



**CITY OF**  
**Siloam Springs**  
*It's a natural.*

# **DEVELOPMENT PROCEDURES MANUAL**

City of Siloam Springs  
Community Services Department –  
Planning Division  
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[www.siloamsprings.com](http://www.siloamsprings.com)



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## 1.0 GENERAL INFORMATION

### 1.1 Legal Notification Requirements

#### ***Forms of Legal Notice***

Prior to a public hearing for a development permit before the City of Siloam Springs Planning Commission, Board of Adjustment, or the Board of Directors. The Municipal Code requires adherence to three (3) forms of legal notification. Failure to adhere to these forms will result in postponing your application. The Municipal Code legal notice forms are listed below along with examples of the correct legal notification text.

- 1. Posting of the property.** Applicants are required to post the subject property with a public notice sign no later than 30 days prior to the public hearing date for significant development and preliminary plat permits. The specifications for these notices will be supplied by the Planning Division in the permit application packet. For all other permit applications, the Planning Division will post the property at the time of the site inspection.
- 2. Publication in a newspaper of general circulation.** Public notice of the development permit application is required to be published in a newspaper of general circulation within the Siloam Springs area no less than fifteen (15) nor more than thirty (30) days prior to the public hearing. The notification shall include the subject of the application, property location, and date and time of the review by the Planning and Zoning Commission, Board of Adjustment, or the Board of Directors. An example of proper legal notification is included on page 7 of this manual.
- 3. Notification of surrounding property owners.** Public notice of the development permit application is required to be mailed with proof of mailing to all property owners within three-hundred (300) feet of the subject property no less than fifteen (15) nor more than thirty (30) days prior to the public hearing. The mailing of public notice shall be by U.S. Post Office First Class mailing. Notifications shall include the subject of the application, property location, and the date and time of the review by the Planning Commission, Board of Adjustment, or Board of Directors. If the proposal includes a site plan, staff requests that it be shown on the letter's back (or on a separate page) to inform all letter recipients of the general nature and location of the proposal. An example of proper legal notification is included below.

#### ***Public Hearing Information***

The Planning Commission public hearing begins with the announcement of the application. The applicant or his or her agent must be present at the hearing to present any requested information to the Planning Commission. Any interested party will be given equal time to protest or support the application. Upon hearing all of the testimony relative to the request, the Planning Commission will vote to approve, approve conditionally, table, or deny the request.

***Legal Notice Documentation***

Documentation is due to the Planning Division no later than fourteen (14) days prior to the public hearing, or as specified on the development calendar. Documentation shall include a signed copy of the letter mailed to the property owners, a list of all property owners and addresses within three hundred (300) feet, and proof of mailing by first class (this proof is provided by the Post Office Proof of Mailing Form, PS Form 3877) and the certificate of publication from the newspaper after the publishing. Failure to submit the required and correct documentation **will** result in the postponement of the application's review.

***Staff Legal Notice Review***

If the applicant is submitting to the City of Siloam Springs for the first time, the applicant or agent is required to submit the following to City planning staff prior to mailing and submission to the newspaper:

- A.) a copy of the letter;
- B.) a copy of the newspaper ad;
- C.) the list of addressees.

All three of these items will be checked by City staff to ensure they are correct. You may begin executing legal notice when notice to proceed is given by City staff. Should an error persist in the legal notice materials, the delayed review resulting in such an error shall rest *completely* upon the applicant. Legal notice proof is still required.

## **Legal Notification Examples**

**INSTRUCTIONS:** Tailor the publication to your proposal type by selecting the appropriate section, (1A, 1B or 1C). Keep the words that apply and delete words that do not apply to your application **only** within all underlined sections.

