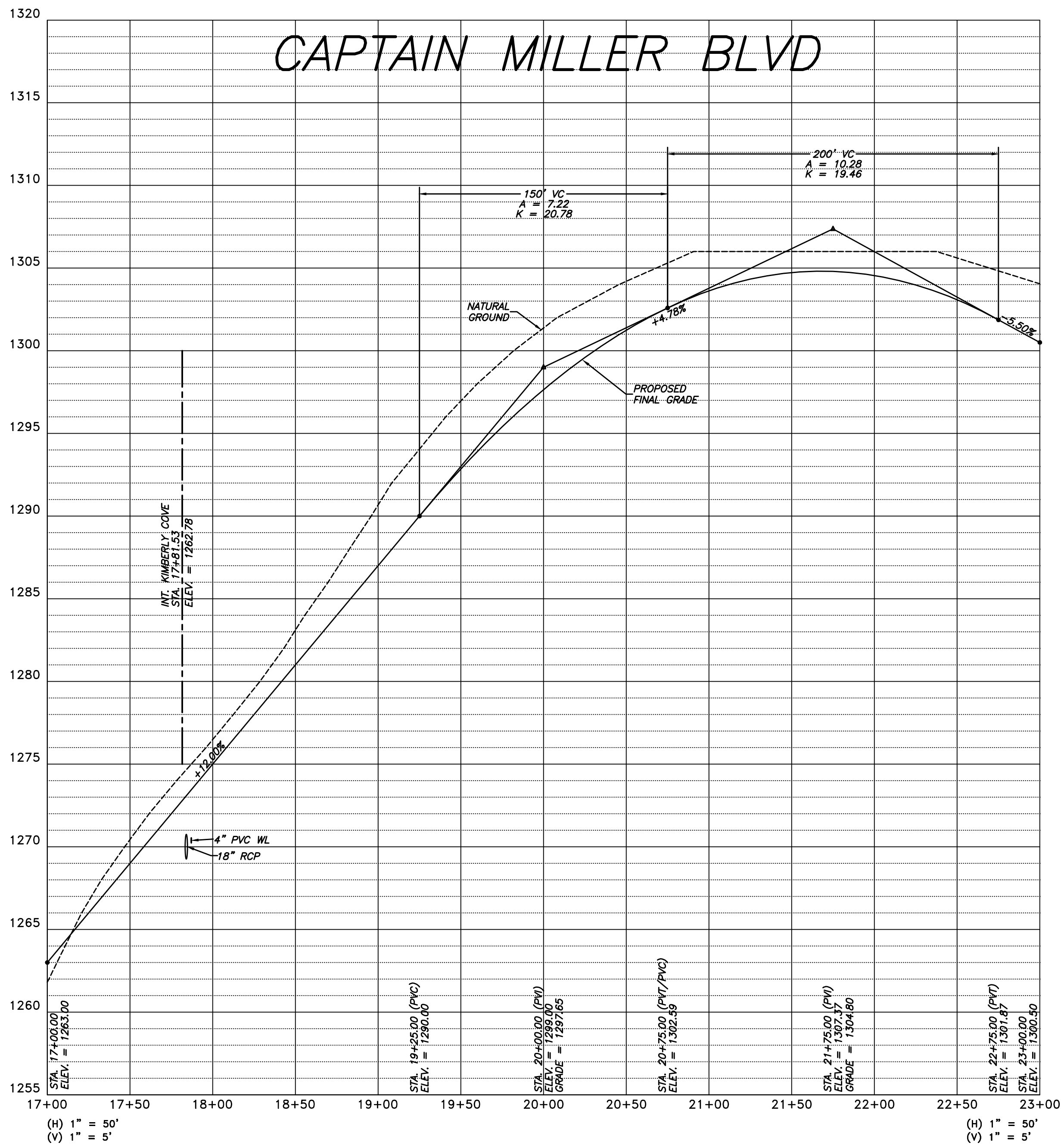
STREET PLAN/PROFILE
SUGAR CREEK ESTATES - PHASE II
Part of the NE 1/4, NE 1/4 & NW 1/4, NE 1/4, Section 7, &
Part of the SW 1/4, SE 1/4, Section 6, T-20-N, R-29-W
City of Pea Ridge, Benton County, Arkansas

MP Development
1000 Captain Good Street
Pea Ridge, Arkansas 72751

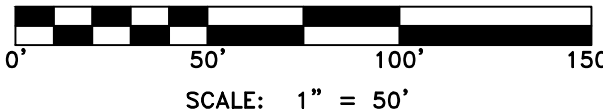
No.	Date	Revisions	By
1	11-05-25	Adjusted street to match lot layout.	B. Judd
2	11-17-25	Revised as per city comments.	B. Judd
3	12-22-25	Revised as per city comments.	B. Judd
Project No. 25-030			
Date: October 17, 2025			
Scale: 1" = 50'			
Drawn By: B. Judd			
Sheet: 4 of 12			

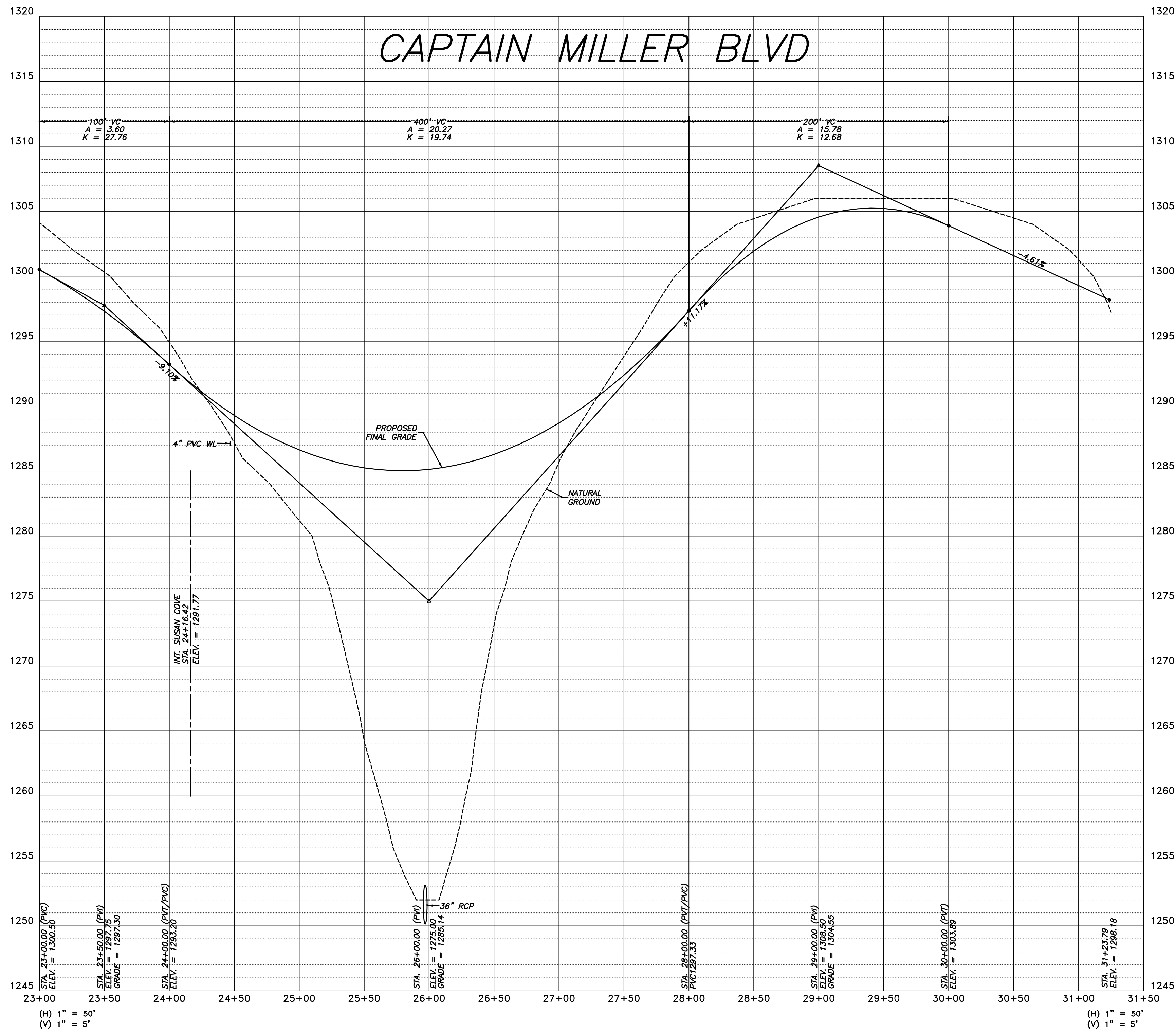
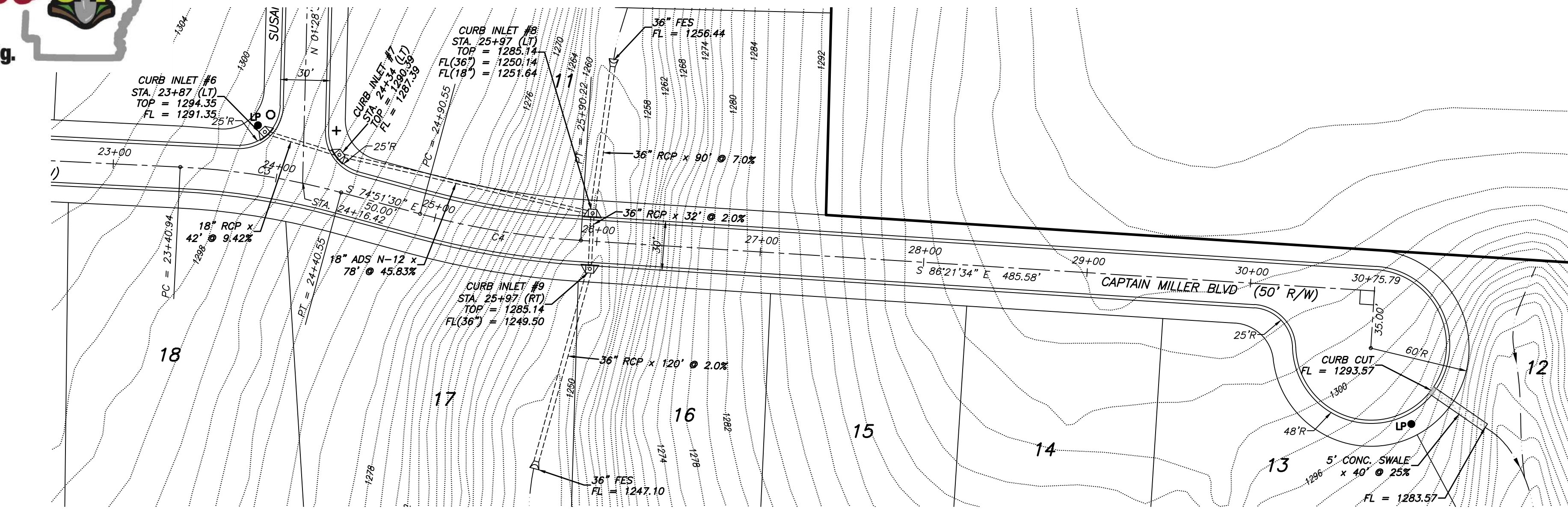


CL STREET CURVE DATA						
CURVE	RADIUS	ARC LENGTH	TANGENT	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	147.78	96.43'	50.00'	37°23'05"	N 19°19'45" E	94.73'
C2	101.13	92.87'	50.00'	52°36'55"	N 64°19'45" E	89.64'
C3	462.73	99.61'	50.00'	12°20'03"	S 81°01'31" E	99.42'
C4	496.50	99.66'	50.00'	11°30'04"	S 80°36'32" E	99.50'
C5	717.97	139.56'	70.00'	11°08'14"	N 06°12'20" E	139.34'

