

ORDINANCE NO. I

AN ORDINANCE ESTABLISHING A TOWN PLANNING COMMISSION

BE IT ORDAINED AND ENACTED by the Town Council of the Town of Goshen, Arkansas:

WHEREAS, the Town Council of the Town of Goshen finds that there exists a need to adopt a plan or plans for the coordinated, adjusted, and harmonious development of the municipality and it's environs.

1. The plan or plans of the Town shall be prepared in order to promote, in accordance with present and future needs, the safety, morals, order, convenience, prosperity, and general welfare of the citizens, and may provide, among other things, for efficiency and economy in the process of development, for the appropriate and best use of land, for convenience of traffic and circulation of people and goods, for safety from fire and other dangers, for adequate light and air in the use and occupancy of buildings, for healthful and convenient distribution of population, for good civic design and management, for adequate public utilities and facilities, and for wise and efficient expenditure of funds.

2. A Town Planning Commission is hereby established. The Commission shall consist of Five(5) members, Two-thirds(2/3) of whom shall not hold public office, and who shall be appointed by the Mayor with the approval of the Town Council. The terms of the members shall be Four(4) years, but a vacancy shall be filled in the same manner as the original appointment for the remainder of the unexpired portion of the term. The term of office for the original appointees shall be as follows: Two(2) members shall be appointed for Two(2) year terms and Three(3) members shall be appointed for Four(4) year terms. The Two(2) year term shall only apply to the original appointees to the Commission, and thereafter their term shall be Four(4) years.

3. The members of the Commission shall organize and elect a member to be the President and Presiding Officer over the Commission, and a Secretary, who may be a member or not. The President or members of the Commission shall not receive a salary, but allowances for actual

expenditures in connection with duties performed may be made. No expenditures for Commission expenses shall be made by the Commission except those authorized and approved by the Town Council.

4. The Town Planning Commission shall have the powers, duties, and functions pertaining to Planning Commissions, conferred upon the Town for planning by Sections 19-2825 through 19-2833, Arkansas Statutes, which include the power to adopt and enforce a plan for the coordinated, adjusted and harmonious development of the Town and it's environs, which would promote in accordance with present and future needs, the safety, morals, order, convenience, prosperity, and general welfare of the citizens; for efficiency and economy in the process of development; for the appropriate and best use of land; for convenience of traffic and circulation of people and goods; for safety from fire and other dangers, for adequate light and air in the use and occupancy of buildings; for healthful and convenient distribution of population; for good civic design and management; for adequate public facilities; and for wise and efficient expenditures of public funds; and for other public purposes.

5. A plan of the Town or any portion thereof may be adopted by the Town Planning Commission by resolution after a public hearing thereon. A notice of the time and place shall be published in a newspaper of general circulation within the Town, or by placing the proposed notice upon Five(5) prominent buildings within the Town limits with accompanying maps, plats, charts and descriptive matter, may designate the general location, character and extent of streets, viaducts, subways, bridges, 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, communications, power or other purposes. The plan may include reservations of locations for mapped streets for future public acquisition, and may provide for removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of the ways, grounds, open space, building, property, utilities or terminals shown on the master plan provided for above. The plan may designate zones within the legal boundaries of the Town and prescribe

the character, height, area, bulk, location and use of buildings and premises within the respective zones. The Town may be divided into districts of the shape and area as may be deemed advisable, within which the erection, construction, reconstruction, alteration, repair or use of buildings, structures or premises may be regulated or restricted. After adoption of the plan, amendments, change, addition to or alteration thereof, a copy of maps, plats, charts and descriptive matter shall be certified to the Town Council and shall be filed in the office of the Town Clerk and a certified copy thereof shall be filed in the office of the Recorder of Washington County. When the Commission shall have adopted the Master Plan of the Town, or of one or more major sections of the Districts, thereof, no new street, square, park or other public way, ground, or open space, or public building, or structure, or public utility, whether publicly or privately owned, shall be constructed or authorized in the Town or in the plan section and district, until the location, character and extent thereof, is submitted to and approved by the Commission. In the case of disapproval, the Commission shall communicate it's reason to the Council, which shall have the power to overrule the disapproval by the recorded vote of not less than Three-Quarters(3/4) of it's membership. If the public way, ground, space, building, structure or other utility is one, the authorization or financing of which does not, under the law or charter provisions governing same, fall within the province of the council, the submission to the Planning Commission shall be by the board, commission or body having jurisdiction, and the Planning Commission's disapproval may be overruled by such board, commission or body by a vote not less than Two-Thirds(2/3) of it's membership. Failure of the Planning Commission to act within sixty(60) days after the date of official submission to it shall be deemed approval. When a master street plan is adopted and filed for record, no plat of a subdivision of land within the territorial limits shall be received for record or recorded until it is 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, be constructed or authorize in the Town, or in the planned section or district, until the location, character and extent thereof is approved. This section shall not apply to a

