

## **CHAPTER 21 PLANNING COMMISSION**

### **Sec. 21-1. Commission Created.**

There is hereby created a City Planning Commission for the City of Searcy, Arkansas to consist of nine (9) members, and at least two-thirds (2/3) of said commission shall not hold any elective or appointive municipal office. The members of the City Planning Commission shall be nominated by the Mayor and confirmed by the City Council.

### **Sec. 21-2. Terms of Members.**

The members of said City Planning Commission shall each be appointed for a term of three (3) years, commencing with the anniversary date of each appointment. When the term of any member shall expire or when a vacancy shall otherwise occur, the Mayor shall make a nomination to fill such vacancy. (*Ord. No. 367, § 2, 4-3-56*)

### **Sec. 21-3. Election of Officers; Rules and Regulations.**

At a time and place to be designated by the Mayor, the City Planning Commission shall meet and organize by electing from its members a chairman, a vice-chairman, and a secretary. The chairman shall not hold any other municipal office or appointment.

The City Planning Commission shall make and adopt such rules and regulations to govern its proceedings, which shall provide for a regular meeting date of said Commission at least once a month and more often if prescribed by the Commission, and such rules and regulations shall provide for such committees within the Commission as may be found necessary and advisable, and the duties of such committees shall be prescribed by the Commission. No committee may exercise duties delegated by the Acts of the State of Arkansas and this chapter that are organic to the Commission. Such rules and regulations may also provide for special meetings and the manner of their calling. (*Ord. No. 367, § 3, 4-3-56*)

### **Sec. 21-4. Employment of Assistance; Expenditures.**

The City Planning Commission is hereby authorized to employ such assistance as is deemed necessary in carrying out its duties and responsibilities. The City Planning Commission cannot expend or encumber City funds without prior appropriation by the City Council. (*Ord. No. 367, § 4, 4-3-56*)

### **Sec. 21-5. Powers and Duties.**

The City Planning Commission as hereby created is vested with all of the powers and duties prescribed and set forth in Sections 19-2825 through 19-2833 Arkansas Statutes, and particularly shall make a comprehensive study of present conditions and future growth of the City of Searcy and

its neighboring and/or adjacent territory, for the purpose of planning a coordinated, adjusted, and harmonious development of the municipality and its environs which would promote, in accordance with present and future needs, the safety, morals, order, convenience, prosperity, and general welfare of its 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; provision of adequate open spaces; good civic design and arrangement; wise and efficient expenditures of public funds; adequate provision of public utilities; and for other matters pertaining to the public requirements. (*Ord. No. 367, § 5, 4-3-56*)

**Sec. 21-6. Adoption of Plan of Territory.**

The City Planning Commission shall formulate and maintain a plan of the territory within its planning jurisdiction in accordance with said state laws, which plan shall at least embrace the subjects prescribed in said laws and which shall be adopted by the commission by resolution after public hearing and notice as provided in said laws. When the City Planning Commission shall have approved any such plan or plans, the same shall be certified to the City Council and shall be filed in the office of the City Clerk-Treasurer and in the office of the Circuit Clerk of White County.

The City Council of the City of Searcy, on receipt of a certified copy of a plan or plans, may accept, amend, modify or reject the plan or plans in whole or part. On acceptance of a plan or plans by the City Council they shall be and become in full force and effect binding upon all persons with the force of law.

Whenever a plan has been adopted by the City Planning Commission, filed for record and accepted by the City Council, the same shall not be changed, altered, or amended except by the procedure required by said Section 14-56-402 et. seq., Arkansas Code Annotated for the adoption of a plan as specified above. Whenever a plan or plans have been so adopted, filed and become effective, no new street, square, park or other public way, ground or open space or any public building or structure or public utility, whether publicly or privately owned, shall be constructed or authorized to be constructed in any section or district of the planning jurisdiction embraced within a plan or plans until the location, character, and extent thereof shall have been submitted to the City Planning Commission in the manner prescribed in said state statutes. (*Ord. No. 367, § 6, 4-3-56*) [*See Section 24-47*]

**Sec. 21-7. Subdivision of Lands - Regulations Adopted.**

After a master street plan is adopted and filed as provided herein, the City Planning Commission shall prepare and administer rules governing the subdivision of land within its jurisdiction in accordance with said state statutes. The Subdivision Regulations as prepared and approved by the Planning Commission of the City of Searcy as of February 4, 1992, are adopted as Subdivision Regulations for the City of Searcy. (*Ord. No. 367, § 7, 4-3-56; Ord. No. 529; Ord. No. 92-04, 2-11-92*)

**Sec. 21-8. Coordination with Adjacent Territory.**

The City Planning Commission shall have the authority to cooperate with official and unofficial planning bodies for the purpose of coordinating the preparation of plans for the City of Searcy and the adjacent territory.

**Sec. 21-9. Application of Sub-Division Regulations to Land Lying Within Planning Area Boundary.**

- 21-9-1. The Planning Commission shall propose to the Searcy City Council, pursuant to Ark. Code Ann. § 14-56-413, as may be amended from time to time, a plan in recordable form reflecting the planning area boundary of the City of Searcy. The Planning Commission may recommend, from time to time, a proposed planning area boundary in accordance with applicable law.
- 21-9-2. The Searcy City Council may accept the planning area boundary by adopting a resolution approving the planning area boundary. The planning area boundary map shall be recorded in the records of White County, Arkansas.
- 21-9-3. The subdivision regulations of the City of Searcy, Arkansas, shall apply and be administered by the Planning Commission within the corporate limits of the City of Searcy and within the planning area that might lie beyond the corporate limits of the City of Searcy.
- 21-9-4. In the event that a modification in Arkansas law shall serve to reduce the planning area boundary limits to a boundary that is lesser than that adopted by the City of Searcy, then the planning area boundary shall be equal to the maximum distance from the corporate limits of the City of Searcy that might be permitted by Arkansas law. (*Ord. No. 367, § 8, 4-3-56; Ord. No. 2005-20, 6-14-2005, Ord No. 2015-17, §21-9*)

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