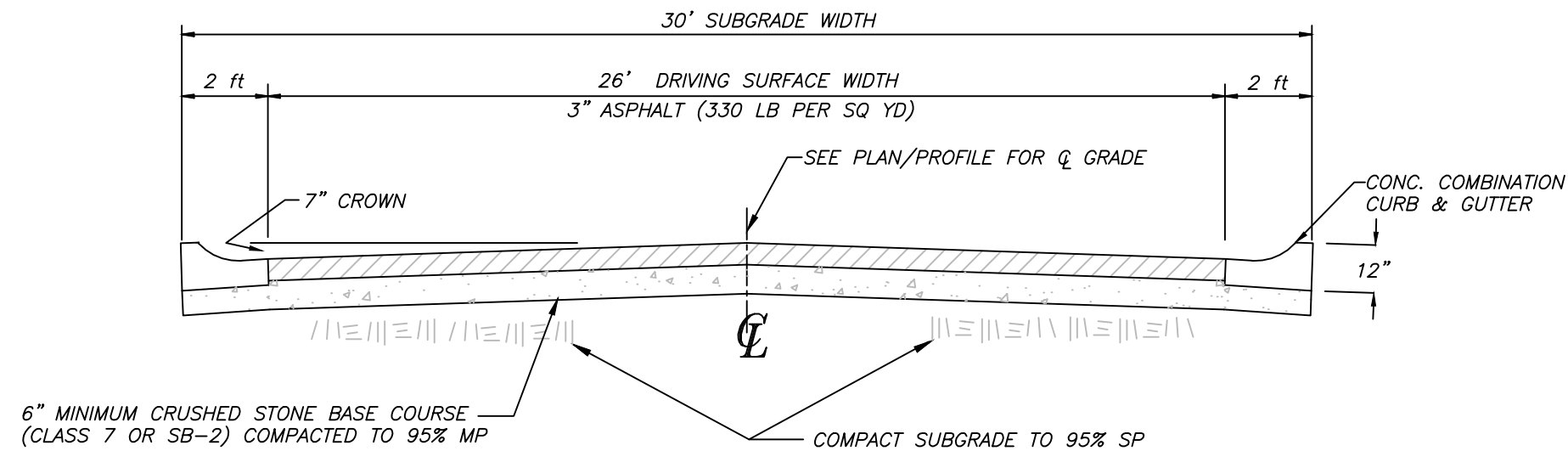


TYPICAL CROSS SECTION
CAPTAIN MILLER BLVD
NTS

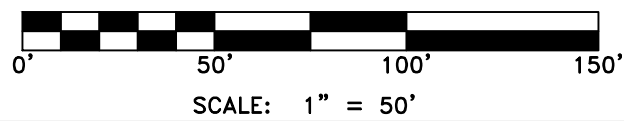


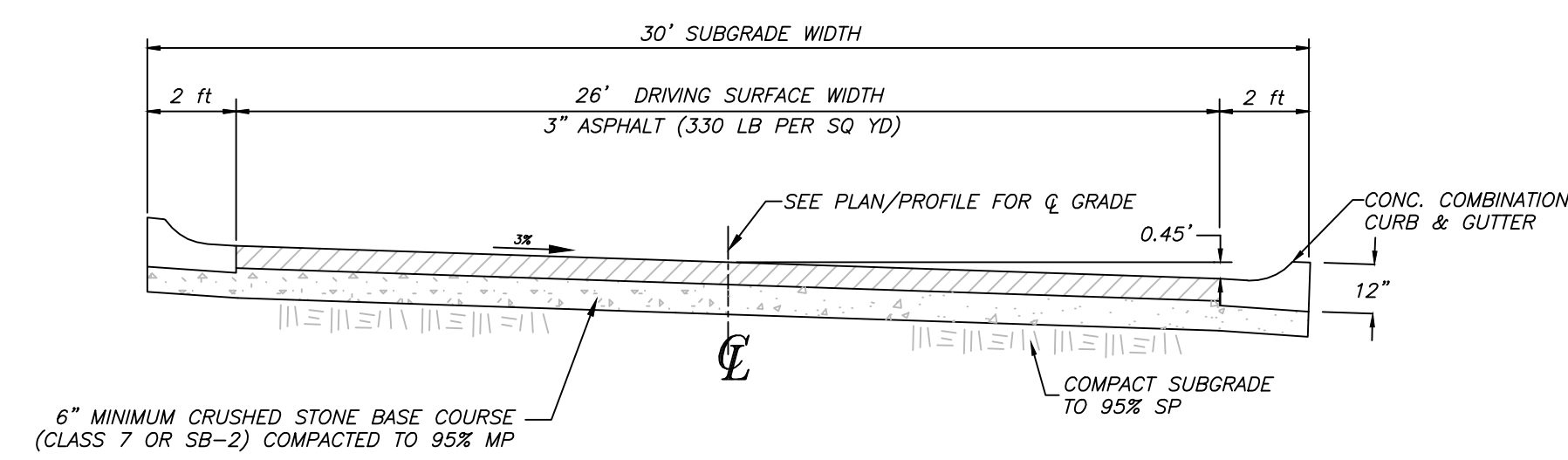
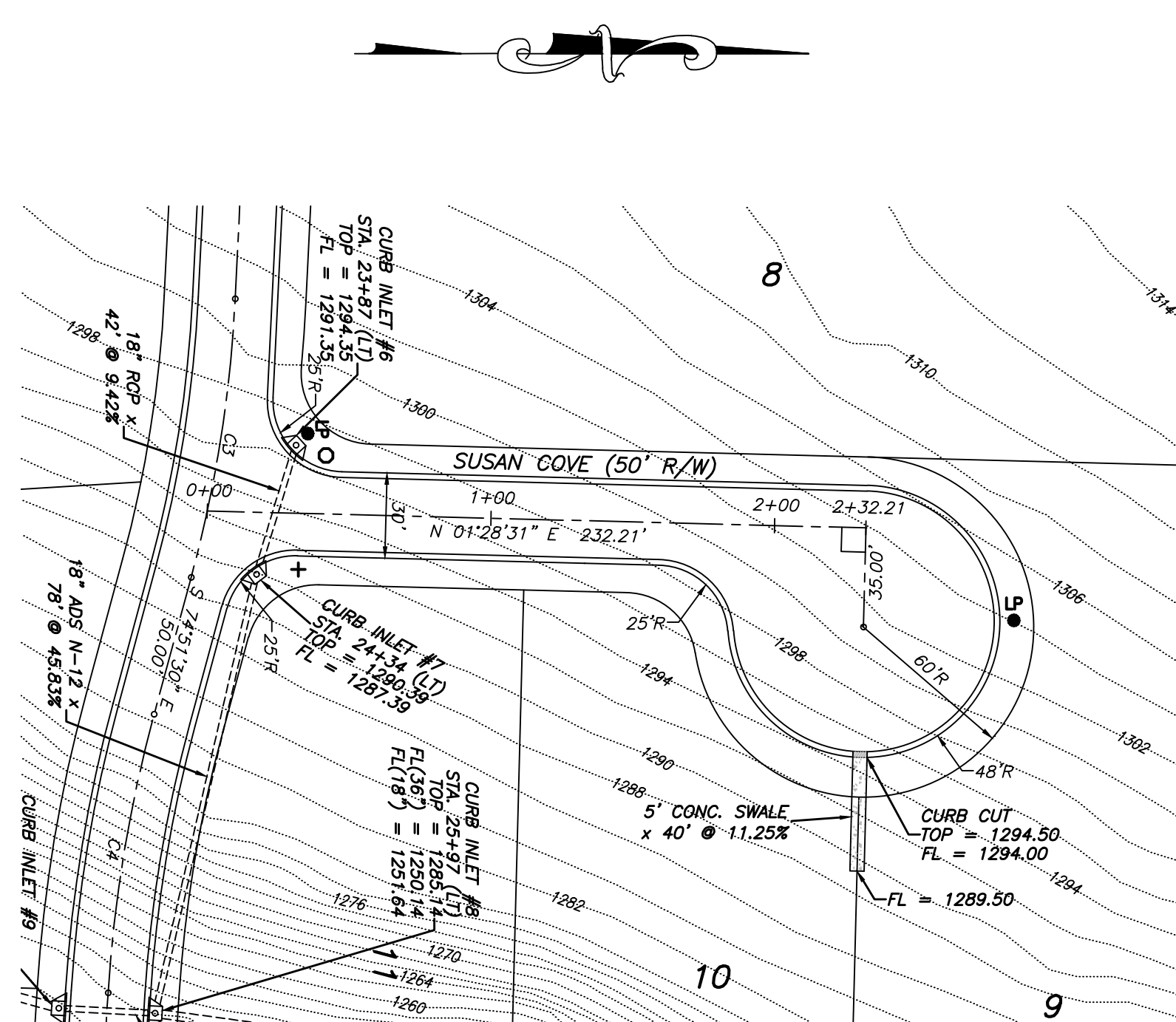
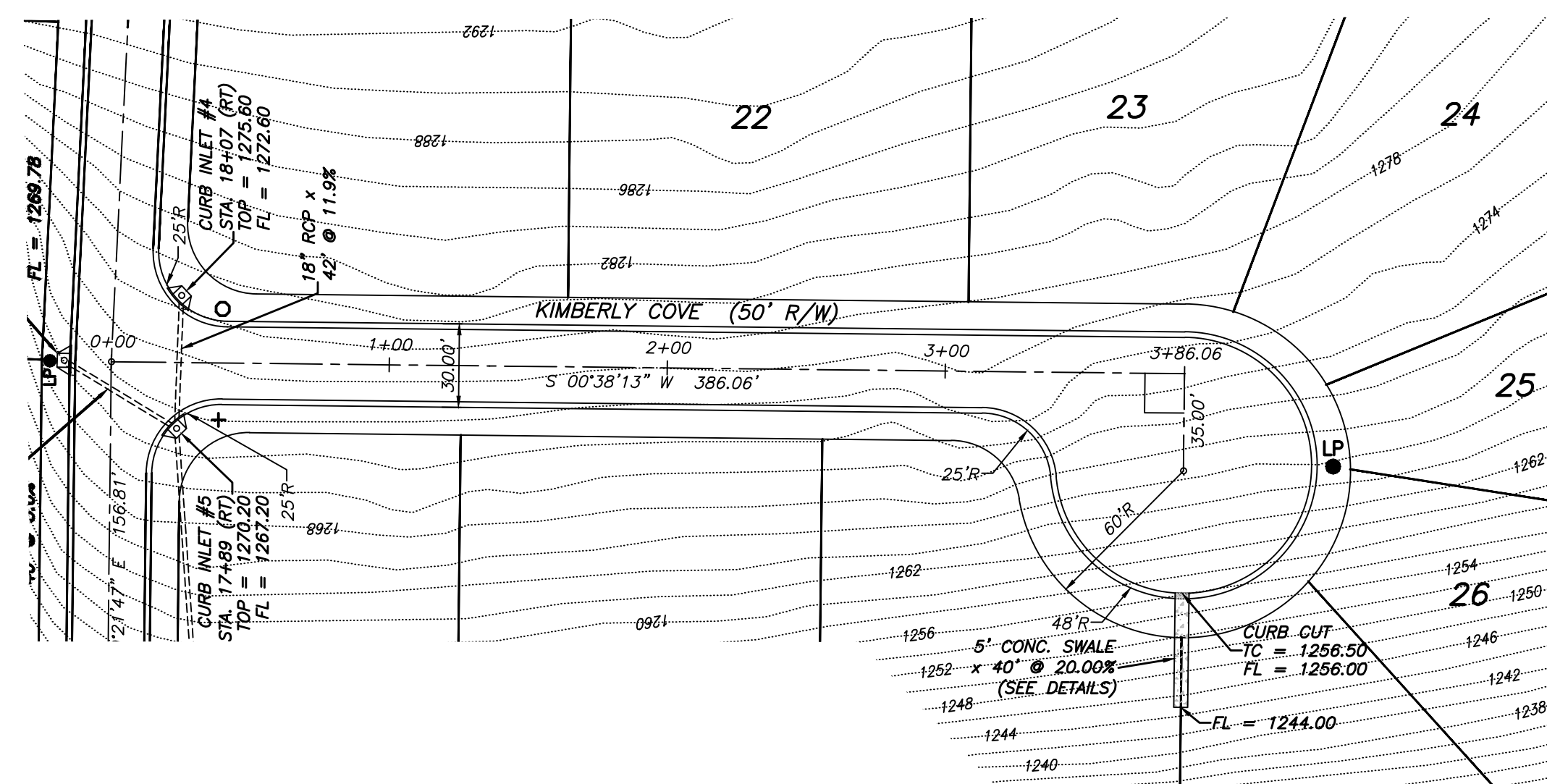