public way, space, building, structure or utility owned by the State, or by a government agency. The provisions 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. The Planning Commission shall make an annual report to the Town Council for the previous year as soon as possible in the new year. It shall make such supplementary reports as it sees fit from time to time.

7. If for any reason any portion of this ordinance be held to be invalid, such invalidity shall in no wise affect the remaining portions thereof, which are valid, but such valid portion shall be and remain in full force and effect.

8. This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist, and the same shall be in full force and effect immediately after its passage.

Approved this 31 day of MAY, 1983.

Attest: Doyle L. Sharp
Doyle L. Sharp
Recorder

Euel E. Bowen
EUEL E. BOWEN
Mayor

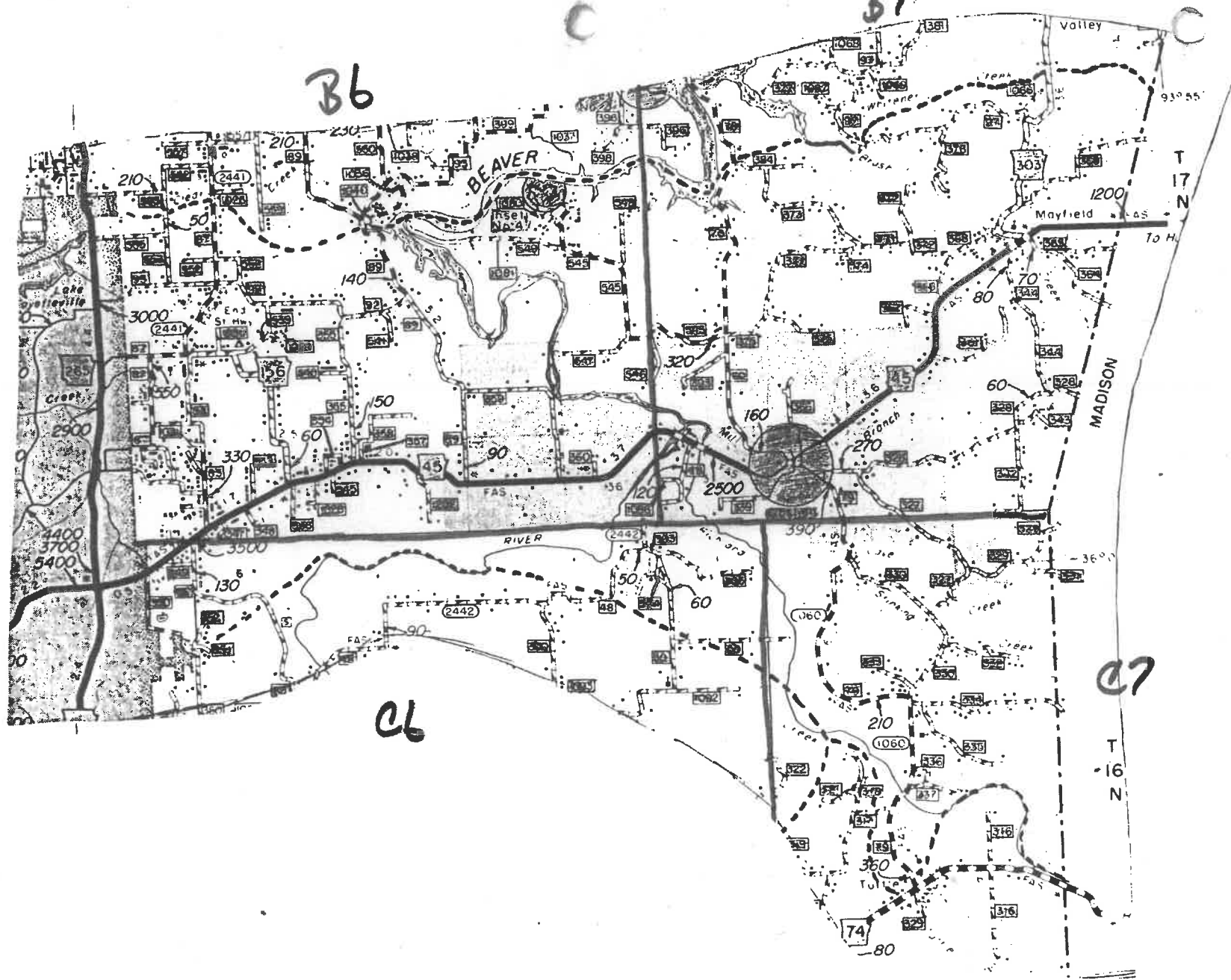
CERTIFICATE

I, Doyle Sharp, Recorder in and for the Town of GOSHEN, Arkansas, do hereby certify that the above and foregoing is a true, perfect and complete copy of an ordinance passed and enacted by the Town Council of the Town of Goshen, Arkansas, at a ~~regular~~ special meeting said Council held on the 31 day of MAY, 1983, at the Tow Hall in said Town, at which meeting a quorum as provided by law was present and voted thereon.

Witness my hand and the seal of said Town, this 31 day of

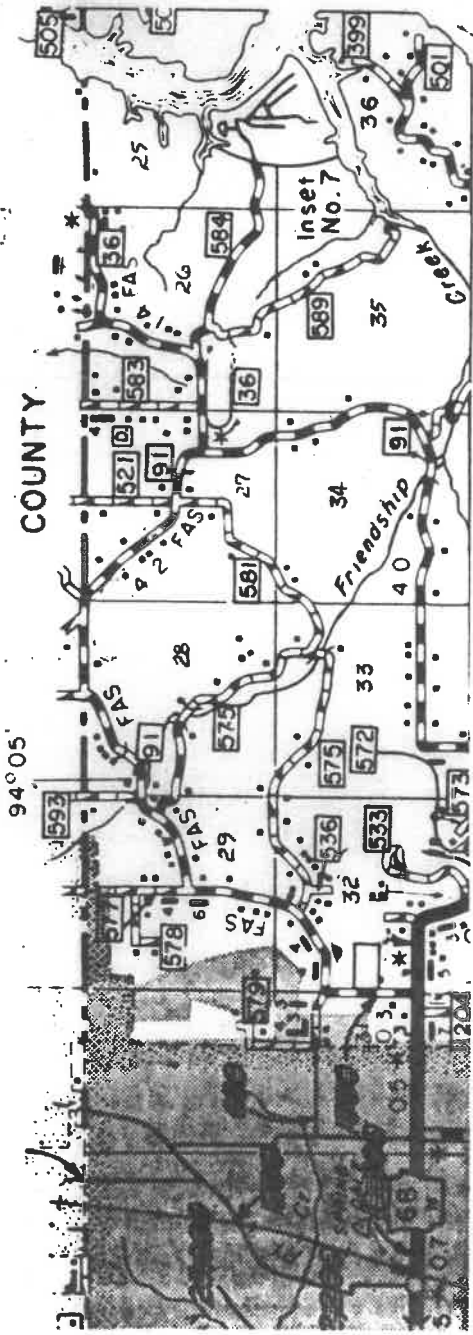
MAY, 1983.