### **1A. Newspaper (For **Planning Commission** Applications).**

#### **NOTICE OF PUBLIC HEARING**

A public hearing will be held before the City of Siloam Springs Planning Commission for a (rezone, lot split, special use, prohibited use, significant development, preliminary plat, final plat) development permit on property described as or located at (address, location, or legal description). The public hearing will be held at the City of Siloam Springs Administration Building, 400 N. Broadway St. at 4:00 p.m. on the (date) day of (month), 201  . If you have any questions or comments concerning this application, please forward your comments in writing to City of Siloam Springs Planning Division, P.O. Box 80, Siloam Springs, AR, 72761 or call (479) 524-5136.

### **1B. Newspaper (For **Board of Adjustment** Applications).**

#### **NOTICE OF PUBLIC HEARING**

A public hearing will be held before the City of Siloam Springs Board of Adjustment for a variance development permit. The applicant, (applicant's name) has requested a variance from the Siloam Springs Municipal Code to allow for (type of variance) on property described as or located at (address, location, or legal description). The public hearing will be held at the City of Siloam Springs Administration Building, 400 N. Broadway St. at 4:00 p.m. on the (date) day of (month), 201  . If you have any questions or comments concerning this application, please forward your comments in writing to City of Siloam Springs Planning Division, P.O. Box 80, Siloam Springs, AR, 72761 or call (479) 524-5136.

### **1C. Newspaper (For **Right-of-Way Closure** Applications).**

#### **NOTICE OF PUBLIC HEARING**

A public hearing will be held before the City of Siloam Springs Board of Directors for a (type of closure, right-of-way or easement) closure on property described as or located at (address, location, or legal description). The public hearing will be held at the City of Siloam Springs Administration Building, 400 N. Broadway St. at 6:30 p.m. on the (date) day of (month), 201  . If you have any questions or comments concerning this application, please forward your comments in writing to City of Siloam Springs Planning Division, P.O. Box 80, Siloam Springs, AR, 72761 or call (479) 524-5136.





1.2 General Development Process

**Significant Developments and Preliminary Plats**

Day	Submittal	Drawing Size	Number	Process Action
1 <sup>st</sup> business day of the month	1 <sup>st</sup>	Full	PDF*	E-mailed to: development@siloamsprings.com.
2 <sup>nd</sup> Friday	none	none	none	Staff comments submitted to applicant.
3 <sup>rd</sup> Wednesday	none	none	none	Staff Technical Review Committee.
4 <sup>th</sup> or 5 <sup>th</sup> Wednesday**	2 <sup>nd</sup>	Full	PDF	E-mailed to: development@siloamsprings.com.
Following Monday	3 <sup>rd</sup> & Final	Full**	TWO (2)	All final comments addressed.
Following Monday	3 <sup>rd</sup> & Final	8.5 x 11 in.	PDF	E-mailed to: development@siloamsprings.com.
2 <sup>nd</sup> Tuesday (following month)	none	none	none	Planning Commission review.
1 <sup>st</sup> Tuesday (following month)	none	none	none	Board of Directors approves or denies the request.

\*PDF is a Portable Document Formatted file. Drawings and documents can be converted to a PDF by using Adobe Acrobat.

**Minor Subdivision Amendments and Final Plats**

Day	Submittal	Drawing Sets	Number	Process Action
1 <sup>st</sup> business day of the month	1 <sup>st</sup>	Full	PDF	E-mailed to: development@siloamsprings.com.
2 <sup>nd</sup> Friday	none	none	none	Staff comments submitted to applicant.
3 <sup>rd</sup> Wednesday	none	none	none	Staff Technical Review Committee.
4 <sup>th</sup> or 5 <sup>th</sup> Wednesday**	2 <sup>nd</sup>	Full	PDF	E-mailed to: development@siloamsprings.com.
Following Monday	3 <sup>rd</sup> & Final	18 x 24 in.	FIVE (5)	All final comments addressed.
Following Monday	3 <sup>rd</sup> & Final	8.5 x 11 in.	PDF	Final exhibit is reduced to letter size.
2 <sup>nd</sup> Tuesday (following month)	none	none	none	Planning Commission approves or denies the request.