CL STREET CURVE DATA						
CURVE	RADIUS	ARC LENGTH	TANGENT	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	147.78	96.43'	50.00'	37°23'05"	N 19°19'45" E	94.73'
C2	101.13	92.87'	50.00'	52°36'55"	N 64°19'45" E	89.64'
C3	462.73	99.61'	50.00'	12°20'03"	S 81°01'31" E	99.42'
C4	496.50	99.66'	50.00'	11°30'04"	S 80°36'32" E	99.50'
C5	717.97	139.56'	70.00'	11°08'14"	N 06°12'20" E	139.34'

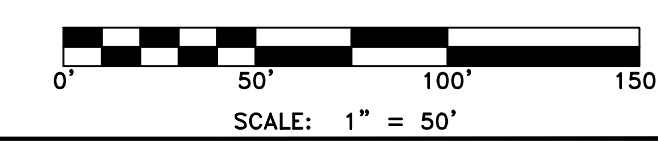
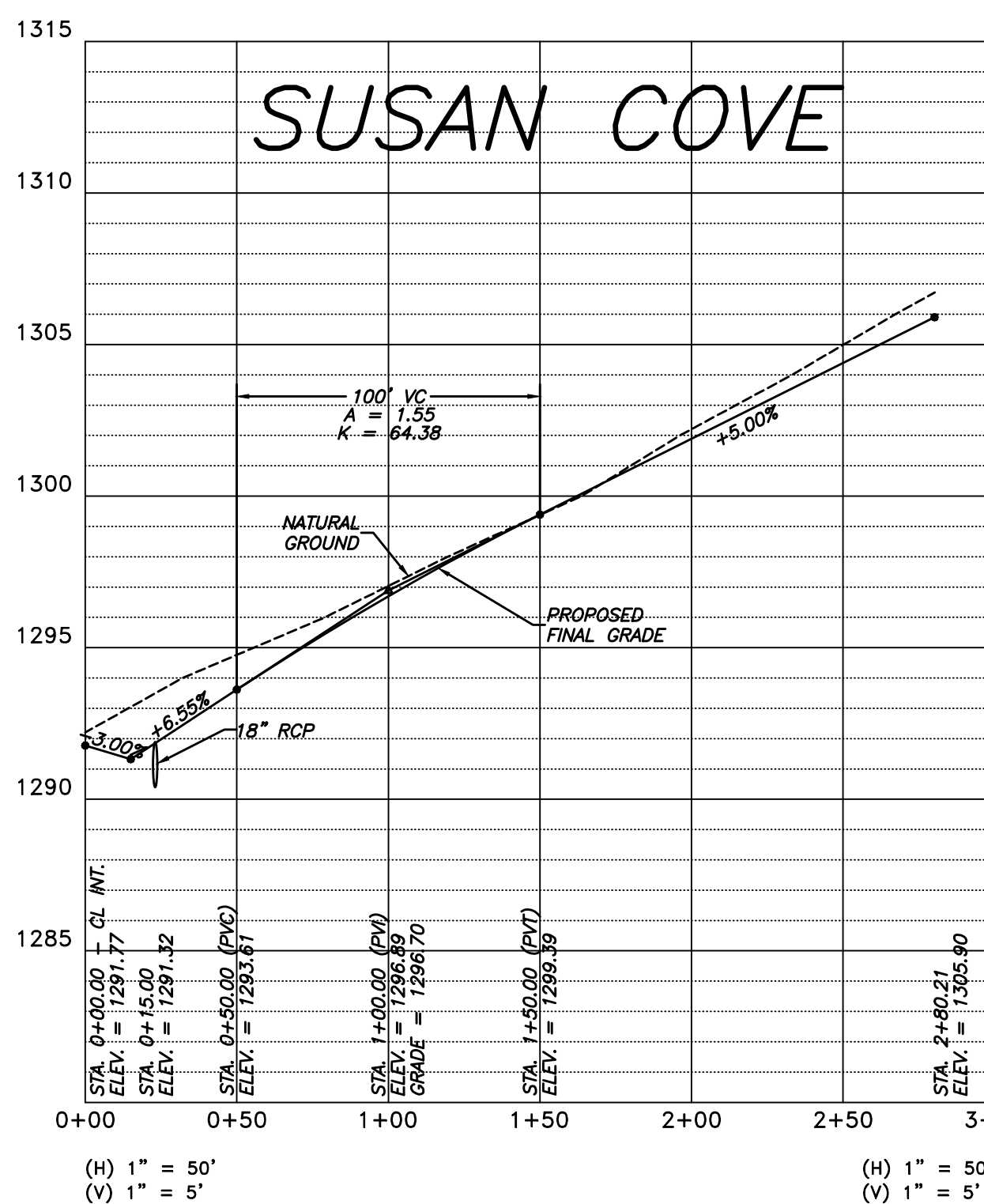
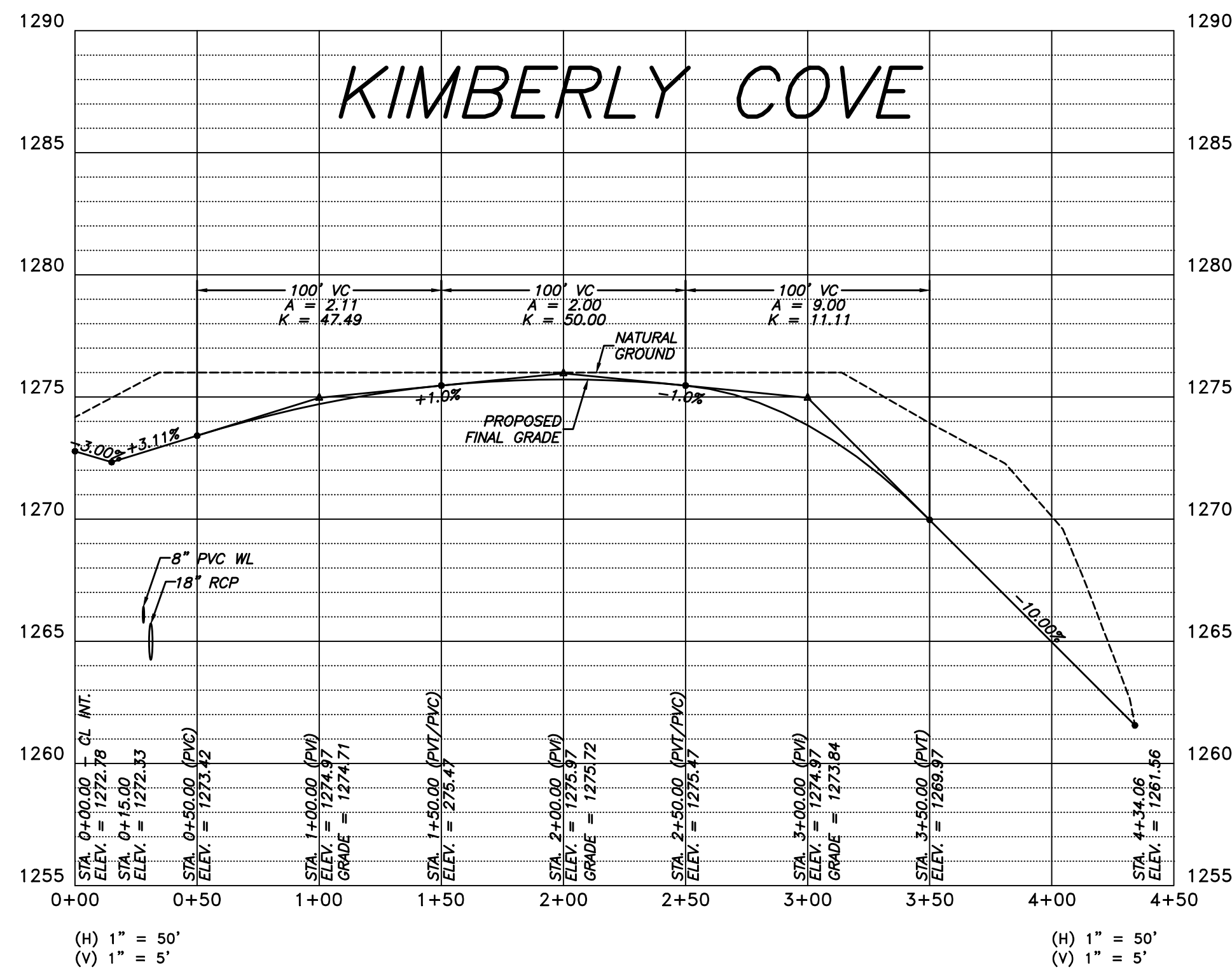


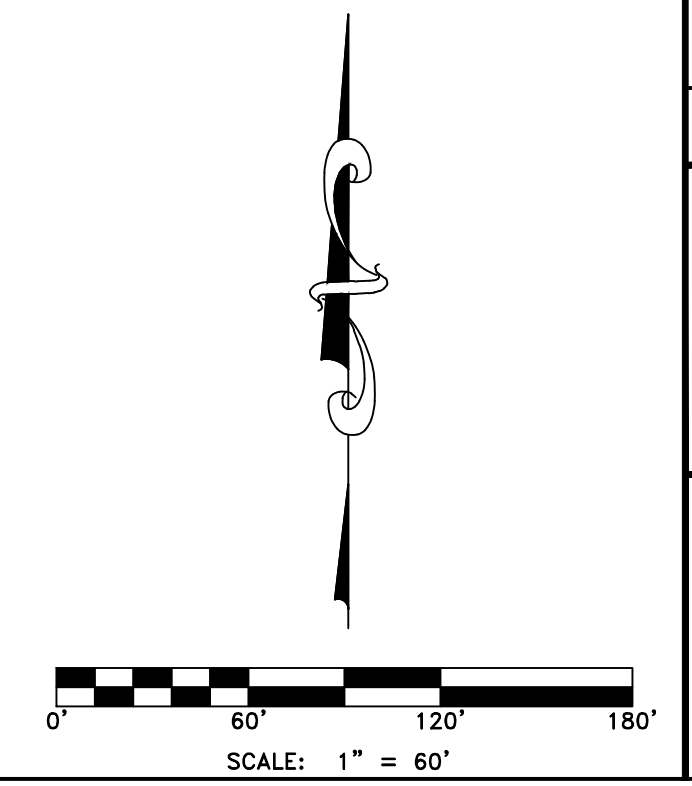
TYPICAL CROSS SECTION
CAPTAIN MILLER BLVD
NTS