Doyle L. Sharp
Doyle L. Sharp
Recorder

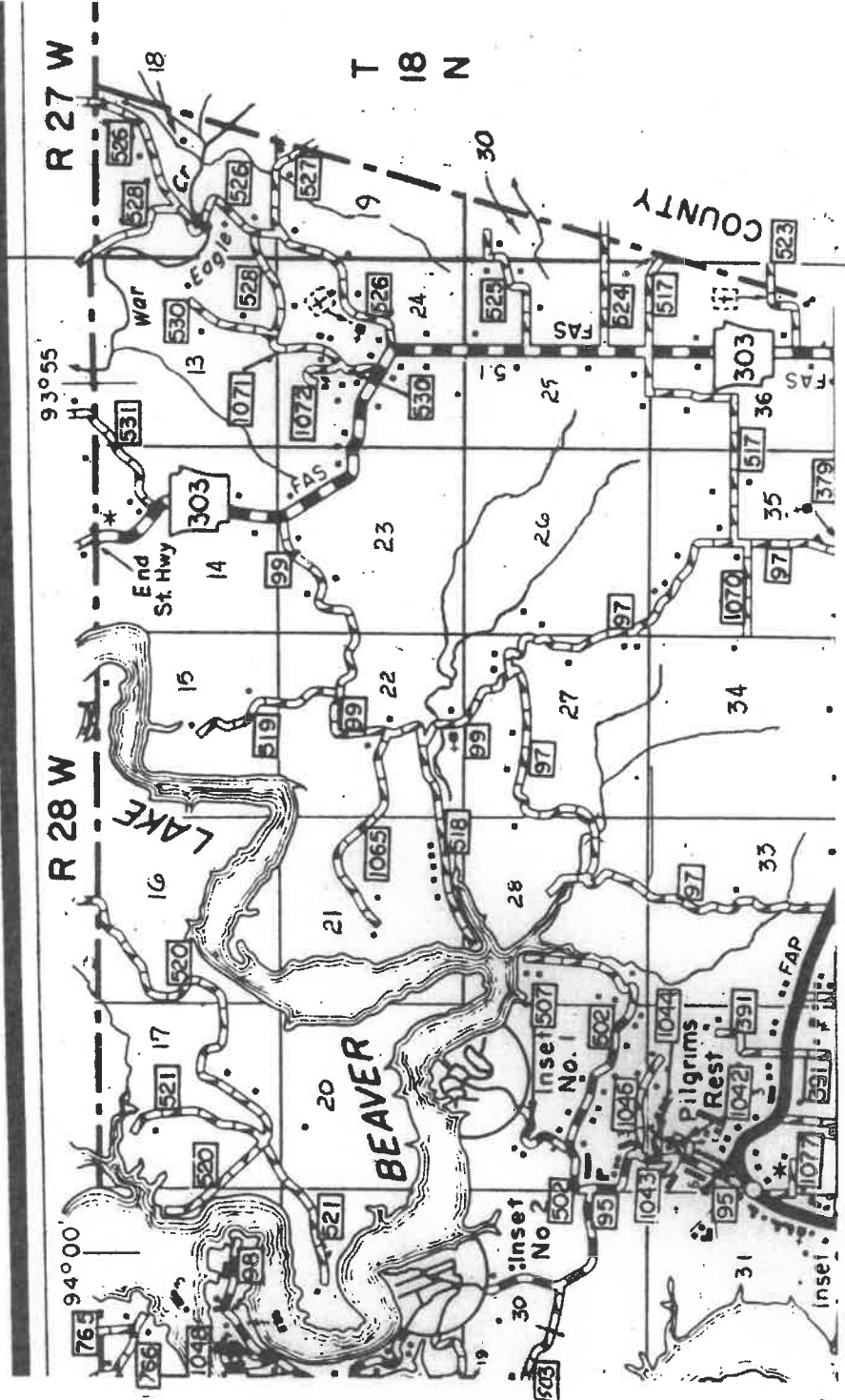


