

TITLE 13

PLANNING

Chapters:

- 13.04 Planning Commission
- 13.08 Flood Damage Prevention Ordinance
- 13.12 When Lands Are Surveyed - Copy Filed With City Clerk
- 13.16 Construction of Towers Near Airport

CHAPTER 13.04

PLANNING COMMISSION

Sections:

- 13.04.01 Commission created
- 13.04.02 Duties
- 13.04.03 Coordination of planning
- 13.04.04 Members
- 13.04.05 Terms

13.04.01 Commission created There is hereby created a Commission of the city of Clinton, Arkansas, to be known as the “Clinton Planning Commission,” hereinafter referred to as the “Commission,” which said Commission shall consist of five (5) members who shall serve without compensation and of whom not more than one-fourth may hold any other municipal office or appointment. (Ord. No. 92, Sec. 1.)

13.04.02 Duties The Commission shall have all the duties and functions authorized by Act 186 of the Acts of Arkansas, as amended. Amendments pertinent to the Commission’s duties and functions are contained in, but not limited to, Acts of Arkansas 1959 No. 128, 1963 No. 36, 1965 No. 134 and No. 138. (Ord. No. 92, Sec. 2.)

13.04.03 Coordination of planning The Commission is authorized to, and is in fact enjoined to, coordinate their planning with the Commissions of Van Buren County, neighboring cities and counties as appropriate to the end that the environment of the city of Clinton,

Arkansas, and its environs are improved and protected in a manner that will ensure the health and welfare of present and future citizens. (Ord. No. 92, Sec. 3.)

13.04.04 Members The members of the Commission shall be named and appointed by the Mayor and his appointments will be valid and effective upon confirmation by the City Council (Ord. No. 92, Sec. 4.)

13.04.05 Terms The terms of the members of the Commission shall be for three years (3). However, the initial appointments to the Commission shall be two (2) members for one (1) year, one (1) member for two (2) years, and two (2) members for three (3) years. The Mayor shall designate the terms of the initial appointments. Thereafter as vacancies occur in said Commission, for whatever cause, said vacancies shall be filled in the manner as in hereinabove provided and said appointees shall hold office until expiration of the term which they were appointed to fill. All members of the Commission whose terms may expire shall serve until their successors in office have been appointed and confirmed. (Ord. No. 92, Sec. 5.)

CHAPTER 13.08

FLOOD DAMAGE PREVENTION ORDINANCE

Sections:

- 13.08.01 Flood Damage Prevention Regulatory Code adopted by reference
- 13.08.02 Fine

13.08.01 Flood Damage Prevention Regulatory Code adopted by reference There is hereby adopted by reference a flood damage prevention regulatory code for the city of Clinton, Arkansas, such flood damage prevention regulatory code having been designed by the legislature of the state of Arkansas and set forth in Act 626 of 1969. A copy of the referenced regulatory code shall be filed in the office of the City Clerk and shall be available for inspection and copying by any person during normal office hours. The code shall include the following articles:

- Article 1. Statutory authorization, findings of fact, purpose and methods.
- Article 2. Definitions
- Article 3. General provisions
- Article 4. Administration
- Article 5. Provisions for flood hazard reduction
(Ord. No. 04-9, Sec. 1.)

13.08.02 Fine Any person or corporation who violates any measure adopted under this code may be fined not more than One Hundred Dollars (\$100.00) for each offense. Each day during which such violation exists is a separate offense. (Ord. No. 04-9, Sec. 2.)

CHAPTER 13.12

WHEN LANDS ARE SURVEYED

COPY FILED WITH CITY CLERK

Sections:

13.12.01 Copy - to be filed

13.12.01 Copy - to be filed Whenever any lands are surveyed and said lands are within the City limits of the City of Clinton, the surveyor, under whose direction and authorization said survey was made, shall cause a finished and duly prepared plat of said survey to be filed in the office of the Clerk of the city of Clinton. (Ord. No. 159, Sec. 1.)

CHAPTER 13.16

CONSTRUCTION OF TOWERS NEAR AIRPORT

Sections:

13.16.01 Permit
13.16.02 Application
13.16.03 Regular meeting
13.16.04 Hearing
13.16.05 Conditions of construction
13.16.06 Appeal

13.16.01 Permit From as after the effective date of this ordinance, no tower, buildings or other type of construction one hundred (100) feet or taller shall be permitted within five (5) statutory miles of the boundaries of the Clinton Municipal Airport, unless such construction project shall first have obtained a permit from the Clinton Planning and Zoning Commission. (Ord. No. 03-05, Sec. 1.)

13.16.02 Application If any party desires to obtain a permit to erect and construct any type of facility they shall apply to the Clinton Planning and Zoning Commission for a permit. The permit application shall be on a form prescribed by the Clinton Planning and Zoning Commission and shall contain the following information:

- A. A legal description of the property on which the construction is to be done;
- B. A detailed description of the proposed construction project and its use;
- C. A map showing the location of the construction project in relation to the airport;
- D. An application fee of \$100.00.
(Ord. No. 03-05, Sec. 2.)

13.16.03 Regular meeting Upon request of any application on construction of a structure over one hundred (100) feet within five (5) statutory mile of the airport, the Planning and Zoning Commission shall set the matter for hearing at its next regularly meeting provided that said meeting is at least one week later, and shall forward a copy of the application to the Airport Commission. (Ord. No. 03-05, Sec. 3.)

13.16.04 Hearing At the meeting, the Planning and Zoning Commission shall conduct a public hearing to hear from the application, the Airport Commission, and any other interested citizen about whether or not such application should be granted. (Ord. No. 03-05, Sec. 4.)

13.16.05 Conditions of construction

- A. If the Planning and Zoning Commission determines that the construction of the proposed project would interfere with the normal flight patterns in use at the Clinton Municipal Airport or otherwise impair the safe operation of the airport, said application shall be denied.
- B. If the Planning and Zoning Commission determines such construction shall not interfere with the safe operation of the airport, it shall grant the application and may impose conditions on the construction or operation of the project to ensure it will not become a safety hazard for use of the airport. Additionally, if the land on

which the project is to be located must be rezoned, the Commission shall recommend such zoning change to the City Council. (Ord. No. 03-05, Sec. 5.)

13.16.06 Appeal Any applicant, citizen or other interested party which is aggrieved by the decision of the Planning and Zoning Commission may appeal such decision to the Clinton City Council by writing a letter to the City Clerk requesting a review of the decision within thirty (30) days of the date of the decision. Upon receipt of such request the City Council shall consider the matter at its next regularly scheduled meeting provided said meeting is at least one week after the date of the request. (Ord. No. 03-05, Sec. 6.)