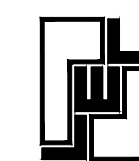




TYPICAL CROSS SECTION
KIMBERLY CV & SUSAN CV
NTS





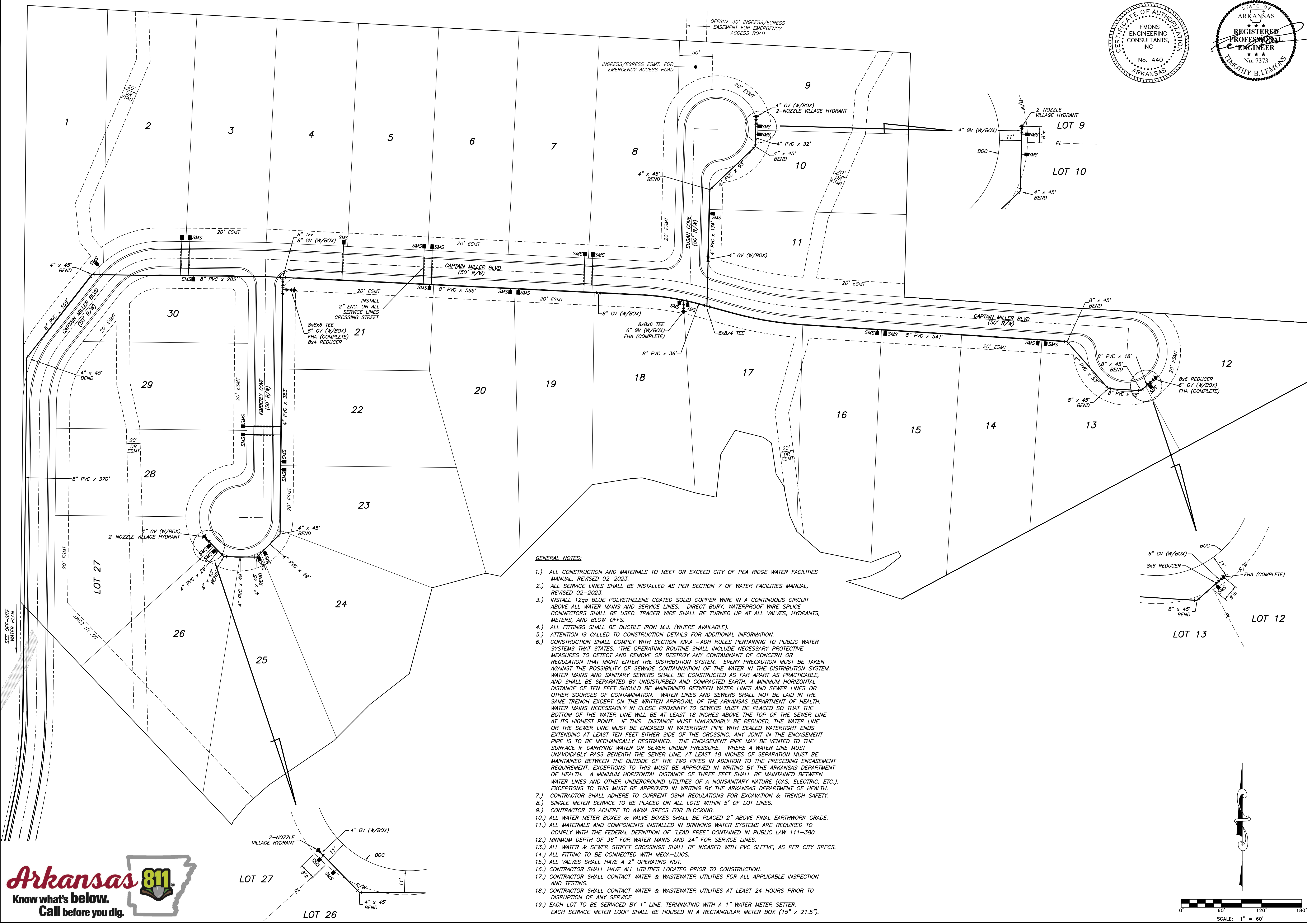


LEMONS ENGINEERING CONSULTANTS, INC.
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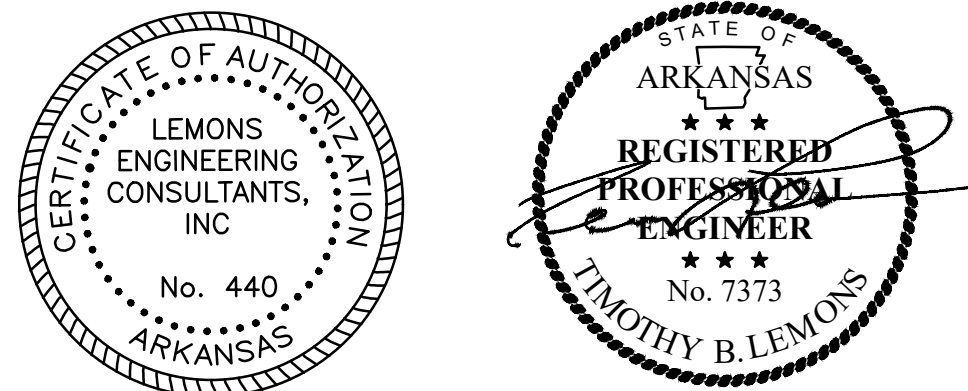
GRADING PLAN
SUGAR CREEK ESTATES – PHASE II
Part of the NE 1/4, NE 1/4 & NW 1/4, NE 1/4, Section 7, &
Part of the SW 1/4, SE 1/4, Section 6, T-20-N, R-29-W
City of Pea Ridge, Benton County, Arkansas

MP Development
1000 Captain Good Street
Pea Ridge, Arkansas 72751

Project No. 25-030	Date December 22, 2025	Revisions		By	Date	Prepared For:	
		No.				MP Development	
File: 08_Sugar Grading	Scale: 1" = 60'					1000 Captain Good Street	
Sheet: 8 of 12	Drawn By: B. Judd					Pea Ridge, Arkansas 72751	

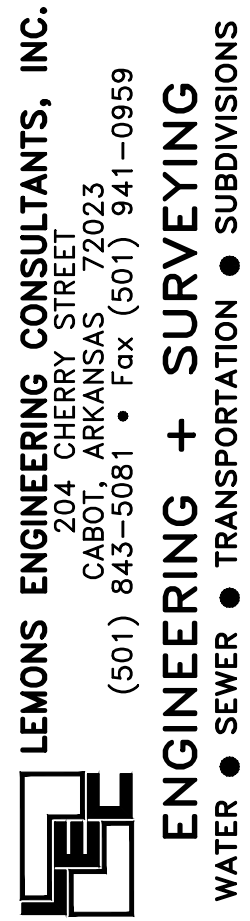
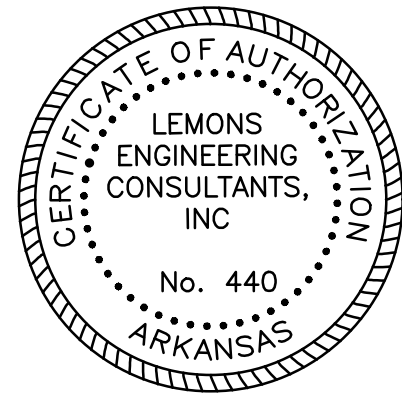


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 - 18.) CONTRACTOR SHALL CONTACT WATER & WASTEWATER UTILITIES AT LEAST 24 HOURS PRIOR TO DISRUPTION OF ANY SERVICE.
 - 19.) EACH LOT TO BE SERVICED BY 1" LINE, TERMINATING WITH A 1" WATER METER SETTER. EACH SERVICE METER LOOP SHALL BE HOUSED IN A RECTANGULAR METER BOX (15" x 21.5").



No.	Date	By	Revisions
1	10-30-25	B. Judd	Revised as per city's comments.
2	11-05-25	B. Judd	Revised as per city's comments.
3	12-02-25	B. Judd	Revised as per city's comments.
4	12-22-25	B. Judd	Revised as per city's comments.

Project No.	25-030
Date	October 17, 2025
Scale	1" = 60'
Drawn By	B. Judd
Sheet	9 of 12

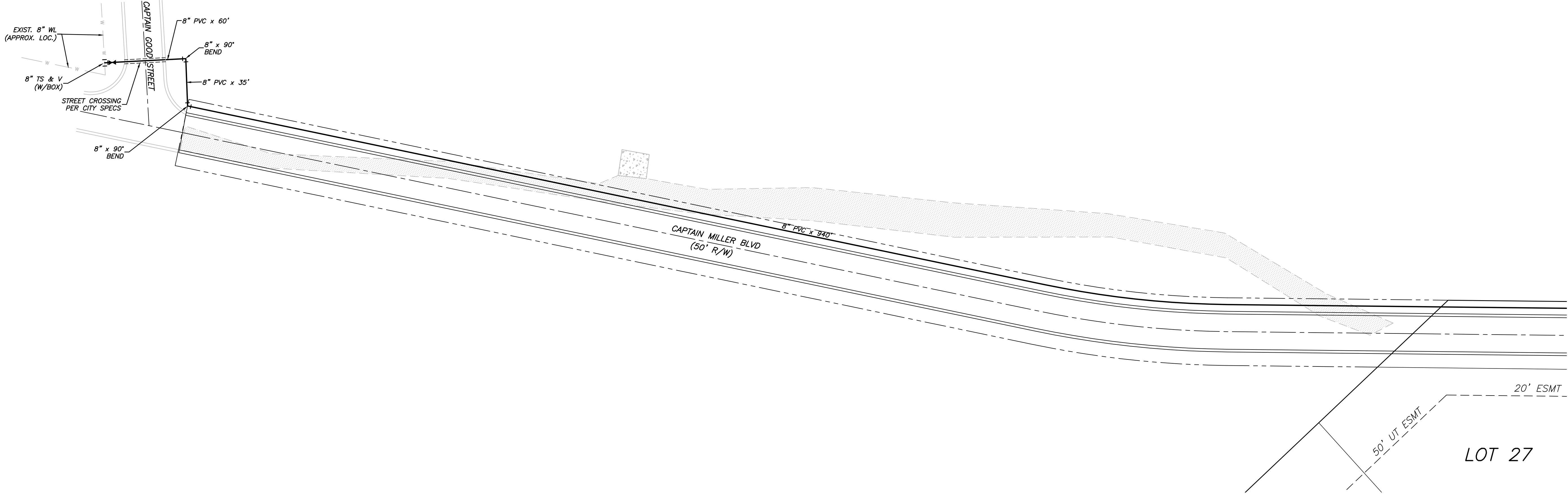


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OFF-SITE WATER LAYOUT
SUGAR CREEK ESTATES - PHASE II
Part of the NE 1/4, NE 1/4 & NW 1/4, NE 1/4, Section 7, &
Part of the SW 1/4, SE 1/4, Section 6, T-20-N, R-29-W
City of Pea Ridge, Benton County, Arkansas