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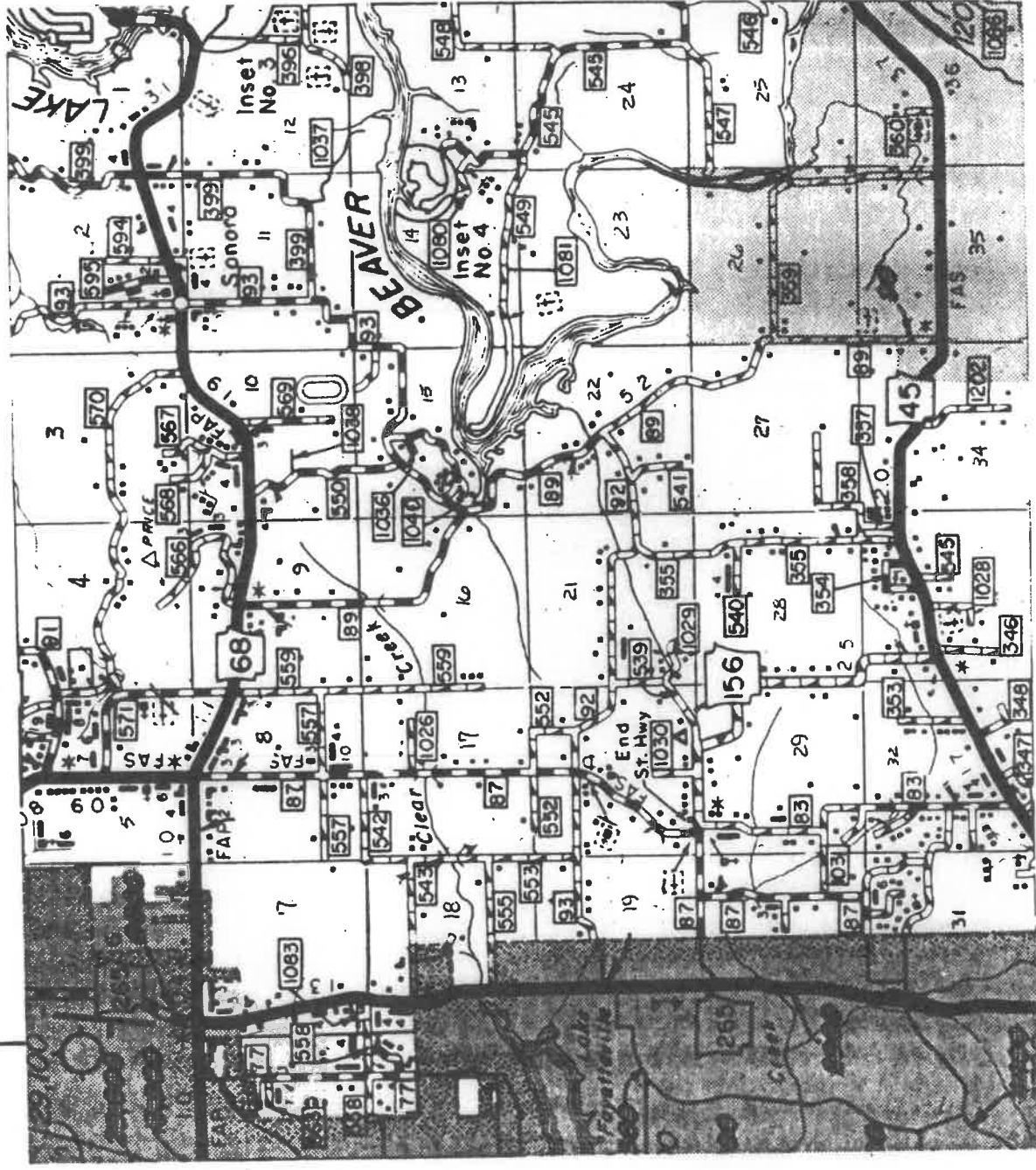