**Re-zonings or Use Permits**

Day	Submittal	Drawing Sets	Number	Process Action
1 <sup>st</sup> business day of the month	1 <sup>st</sup>	Full	PDF	E-mailed to: development@siloamsprings.com.
2 <sup>nd</sup> Friday	none	none	None	Staff comments submitted to applicant.
3 <sup>rd</sup> Wednesday	none	none	None	Staff Technical Review Committee.
4 <sup>th</sup> or 5 <sup>th</sup> Wednesday**	2 <sup>nd</sup>	Full	PDF	E-mailed to: development@siloamsprings.com.
Following Monday	3 <sup>rd</sup> & Final	Full	ONE (1)	All final comments addressed.
Following Monday	3 <sup>rd</sup> & Final	8.5 x 11 in.	PDF	Final exhibit is reduced to letter size.
2 <sup>nd</sup> Tuesday (following month)	none	none	none	Planning Commission review.
1 <sup>st</sup> Tuesday (following month)	none	none	none	3 readings for Rezonings; 2 readings for Prohibited Uses; 1 reading for Special Uses

\*\* Site, grading, utility and erosion control plans.

\*\*\* If a given month has 5 Wednesdays, 2<sup>nd</sup> submittal is due on the 5<sup>th</sup> Wednesday of the month. See Development Calendar for review process details.

## 2.0 SUBDIVISION PROCEDURES

### Contact Information

(See Manual Sec. 6.1)

Ben Rhoads, AICP – Senior Planner

Brian Phillips – Permit Technician

Justin Bland, PE – City Engineer

### Reference Documentation:

- Preliminary Plat Application
- Development Permit Checklist Chart (Sec. 2.1.4)
- Municipal Code Ch. 54 (Land Use Code)
- Municipal Code Ch. 102 (Zoning Code)
- Municipal Code Ch. 87 (Subdivision Code)
- Siloam Springs Storm Water Drainage Manual
- Legal Notification Requirements (Sec. 1.1)
- [www.siloamsprings.com](http://www.siloamsprings.com) (Planning Div.)

### 2.1 Subdivision Review

#### 2.1.1 Preliminary Plat:

- a. **Definition.** The Preliminary Plat of a subdivision of land is a drawing of the preliminary site layout for a development, including a legal description of the property, dimensions of the lots, and easements on the lots. Public rights-of-way and facilities are also shown.

- b. **STEP 1** *Pre-Application Meeting*  
The sub-divider of land, the applicant, or his/her agent shall be responsible for scheduling this meeting. This is required prior to the formal submittal to the City. The intent of this meeting is to informally discuss the sub-divider's intent, which includes the following areas: the general character, zoning, emergency access, utilities, street configurations, flooding, drainage, and any other relevant issues associated with the development of the subject property.

- c. **STEP 2** *Application Submittal*  
**When?** Applications are due by 5:00 p.m. on the first business day of each month. Please refer to the Development Calendar for deadline information. Go to [www.siloamsprings.com](http://www.siloamsprings.com).

- d. *Where?* All items must be submitted to the Planning Division, located at the lower level at City Hall.

e. **Submission Requirements**

*What is needed?*

- i. Application. Forms are available at [www.siloamsprings.com](http://www.siloamsprings.com).
- ii. Grading Permit Application.
- iii. Application Fee. \$350.
- iv. First Draft Plat Exhibit.

Applicant must submit a PDF file of the proposed subdivision plat per Checklist requirements (See Manual Sec. 2.1.4 for Preliminary Plat Checklist items on pg. 16). All PDFs shall be e-mailed to [development@siloamsprings.com](mailto:development@siloamsprings.com)

Note: Incomplete applications will be returned to the applicant and may be delayed to the next month's deadline. Refer to the Preliminary Plat Checklist (See Manual Sec. 2.1.4 on page 16) for specific submittal requirements.

f. **STEP 3** *Legal Notification*

This is the responsibility of the applicant or his/her agent. Refer to the Legal Notice Requirements (See Manual Sec. 1.1 on page 5) for details and procedures.