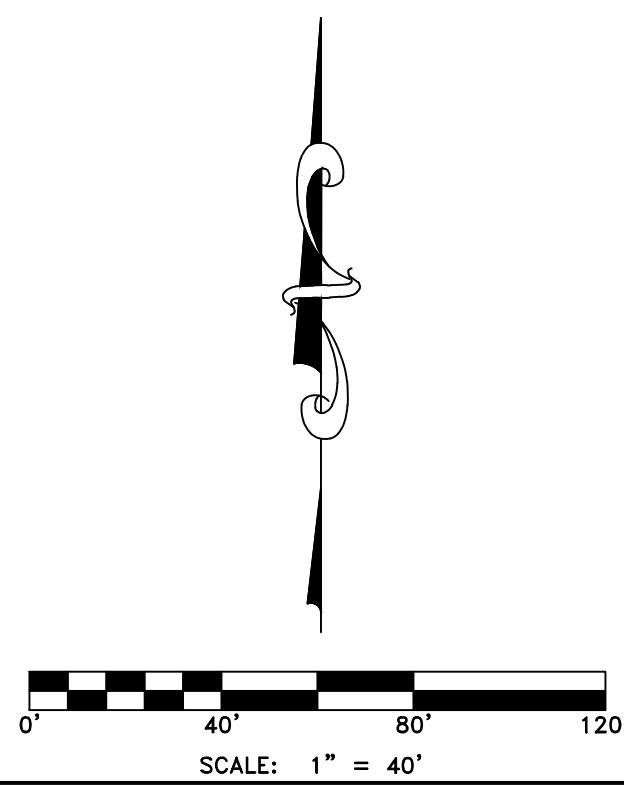
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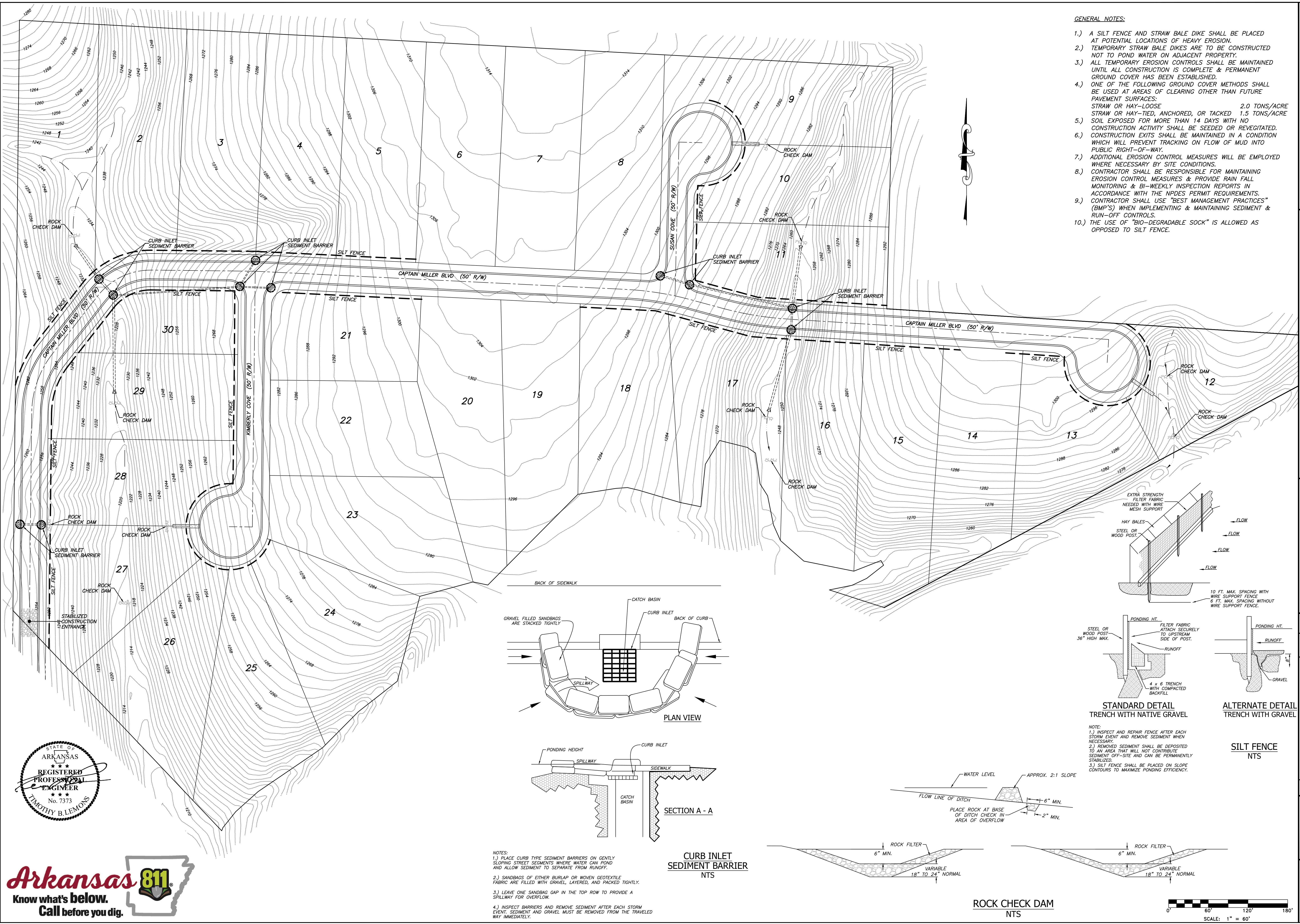
Project No.	Date	Revisions	No.	By	Date
25-030	November 17, 2025				
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09_Sugar Water	1" = 40'				
Sheet:	Drawn By:				
10 of 12	B. Judd				



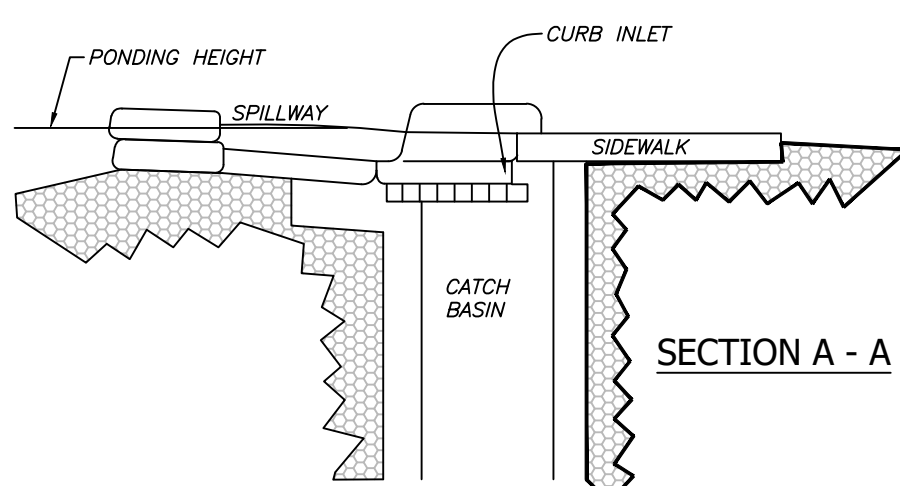
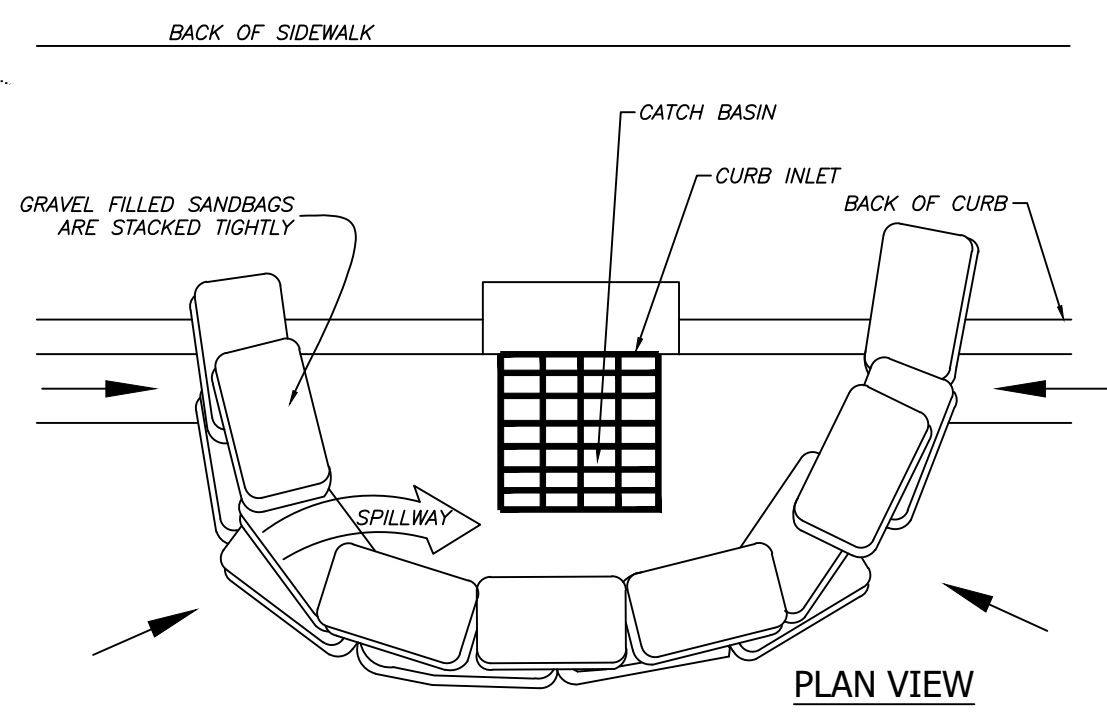
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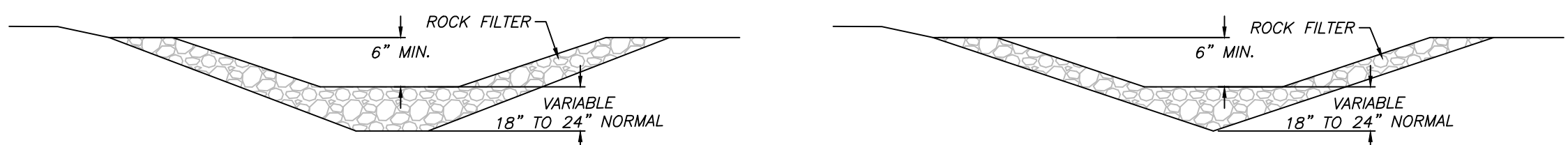
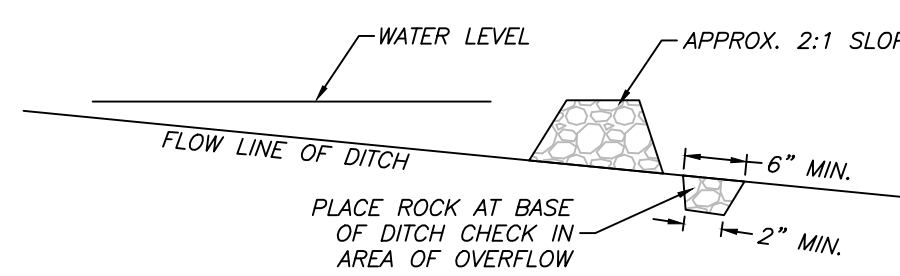


- GENERAL NOTES:**
- 1.) A SILT FENCE AND STRAW BALE DIKE SHALL BE PLACED AT POTENTIAL LOCATIONS OF HEAVY EROSION.
 - 2.) TEMPORARY STRAW BALE DIKES ARE TO BE CONSTRUCTED NOT TO POND WATER ON ADJACENT PROPERTY.
 - 3.) ALL TEMPORARY EROSION CONTROLS SHALL BE MAINTAINED UNTIL ALL CONSTRUCTION IS COMPLETE & PERMANENT GROUND COVER HAS BEEN ESTABLISHED.
 - 4.) ONE OF THE FOLLOWING GROUND COVER METHODS SHALL BE USED AT AREAS OF CLEARING OTHER THAN FUTURE PAVEMENT SURFACES:
STRAW OR HAY-LOOSE 2.0 TONS/ACRE
STRAW OR HAY-TIED, ANCHORED, OR TACKED 1.5 TONS/ACRE
 - 5.) SOIL EXPOSED FOR MORE THAN 14 DAYS WITH NO CONSTRUCTION ACTIVITY SHALL BE SEEDED OR REVEGETATED.
 - 6.) CONSTRUCTION EXITS SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING ON FLOW OF MUD INTO PUBLIC RIGHT-OF-WAY.
 - 7.) ADDITIONAL EROSION CONTROL MEASURES WILL BE EMPLOYED WHERE NECESSARY BY SITE CONDITIONS.
 - 8.) CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING EROSION CONTROL MEASURES & PROVIDE RAIN FALL MONITORING & BI-WEEKLY INSPECTION REPORTS IN ACCORDANCE WITH THE NPDES PERMIT REQUIREMENTS.
 - 9.) CONTRACTOR SHALL USE "BEST MANAGEMENT PRACTICES" (BMP'S) WHEN IMPLEMENTING & MAINTAINING SEDIMENT & RUN-OFF CONTROLS.
 - 10.) THE USE OF "BIO-DEGRADABLE SOCK" IS ALLOWED AS OPPOSED TO SILT FENCE.