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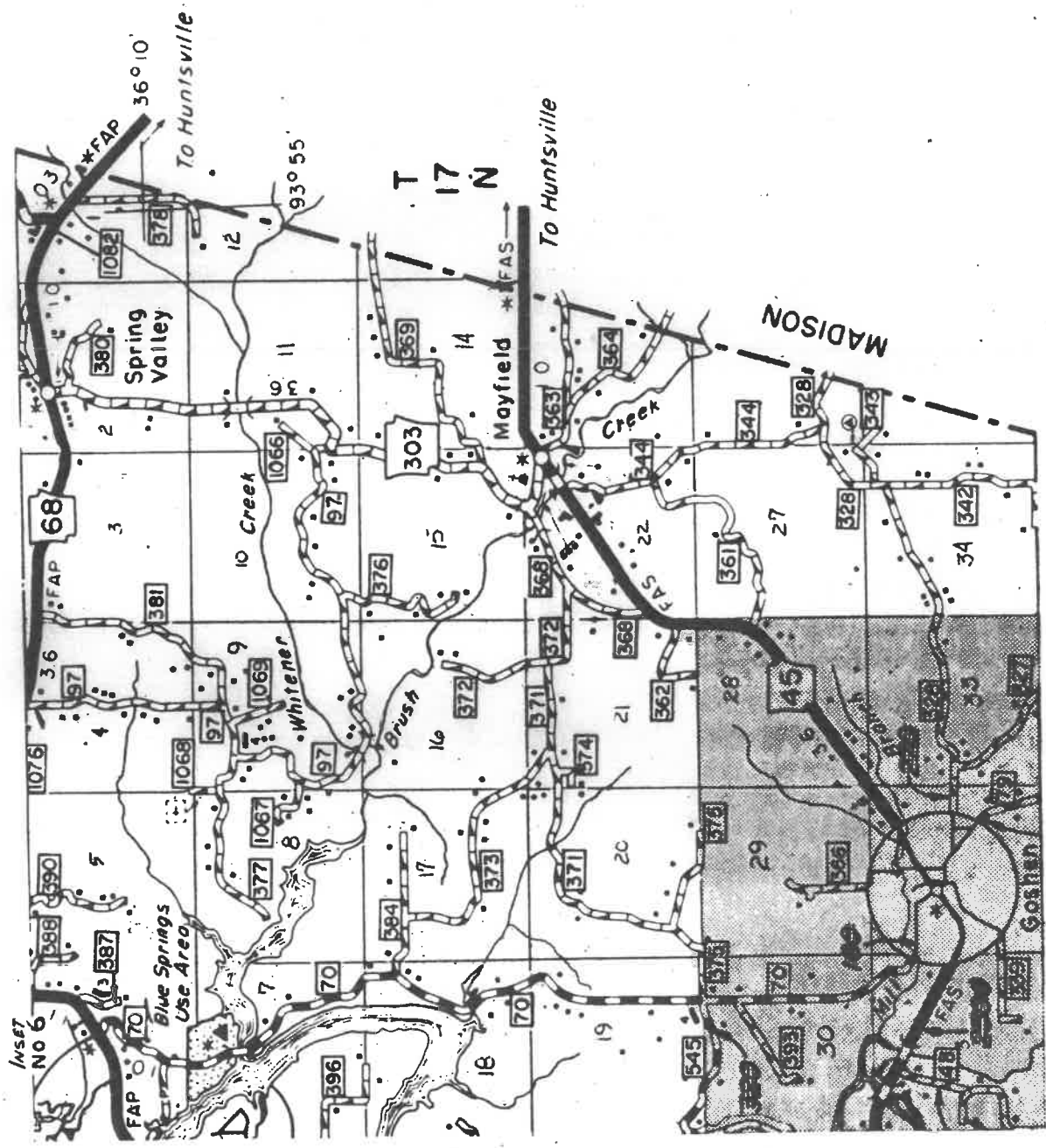