- g. **Staff Comments.** On the Friday preceding Technical Review (see “i” below), staff will transmit via e-mail all comments on the project to the agent.
- h. **STEP 4** *Staff Technical Review*  
The City of Siloam Springs staff technical review (See Manual Sec. 6.2 on page 52) provides an opportunity for various City departments to review development proposals and provide comments necessary to ensure the proposal’s consistency with the Municipal Code. The agent/applicant is invited to attend the Technical Review Meeting. The Technical Review Committee meets on the third Wednesday of each month at 2:00 p.m. All meetings are held in the lower conference room at City Hall, unless noted otherwise.
- i. **STEP 5** *Second Submittal Exhibits*  
Once the technical review comments are addressed, it is necessary to resubmit to the City one (1) revised PDF copy of the plat no more than five (5) business days after Technical Review (or as instructed by the Development Calendar). This submittal is checked to ensure all comments are addressed. The revisions may only include the site, grading/ erosion control and utility plans.
- j. **STEP 6** *Legal Notice Documentation*  
In order to ensure that all legal notice procedures were completed correctly by the applicant, the applicant or his or her agent is responsible to provide staff proof that legal notice occurred. Please see page 6 of this manual for details. **Failure to complete this step will result in delay of your application’s review.**
- k. **STEP 7** *Third and FINAL Submittal Exhibits*  
Upon addressing all remaining comments from City staff, the applicant shall provide (1) one PDF copy of the plat proposal formatted to 8.5 x 11 in. in size and two (2) full sized originals signed and sealed by the engineer of record and signed/dated by the property owners. These must be signed prior to final submission. If the applicant desires to retain a signed copy, he must provide an additional copy for City approval.
- l. **Planning Division Action.** During the submittal process, all relevant City staff members shall review the proposal for adherence to all City Codes. All commentary received by staff, from other reviewers, and from the public shall be furnished in a staff report memorandum. The staff report is submitted to the Planning Commission and ultimately to the Board of Directors for review and consideration.
- m. **STEP 8** *Planning Commission*  
Commissioners will receive a copy of the plan to review and a staff recommendation. Taking into consideration the staff report, the information from the applicant, and any other interested parties, the Planning Commission will vote to either, approve, approve conditionally, deny, or table the request. The public hearing begins with the announcement of the application. The applicant or his or her agent must be present at the hearing to present information.
- n. **STEP 9** *Pre-Construction Meeting*  
Within seven (7) days after the Planning Commission review, or as specified by the City Engineer, the applicant submits two (2) copies of construction plans to the

Engineering Division. The construction plan must include detail sheets and additional information beyond the exhibit used for approval, commonly referred to as the civil plan set. City staff requires at least two weeks for construction plan review. Construction plans are typically reviewed by staff prior to Board of Directors approval, however these may be submitted after Board review, if desired by the applicant. Upon completion of staff's review, the City Engineer, or staff member, will contact the applicant to schedule a pre-construction meeting for the item after Board of Directors approval.

- o. **Board of Directors.** The Board of Directors will be provided with a copy of the plat for review, along with a staff memorandum. The item will be considered as a resolution, which requires one (1) reading at the Board.

p. **STEP 10**

***Authorization to Proceed with Construction***

After the pre-construction meeting and the approval or conditional approval of the construction plans, the sub-divider is officially authorized to proceed with the installation of improvements and the staking out of the lots and blocks. The sub-divider must complete all improvements as specified on the approved plat prior to filing a final plat application. Work must begin on the preliminary plat no later than 180 after the Board of Directors approval. If no work commences, the application will be considered expired and the preliminary subdivision process must be started anew. Staff may issue an extension if a letter requesting an extension is received no later than thirty (30) days prior to the expiration.