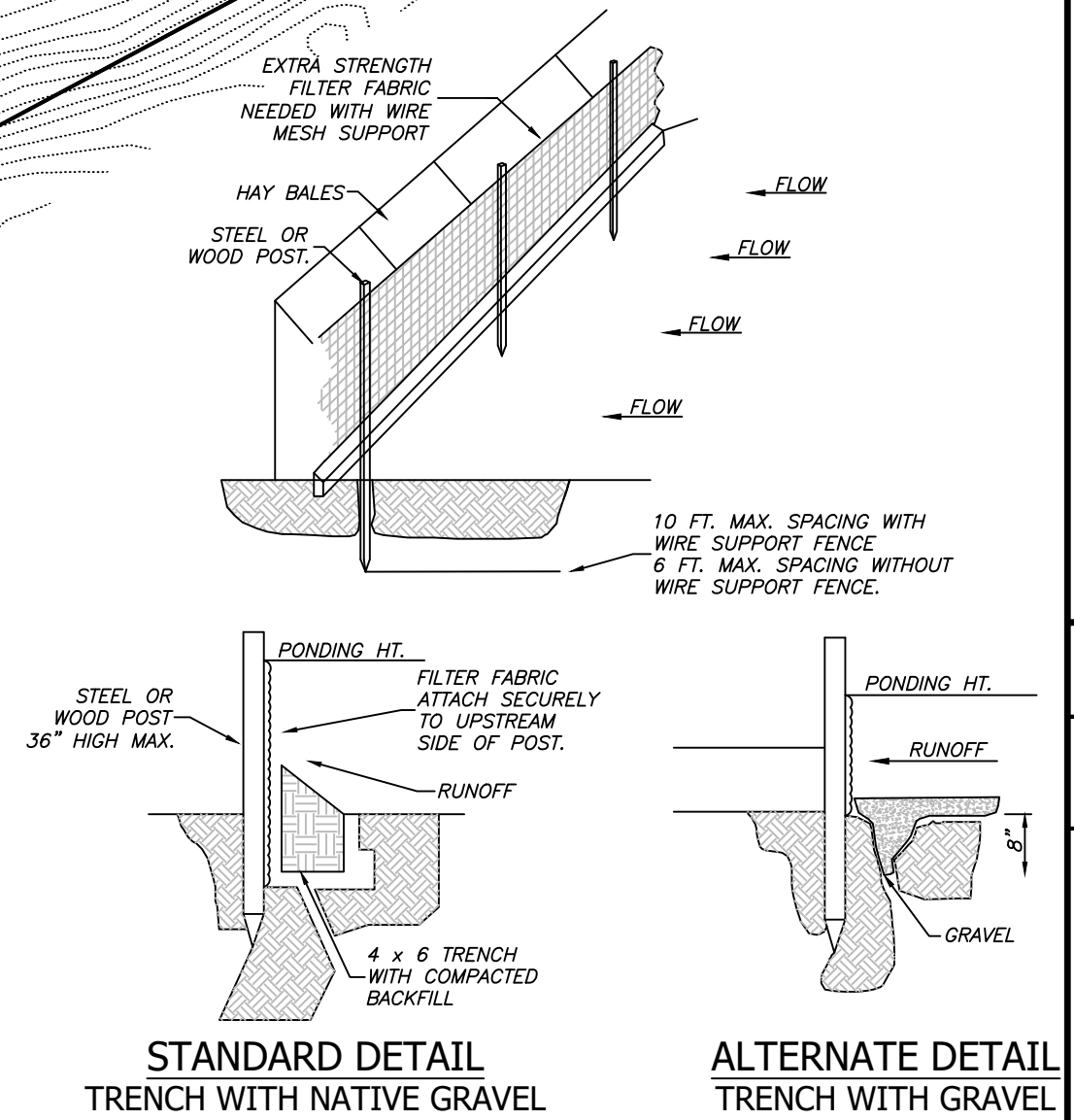


**CURB INLET
SEDIMENT BARRIER
NTS**

- NOTES:**
- 1.) PLACE CURB TYPE SEDIMENT BARRIERS ON GENTLY SLOPING STREET SEGMENTS WHERE WATER CAN POND AND ALLOW SEDIMENT TO SEPARATE FROM RUNOFF.
 - 2.) SANDBAGS OF EITHER BURLAP OR WOVEN GEOTEXTILE FABRIC ARE FILLED WITH GRAVEL, LAYERED, AND PACKED TIGHTLY.
 - 3.) LEAVE ONE SANDBAG GAP IN THE TOP ROW TO PROVIDE A SPILLWAY FOR OVERFLOW.
 - 4.) INSPECT BARRIERS AND REMOVE SEDIMENT AFTER EACH STORM EVENT. SEDIMENT AND GRAVEL MUST BE REMOVED FROM THE TRAVELED WAY IMMEDIATELY.

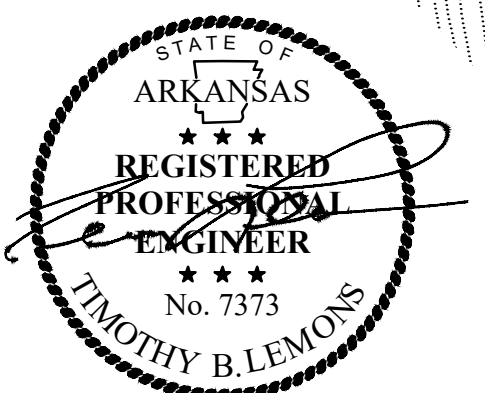
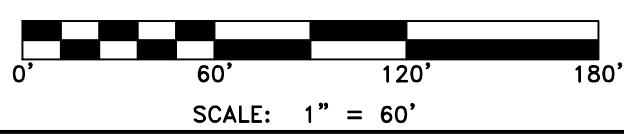


**ROCK CHECK DAM
NTS**



**SILT FENCE
NTS**

- NOTE:**
- 1.) INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY.
 - 2.) REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
 - 3.) SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.



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WATER • SEWER • TRANSPORTATION • SUBDIVISIONS

EROSION CONTROL PLAN
SUGAR CREEK ESTATES - PHASE II
Part of the NE 1/4, NE 1/4 & NW 1/4, NE 1/4, Section 7, &
Part of the SW 1/4, SE 1/4, Section 6, T-20-N, R-29-W
City of PEA RIDGE, Benton County, Arkansas

Prepared For:
MP Development
1000 Captain Good Street
Pea Ridge, Arkansas 72751

No.	Date	Revisions
1	11-27-25	B. Judd
2	11-17-25	B. Judd
3	12-22-25	B. Judd

Date: **October 17, 2025**

Project No.: **25-030**

Scale: **1" = 60'**

Drawn By: **B. Judd**

Sheet: **11** of **12**

Chapter 13.04 Planning Commission

Sections:

- 13.04.01 Commission Created
- 13.04.02 Commission Purpose and Membership
- 13.04.03 Commission Duties
- 13.04.04 Commission Powers and Duties
- 13.04.05 Commission Authority

13.04.01 Commission Created

Section 1. Name

The name of this organization is the Planning Commission of City of Pea Ridge, Arkansas, hereinafter referred to as “planning commission.”

Section 2. Purpose of By-Laws

The purpose of these by-laws is to establish rules for the internal organization of the planning commission and for procedures of operation.

13.04.02 Commission Purpose and Membership

Section 1. Commission Purpose

The general purpose of the planning commission is to:

1. Prepare, or have prepared, a plan of the municipality;
2. Receive and make recommendations on public and private proposals for development;
3. Prepare and administer planning regulations;
4. Prepare and transmit to the legislative body recommended ordinances implementing plans; and
5. Advise and counsel the city government and other public bodies.

Section 2. Establishment

The City’s legislative body may create a planning commission of not less than seven (7) members, ~~of whom who~~ shall be appointed by the Mayor and with the consent of the Pea Ridge City Council. ~~Said Pea Ridge City Planning a~~At least two-thirds (2/3) of planning commission members shall not hold any other municipal office or appointment except membership in the board of adjustment or a joint planning agency.

The legislative body may confer on the commission the powers necessary to carry out the municipal plan.

Section 3. Membership

Appointment and terms of the members of the planning commission shall be as provided by city ordinance. The terms of the membership for the ~~Pea Ridge City p~~Planning ~~C~~commission shall ~~hold~~

~~office~~ for five (5) years. Vacancies on the Pea Ridge Planning Commission shall be filled by appointment by the Mayor and with the consent of the Pea Ridge City Council. (Ord. No. 484, Sec. 2)
~~———— The City's legislative body may appoint one third (1/3) of the membership of the commission from electors living outside the corporate limits of the municipality but within the recorded planning jurisdiction of the municipality.~~

Section 4. Compensation

The members of the city's planning commission shall receive as compensation the sum of ~~One Hundred and Seventy-Five Dollars (\$175.00)~~ Two Hundred (\$200) for attendance at each commission meeting and special meeting. Said compensation is to be paid annually, as authorized in Ord. No. 328, Sec. 1; Ord. No. 660. Sec. 1 duly adopted by the governing body of the Ccity of Pea Ridge.

Section 5. Appropriations; authorization

The municipality is authorized to appropriate funds to the planning commission to be used in carrying out its functions.

Section 6. Duties

- A. GENERALLY. The planning commission shall have the duty and function of promoting public interest in, and understanding of, the long-term coordinated municipal planning.
- B. COMPREHENSIVE STUDIES. The commission shall prepare a work program and make comprehensive studies of the present conditions and the probable future growth of the municipality and its neighboring territory.
- ~~C. PLANNING AREA MAP. The commission shall maintain a map showing the general location of streets, public property and the boundaries of the area within the territorial jurisdiction for which it will prepare plans, ordinances, and regulations. The map shall be known as the planning area map.~~
- ~~D.~~C. PLANS OF AREA. The planning commission may prepare plans for all, or any portion of, the area encompassed by the ~~planning area map~~ water service boundary, which may consist of maps, plats, charts, diagrams, and necessary documents and descriptive matter. The plans may include, but shall not be limited to:
 - 1. A master street plan;
 - 2. A land use plan; and
 - 3. A community facilities plan.
- ~~E.~~D. IMPLEMENTATION OF PLANS. In order to promote, regulate, and control development, and to protect the various elements of the plans, the commission, after adoption of appropriate plans as provided, may prepare and transmit to the legislative body such ordinances and regulations as are deemed necessary to carry out the intent of the plans, or parts thereof.
- ~~F. (1)~~ REFERRAL TO PLANNING COMMISSION. After adoption and filing as provided of a plan, no public way, ground, or open space; public building or structure; publicly or privately owned public utility line or terminal or transportation line or terminal; ~~por~~ public development or redevelopment or renewal project shall be acquired, constructed, or authorized unless such a project, proposal, or development has been submitted to the commission for review, recommendation, and approval as to its conformity with the plan.