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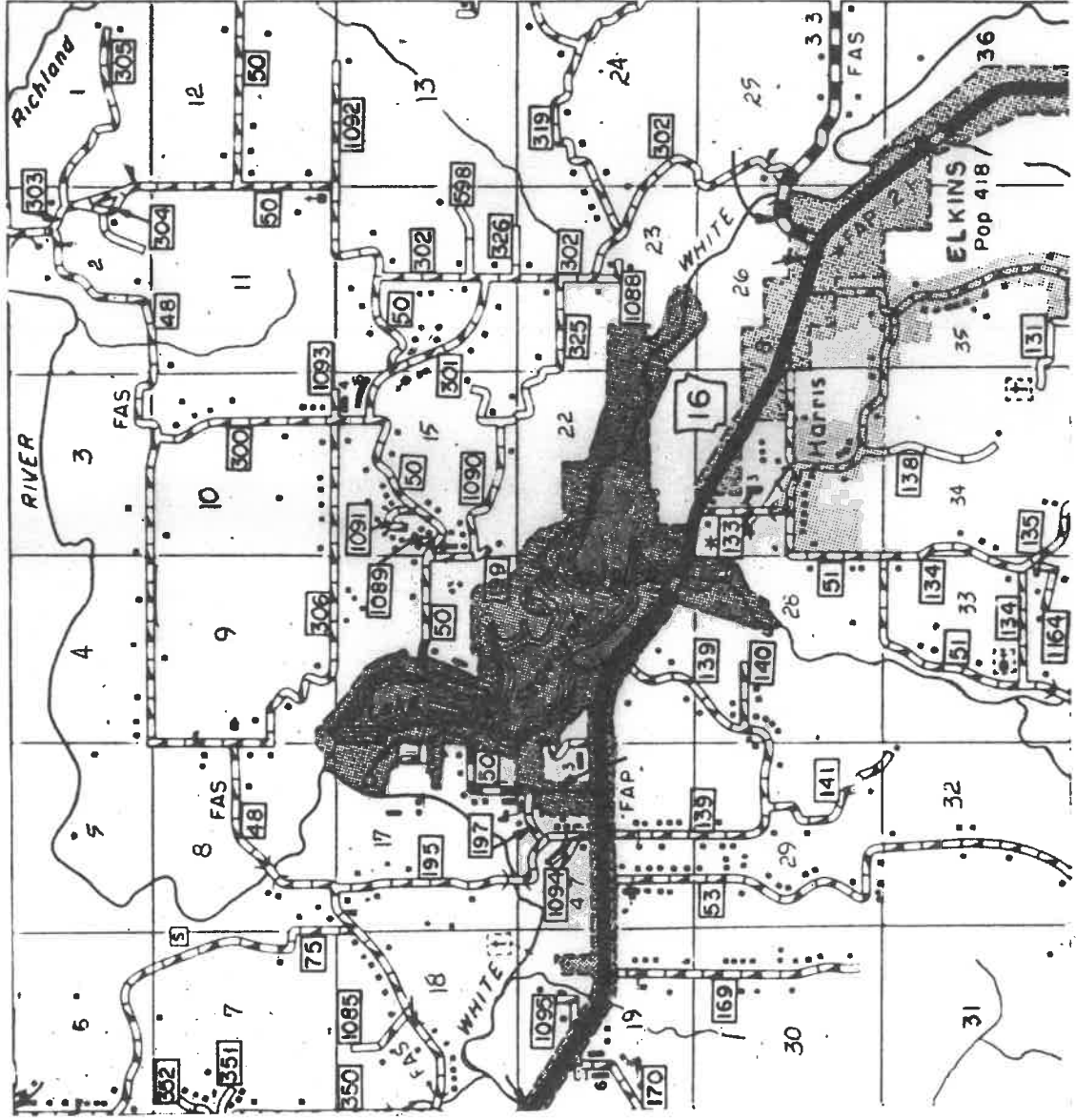


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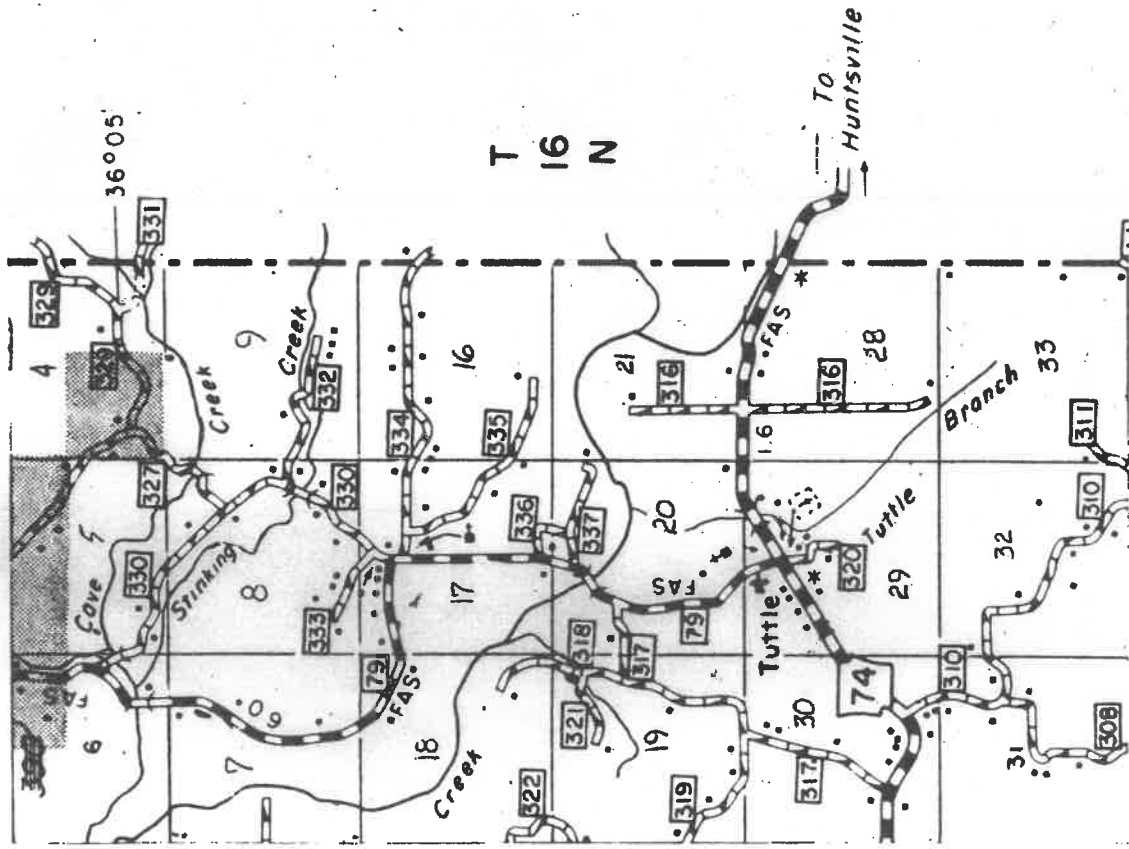
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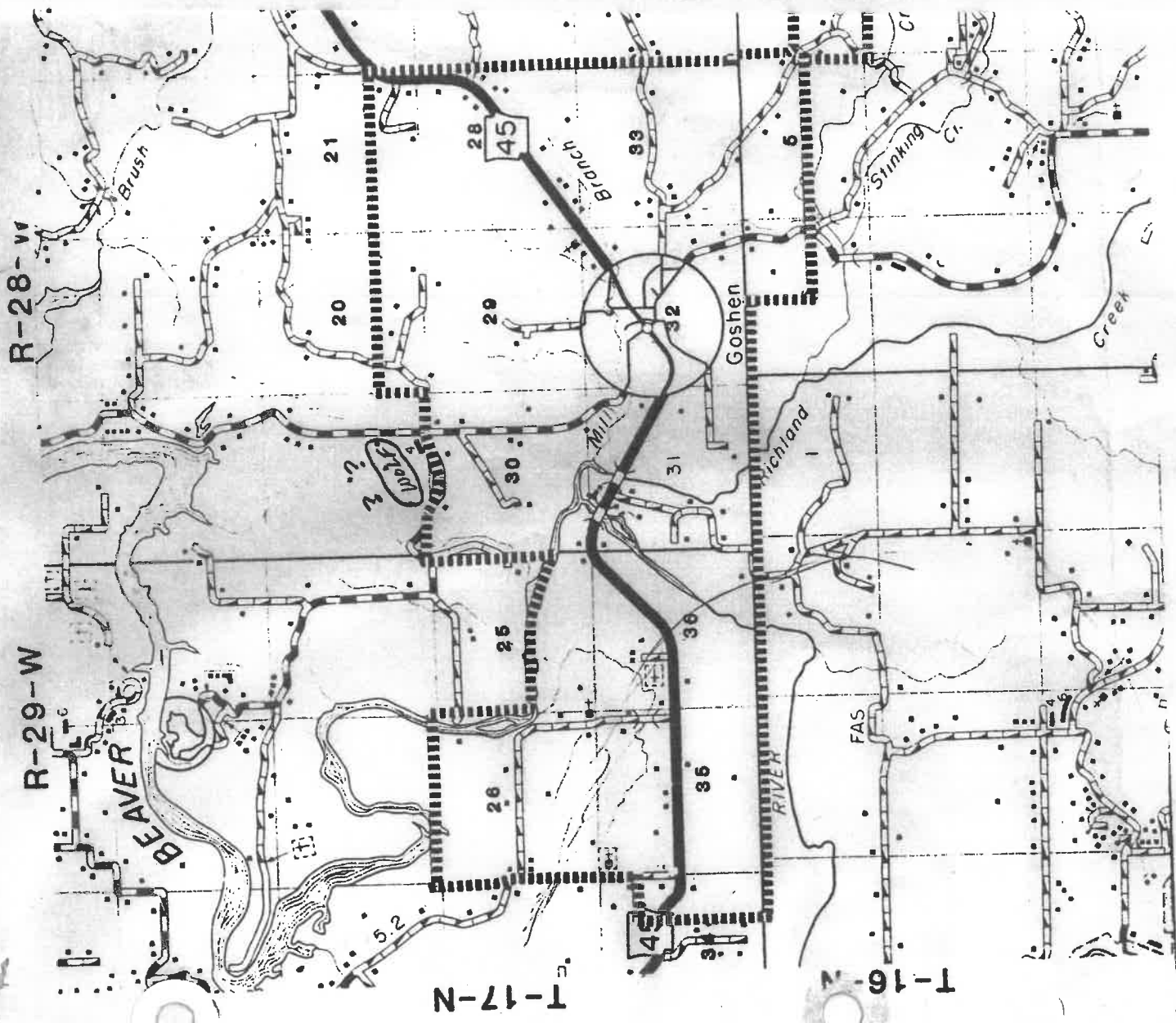
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C-6



C-7



TOWNSHIP-17-NORTH & RANGE-29-WEST

- 36. All of Sections: All of Section 25 lying South of the center of Beaver Reservoir.
- Part of Sections: All of Section 26 except that portion in the Southeast ¼ of the South ½ of the Northeast ¼ of Section 34.
- All of Section 35 except that portion in the Southeast ¼ of Habberton Road.