E.

a. ~~(2)~~ The commission's disapproval of a proposal submitted to it may be overruled only by a recorded vote of two-thirds (2/3) of the full membership of the submitting legislative or authorizing body.

a. ~~(3)~~

b. ~~(3)~~ Failure of the commission to act within sixty (60) days of the submission of the proposal shall be deemed approval unless further time is allowed by the submitting public board, commission, or body.

~~G.F.~~ REFERRAL TO BODIES RESPONSIBLE FOR LAND ACQUISITION. After adoption and filing as provided of a community facilities plan or a master street plan, no parcel of land indicated by the plan which lies within the bounds of a proposed public use facility or mapped street shall be privately developed until the public board, commission, or body having jurisdiction or financial responsibility for the reserved area shall have refused to execute a written option or to file suit for condemnation to acquire the area. This refusal shall be given by the public board, commission, or body within one (1) year of the date the action is requested by the property owner. This procedure may be enforced for the specified one (1) year period by the refusal to issue building permits or by other methods. However, it may be enforced only in cases where regulations governing the development and subdivision of land do not apply.

~~H.G.~~ PUBLIC IMPROVEMENT PROGRAM. The commission may prepare, annually, a program for an appropriate period, recommending a coordinated program of capital expenditures for public improvements. For the purpose of preparing this program, the commission may request and receive information concerning public improvements from all public officials and public bodies.

~~I.H.~~ RECOMMENDATIONS AND REPORTS. The commission may make recommendations and reports to the public and to public and private agencies.

~~J.I.~~ SURVEYS. The commission may enter upon land to make examinations and surveys and to maintain necessary monuments and markers thereon.

~~K.J.~~ FUNDS AND PERSONNEL. The commission may receive and spend funds from federal, state, county, municipal, and other public and private sources, may contract with respect thereto, and may hire a staff and contract for consultant services.

Section 7. Jurisdiction

A. ~~(1)(A)~~ The territorial jurisdiction of the legislative body of the city having a planning commission, for the purpose of this subchapter, shall be exclusive and shall include all land lying within ~~(1) mile of the corporate limits~~ the annexed boundaries of the municipality.

~~(B) If the corporate limits of two (2) or more municipalities of the first or second class are less than then (10) miles apart, the limits of their respective territorial jurisdiction shall be a line equidistant between them, or as agreed on by the respective municipalities.~~

~~B. (1) The planning commission shall designate the area within the territorial jurisdiction for which it will prepare plans, ordinances, and regulations.~~

~~(2) A description of the boundaries of the area shall be filed with the city clerk and with the county recorder.~~

Article III

Section 18. Officers

The planning commission shall designate one (1) of its members as chairperson and ~~select one (1) of its members as~~ a vice-chairperson, ~~and The planning commission may appoint such~~ other officers as it may require.

Thereafter, the planning commission shall elect a chairperson and vice chairperson in January of each even numbered year. Their term of office shall be ~~one~~ (1) year. No person may serve more than two (2) consecutive terms. The ~~Director of Planning~~ Planning Director or his/her selected representative shall serve as secretary to the planning commission.

Section 29. Chairperson

The chairperson shall preside at all meetings of the planning commission. The chairperson shall appoint all committees and be an ex-officio member of all committees. The chairperson will also be a voting member of the planning commission. The chairperson shall perform all the duties assigned to his/her office by law and the planning commission.

Section 310. Vice-Chairperson

The vice chairperson shall act as chairperson in the absence of the chairperson. In the absence of both the chairperson and the vice-chairperson, the members present at such meeting shall elect a chairperson pro-tempore. In the event the office of chairperson becomes vacant, the vice chairperson shall succeed to that office for the unexpired term, and the planning commission shall select a new vice chairperson for the unexpired term at the next regular meeting.

Section 4-11. Secretary

The secretary shall be the City's planning director. The secretary shall prepare the agenda and the order of business for each regular meeting in consultation with the chairperson. Specifically, the secretary shall record all votes taken by name, indicating whether the member voted in the affirmative or negative or abstained, and shall transmit a copy of said record to the planning commission following each meeting of the planning commission. The secretary shall record the minutes of all meetings and shall provide copies to all members of the commission, the City Council, and other public agencies involved. The secretary shall act on behalf of the planning commission in the following matters, provided that matter shall first be presented to the commission if there appears to be serious conflict of interest, public controversy, or the like:

- a. Represent the planning commission on planning matters at all meetings of the City Council;
- b. Prepare or present plans, policies, or procedures established by the planning commission;
- c. Prepare the annual budget and review it with the planning commission;
- d. Accept and prepare all routine communications on planning matters;
- ~~e.~~ Give or serve all notices required by law, these by-laws, or adopted procedures;
- ~~e.~~ And
- f. Maintain complete public records of all matters coming before the planning commission.

Further, the secretary shall be responsible to advise the chairperson directly, and the planning commission as a whole, on matters regarding annual requirements for document reviews and deadlines and content requirements for submission of various reports and documents to local governing bodies and federal offices.

Section 125. Committees

The chairperson of the planning commission may appoint special study committees.

Section 136. Attendance

Any member who is absent from three (3) consecutive regular meetings without having been previously excused by the chair shall have such absences reported by the chairperson to the planning commission. Members who accrue more than four (4) unexcused absences within any twelve (12) consecutive month period may be removed for cause by the planning commission.

13.04.03 Commission Duties

Section 1. Meetings

The planning commission shall convene for its first meeting at such time and place as shall be fixed by the City Council and shall therefore proceed to organize and elect officers and fix and determine time and place of future meeting, which meetings shall not be less than four (4) times per year. These meetings shall be held at such time and place as designated by a majority of the entire planning commission or respective standing committee and shall be announced through notice provided to the City Council. If the regular meeting falls on a holiday, that meeting shall automatically be held on the next day which is not a holiday unless the planning commission, by formal action, sets a special meeting day. All regular and special meetings of the planning commission shall be open, and the public shall be permitted to attend.

Section 2. Informational Meeting

The planning commission may conduct an informational meeting to review and become familiar with issues appearing on the next regular meeting agenda. The meeting is solely for familiarizing the members with individual items appearing before them at their next regular meeting. No action shall be taken nor indication of the manner in which the planning commission members intend to vote. The planning commission may request additional information be provided at the regular meeting not less than three (3) business days in advance of the meeting. These study sessions, while open to the public, are not public hearings and, as such, public comment ~~will~~ shall not be permitted.

Section 3. Special Meetings

Special meetings of committees or the planning commission may be called by the respective chairperson or planning director. Such meetings shall also be called at the request of a majority of the committee or planning commission. The planning director shall give notice of special meetings not less than three (3) business days prior to the meeting. The notice shall state the purpose, time, and place of the meeting. Notice shall be by mail or email to the address provided by the member to the planning ~~director~~ director.

Section 4. Agenda

Agendas for all regular meetings shall be available at City Hall or posted to the city website at least one (1) week prior to the meetings. Between meetings of the planning commission, the Planning Department will be available to provide information on matters which come or have come before the planning commission.

Section 5. Quorum Requirements

A quorum of the planning commission shall consist of four (4) members. A quorum of a special study committee shall consist of a majority of the members of the study committee. No official business shall be conducted by the planning commission or committee in the absence of a quorum. Study committees may meet if at least two (2) members are present, but no recommendation shall be made except by a majority vote of a quorum of such committee. In the absence of a quorum at any meeting, the presiding officer, after consultation with those members present may adjourn the meeting to a specified date, time, and place. A quorum is not lost when a member or members abstain from voting.

Section 6. Open Meetings

All meetings of the planning commission and study committees shall be open to the public.

Section 7. Voting Requirements

Except as otherwise provided by law, any matter requiring the approval of the planning commission or that a recommendation be made to the council, shall require the affirmative votes of a majority of the whole planning commission. Matters pertaining only to the administration of the planning department and action of a study committee shall require only a simple majority vote of a quorum present.

13.04.04 Commission Powers and Duties

Section 1. Parliamentary Authority

Meetings shall be conducted according to *Robert's Rules of Order* in all cases where they are applicable and not inconsistent with these by-laws. The City Attorney shall interpret all issues arising under *Robert's Rules*.

Section 2. Staff Reports

Staff reports on all agenda items shall be prepared and transmitted to the planning members a minimum of three (3) days prior to the time of the meeting.

Section 3. Order of Business

The order of business at regular meetings shall be as follows unless the chairperson desires to ~~rearrange-reorder~~ individual items for the expeditious conduct of business:

Call to Order ~~and Announcement of Hearing Procedure~~
Roll Call and Declaration of a Quorum
Approval of Minutes

Declaration of Conflict of Interest by Members of Commission or Staff Communications
Public Hearing Items

New Business

Old Business

Other Business

Public Comment of Non-Agenda Planning and Zoning Items. Please note the three (3) minute time limit for speakers and nine (9) minutes total per meeting, absent an approved motion to extend the time.

Discussion of Planning Related Issues

Adjournment

Section 4. Order of Public Hearing

The chairperson shall announce the public hearing item and shall proceed in the following order:

1. Presentation of staff report and recommendation.
2. Questions of staff by the planning commission.
3. Presentation by applicant and representatives.
4. Questions of applicant/representative by the planning commission.
5. Public hearing opened by chairperson for public comment.
6. Call for comments ~~of proponents~~, questions by planning commission.
- ~~7. Call for comments of opponents; questions by planning commission.~~
- ~~8.~~7. Rebuttal comments of applicant/representative.
- ~~9.~~8. Public hearing closed by chairperson.
- ~~10.~~9. Commission discussion, motion and second, and action taken.

Section 5. Appearance Before the Commission

Petitioners or their representatives, members of the community at ~~large~~, or individuals or their representatives who feel they will be affected by any action may appear before the planning commission to present views and statements either for or against agenda items. The public may address their comments or concerns to the planning commission in person or in writing. The chairperson may at his/her discretion limit the length of presentation or discussion to ensure the orderly conduct of planning commission business provided that the decision of the chairperson may be overridden by a majority vote of those members present.

~~Following the Call to Order~~Prior to the opening of a public hearing, the chairperson, as needed, shall announce the rules of conduct of the public hearing as follows:

1. All comments shall be addressed to the chairperson.
2. Each person shall be given an opportunity to be heard, but second comments will not be permitted until every person has had the opportunity to speak for the first time.
3. In the interest of fairness to the public, statements should be concise as possible.
4. The chairperson reserves the right to terminate a presentation or ask for summation if comments become excessively repetitive or stray from the issues at hand.
5. For large hearings, a time limit may be imposed for individual comments.
6. At all times during the public hearing, the chairperson shall expect courtesy from all participants and catcalls, booing, or other outbursts from the public shall not be tolerated.

7. Decision of the Commission shall be based on facts presented in evidence at the public hearing and accepted planning ~~principals~~principles.

Section 6. Commission Action

The planning commission shall take action on each item presented at the conclusion of discussion of that item.

Section 7. Motions

Motions before the Commission shall be made in the affirmative or negative on all ~~public hearing~~ items and shall be restated by the chairperson or secretary before a vote is taken. Motions made should include reasons in support of such action.

Section 8. Voting

Voting shall be by ~~voice ballot on non-public hearing items and individual voice ballot~~roll call voice ballot on all ~~public hearing~~ items and shall be tallied by the secretary.

Section 9. Conflicts of Interest

It is the duty of each member to vote on each issue. No member of the planning commission or city staff, however, shall participate in, discuss, or vote on a matter in which he/she has a conflict of interest or a substantial interest. A commissioner and/or city staff member shall be considered to have a conflict of interest should they have an interest, pecuniary or otherwise, in any matter to be considered by the commission and shall be disqualified from considering, debating, discussing, and voting on said matter. Should any member have such a conflict or substantial interest on a matter coming before the planning commission or its committees, the chairperson shall declare an abstention for each affected commission member for that item on the agenda. Further, no commissioner and/or staff member shall appear before the planning commission on behalf of any party or entity on any matter under consideration.

Section 10. Ex-parte Contacts

It is in the public interest that all members of the planning commission should have an opportunity to be aware of and act upon the information that is available to other members. Individuals appearing before the planning commission are entitled to a fair and equitable hearing with a decision based upon the evidence presented at the hearing. Therefore, all members are discouraged from entering into ex-parte contact, however, if contact is made outside of the public meeting setting, the member shall:

1. Place upon the record the substance of all written and oral ex-parte communications concerning individual agenda items; and
2. Provide that a public announcement of the content of the communication and of the parties' right to rebut the substance of the communication shall be made at each meeting where action is considered.

Section 11. Record of Proceedings

The secretary shall record and maintain the minutes of each meeting as a matter of public record and shall present such minutes to the planning commission for approval.

13.04.05 Commission Authority

Section 1. Plans and studies; authorization

A. STUDIES. The planning commission shall undertake suitable studies related to the plans to be prepared.

~~B. (1)~~ LAND USE PLAN. The commission ~~may~~ shall prepare, adopt, and maintain a land use plan which may include, but shall not be limited to:

B.

~~a.~~ The preservation of open spaces;

a.

~~b.~~ The preservation of natural and historical features, sites, and monuments;

b.

~~c.~~ The existing uses to be retained without change;

c.

~~d.~~ The existing uses proposed for change; and

d.

~~A.~~ The area proposed for new development.

e.

~~B. (2)~~ The plan may include areas proposed for redevelopment, rehabilitation, renewal, and similar programs.

f.

~~C. (1)~~ COMMUNITY FACILITIES PLAN. The commission may prepare, adopt, and maintain a community facilities plan indicating ~~on~~ the general location and extent of the service area of, and the future requirements of:

C.

~~a.~~ Community facilities such as schools, playgrounds, recreational areas, hospitals, special education facilities, and cultural facilities;

a.

~~b.~~ Governmental buildings and areas;

b.

~~c.~~ Public and private utility terminals and lines; and

c.

~~A.~~ Transportation terminals and lines.

d.

~~d. (2)~~ The plan may indicate areas to be reserved for future public acquisition as provided in this subchapter.

e.

~~D. (1)~~ MASTER STREET PLAN. The commission ~~may~~ shall prepare, adopt and maintain a master street plan which shall designate the general location, characteristics, and functions of streets and highways.

D.

~~e. (2)(A)~~ The plan shall include the general locations of streets and highways to be reserved for future public acquisitions.

a.
~~(B)~~ The plan may provide for the removal, relocation, widening, narrowing, vacation, abandonment, and change of use or extension of any public ways.

b.
~~E.~~ OTHER PLANS. The commission may prepare, adopt, and maintain such other plans as are significant to the health, safety, and general welfare of the municipality and its environs.

Section 2. Legislative recommendations

Following the adoption and filing of any plan, the planning commission may transmit to the legislative body, for enactment, recommended ordinances and regulations which will carry out or protect the various elements of the plan.

Section 3. Zoning Ordinances

~~A.~~ ~~(1)~~ Following adoption and filing of the land use plan, the commission may prepare for submission to the legislative body a recommended zoning ordinance for the entire area of the municipality.

1.
~~B.~~ ~~(2)~~ The ordinance shall consist of both a map and a text.

2.
~~C.~~ ~~I(3)(A)~~ The ordinance may regulate the location, height, bulk, number of stories, and size of buildings; open space; lot coverage; density and distribution of population; and the uses of land, buildings, and structures.

3.
~~D.~~ ~~(B)~~ The ordinance may require off-street parking and loading.

4.
~~(C)~~ The ordinance may provide for districts, of compatible uses, for large scale unified development, for elimination of uses not in conformance with provisions of the ordinance, and for such other matters as are necessary to the health, safety, and general welfare of the municipality.

5.
~~E.~~ ~~(D)~~ The ordinance shall include provisions for administration and enforcement.

6.
~~F.~~ ~~(E)(1)~~ The ordinance shall designate districts or zones of such shape, size, or characteristics as deemed advisable.

7.
~~1.~~ ~~(2)~~ The regulations imposed within each district or zone shall be uniform throughout the district or zone.

8.
~~2.~~ ~~B.~~ ~~(1)~~ The ordinance shall provide for a board of zoning adjustment, which may either be composed of at least three (3) members, or the commission as a whole may sit as a board of zoning adjustment.

9.
a. ~~(2)~~ The board shall have the following functions:
a.

~~A.~~ Hear appeals from the decision of the administrative officers in respect to the enforcement and application of the ordinance, and may affirm or reverse, in whole or in part, the decision of the administrative officer;

~~i. B. (1)~~

~~i.~~

~~ii. (a)~~ Hear requests for variances from the literal provisions of the zoning ordinance would cause undue hardship due to circumstances unique to the individual property under consideration, and grant such variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the provisions of the ordinance.

~~ii.~~

~~iii. (b)~~ The board shall not permit, as a variance, any use in a zone that is not permitted under the ordinance.

~~iii.~~

~~iv. (c)~~ The board may impose conditions in the granting of a variance to insure compliance and to protect adjacent property.

~~iv.~~

~~(2)~~ Decisions of the board in respect to the above shall be subject to appeal only to a court of record having jurisdiction.

~~v. (3) (A)~~

~~b.~~ The board shall establish regular meeting dates, adopt rules for the conduct of its business, establish a quorum and procedure, and keep a public record of all findings and decisions.

~~b.~~

~~c. (B)~~ Each session of the board shall be a public meeting with public notice of the meeting and business to be carried out published in a newspaper of general circulation in the city, at least one (1) time seven (7) days prior to the meeting.

~~c.~~

~~d. (C)~~ The ordinance shall be observed through denial of the issuance of building permits and use permits.

Section 4. Land Development Regulations; authorization

~~A. (1)~~ Following adoption and filing of a master street plan, the planning commission may prepare and shall administer, after approval of the legislative body, regulations controlling the development of land.

~~1)~~

~~a. (2)~~ The development of land includes, but is not limited to:

~~a)~~

~~i. (A)~~ The provision of access to lots and parcels;

~~i)~~

~~ii. (B)~~ The extension or provision of utilities;

~~ii)~~

~~iii. (C)~~ The subdividing of land into lots and blocks; and

~~iii)~~

~~i) (D)~~ The parceling of land resulting in the need for access and utilities.

~~iv)~~

~~B. (1) The~~ The regulations controlling the development of land may establish or provide for the minimum requirements as to:

~~b)~~

~~a-i)~~ Information to be included on the plat filed for record;

~~b-ii)~~ The design and layout of the subdivision, including standards for lots and blocks, street rights-of-way, street and utility grades, consideration of school district boundaries, and other similar items; and

~~c-c)~~ The standards for improvements to be installed by the developer at his or her own expense such as:

~~1-i)~~ Street grading and paving;

~~2-ii)~~ Curbs, gutters, and sidewalks;

~~3-iii)~~ Water, storm, and sewer mains;

~~ii)~~ Street lighting; and

~~iv)~~

~~4. Other~~ amenities.

~~v)~~

~~b) (2)~~ They may provide for the dedication of all rights-of-way to the public.

~~d)~~

~~c) (3) (A)~~ The regulations may govern lot or parcel splits.

~~e)~~

~~d) (B)~~ No deed or other instrument of transfer shall be accepted by the county recorder for record unless the deed or other instrument of transfer is to a lot or parcel platted and on file or accompanied with a plat approved by the commission.

~~f)~~

~~e) (4)~~ The regulations shall establish the procedures to be followed to secure plat approval by the commission.

~~g)~~

~~f) (5) (A)~~ The regulations shall require the developer to conform to the plan currently in effect.

~~h)~~

~~g) (B) (1)~~ The regulations may require the reservation for future public acquisition of land for community or public facilities indicated in the plan.

~~i)~~

~~i) (2)~~ This reservation may extend over a period of not more than one (1) year from the time the public body responsible for the acquisition of reserved land is notified of the developer's intent.

~~j)~~

~~j) (6)~~ When a proposed subdivision does not provide areas for a community or public facility based on the plans in effect, the regulations may provide for reasonable dedication of land for such public or community facilities or for a reasonable equivalent contribution in lieu of dedication of land, such contribution to be used for the acquisition of facilities that serve the subdivision.

~~C. Within the area within which the municipality intends to exercise its territorial jurisdiction as indicated on the planning area map, the county recorder shall not accept any plat for record without the approval of the planning commission.~~

Section 5. Setback lines; authorization

When a master street plan has been adopted and filed as provided, the legislative body of the city, upon recommendation of the commission, may enact ordinances ~~established~~establishing setback lines on such streets and highways as are designated by the plan and may prohibit the establishment of any new structure or other improvements within the setback lines.

Section 6. Entry control; authorization

Following the adoption and filing of a master street plan as provided, the legislative body, upon recommendation of the commission, may enact ordinances providing for the control of entry into any of the ~~major~~ streets and highways shown in the plan.

Section 7. Adoption or amendment; authorization

Any of the recommended ordinances and regulations that may be prepared by the commission shall be adopted or amended only in conformance with procedures specified in A.C.A. § 14-56-422.

Section 8. Adoption of plans, ordinances, and regulations

All plans, recommended ordinances, and regulations shall be adopted through the following procedures:

~~1. (A)~~ The planning commission shall hold a public hearing on the plans, ordinances, and regulations proposed under this subchapter.

~~1.~~

~~a. (B)~~ Notice of public hearing shall be published in a newspaper of general circulation in the city at least one (1) time fifteen (15) days prior to the hearing.

~~a.~~

~~b. (C)~~ Notice by first class mail to the board of directors of all school districts affected by a proposed plan, ordinance, or regulation shall be provided sufficiently in advance to allow representatives of all affected school districts a reasonable opportunity to submit comments on any proposed plan, ordinance, or regulation.

~~b.~~

~~2. 2.~~ Following the public hearing, proposed plans may be adopted and proposed ordinances and regulations may be recommended as presented or in modified form by a majority vote of the entire commission.

~~2.~~

~~3. 3.~~ Following its adoption of plans and recommendation of ordinances and regulations, the commission shall certify adopted plans or recommended ordinances and regulations to the legislative body of the city for its adoption.

~~3.~~

~~4. 4.~~ The legislative body of the city may return the plans and recommended ordinances and regulations to the commission for further study of recertification or by a majority vote of the entire membership may adopt by ordinance or resolution the plans and recommended ordinances or regulations submitted by the commission. However, nothing in this subchapter shall be construed to limit the city council's authority to recall the ordinances and resolutions by a vote of a majority of the council.

4.

5. ~~5.~~ Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the city clerk. ~~The city clerk shall file the plans, ordinances, and regulations as pertain to the territory beyond the corporate limits with the county recorder of the counties in which territorial jurisdiction is being exercised.~~

Section 9. Limitation on amendments

After adoption of plans, ordinances, and regulations and proper filing in the offices of the city clerk and county recorder, no alteration, amendment, extension, abridgement, or discontinuance of the plans, ordinances, or regulations may be made except in conformance with the procedure prescribed in A.C.A. § 14-56-422, or by a majority vote of city council.

Section 10. Savings provision

- (A) All plans, ordinances, regulations, or amendments thereto shall comply with the provisions of this subchapter.
- (B) Nothing in this subchapter shall invalidate any plans, ordinances, or regulations duly adopted in accordance with the statutes in effect at the time of adoption.
- (C) No alteration or amendments may be made to plans, ordinances, and regulations unless in conformity with the provisions of this subchapter.

Section 11. Appeals

In addition to any remedy provided by law, appeals from final action taken by the planning commission may be taken to the city council where they shall be heard de novo.