2.1.2 Final Plat:

**Reference Documentation:**

- Final Plat Application
- Development Permit Checklist Chart (Sec. 2.1.4)
- Municipal Code Ch. 54 (Land Use Code)
- Municipal Code Ch. 102 (Zoning Code)
- Municipal Code Ch. 87 (Subdivision Code)
- Siloam Springs Storm Water Drainage Manual
- Master Street Plan
- Legal Notification Requirements (Sec. 1.1)
- [www.siloamsprings.com](http://www.siloamsprings.com) (Planning Div.)

- a. **Definition.** A final plat is required after all preliminary plat improvements are completed or substantially completed. The final plat records all new lots allowing them to be sold.
- b. **STEP 1** *Pre-Application Meeting*  
The sub-divider of land, the applicant, or his/her agent shall be responsible for scheduling this meeting. This is required prior to the formal submittal to the City. The intent of this meeting is to informally discuss the sub-divider's intent, which includes the following areas: the general character, zoning, emergency access, utilities, street configurations, flooding, drainage and any other relevant issues associated with the development of the subject property.
- c. **STEP 2** *Application Submittal*  
**When?** Applications are due by 5:00 p.m. on the first business day of each month.  
Please refer to the Development Calendar for deadline information. Go to [www.siloamsprings.com](http://www.siloamsprings.com).
- d. **Where?** All items must be submitted to the Planning Division, located on the lower level of City Hall.

e. **Submission Requirements.**

*What is needed?*

- i. Application. Forms are available at [www.siloamsprings.com](http://www.siloamsprings.com).
- ii Application Fee. \$350.
- iii. Checklist Chart Submission item (See Manual Sec. 2.1.4).
- iv. **First** Submittal Exhibits.  
Applicants must submit a PDF file of the proposed final subdivision plat per checklist requirements (See Manual Sec. 2.1.4 on page 16 for Final Plat items).

Note: Incomplete applications will be returned to the applicant and may be delayed to the next month's deadline. Refer to the Final Plat Checklist (See Manual Sec. 2.1.4 on page 16) for specific submittal requirements.

f. **STEP 3**

*Legal Notification*

This is the responsibility of the applicant or his/her agent. Refer to the Legal Notice Requirements (See Manual Sec. 1.1) for details and procedures.

- g. **Staff Comments.** On the Friday preceding Technical Review (see "h" below), staff will transmit via e-mail all comments on the project to the agent.

h. **STEP 4**

*Staff Technical Review*

The procedure is the same as in the preliminary plat stage. See Sec. 2.1.1. on page 10.

i. **STEP 5**

*Second Submittal Exhibits*

Once the technical review comments are addressed, it is necessary to resubmit to the City one (1) revised PDF copy of the plat no more than five (5) business days after Technical Review (or as instructed by the

- development calendar). This submittal is checked to ensure all comments are addressed. The revisions may only include the site, grading/ erosion control and utility plans.
- j. **STEP 6** *Legal Notice Documentation*  
In order to ensure that all legal notice procedures were completed correctly by the applicant, the applicant or his or her agent is responsible to provide staff proof that legal notice occurred. Please see page 6 of this manual for details. **Failure to complete this step will result in delay of your application's review.**
- k. **STEP 7** *Third and FINAL Submittal Exhibits*  
Upon addressing all remaining comments from staff, the applicant shall be responsible to provide one (1) PDF copy of the plat proposal formatted to 8.5 x 11 in. in size and five (5) original 18 x 24 in. sized copies signed, sealed, and dated by all parties involved. The City will not accept unsigned copies for 3<sup>rd</sup> submittal. Note: Five (5) copies will be used for recording at the County offices if the plat is approved.
- l. **Planning Division Action.** The procedure is the same as in the preliminary plat stage. (See Manual Sec. 2.1.1)
- m. **STEP 8** *Planning Commission*  
The procedure is the same as in the preliminary plat stage. (See Manual Sec. 2.1.1 on page 10)
- n. **Board of Directors.** The procedure is the same as in the preliminary plat stage, with the exception that all public dedications shall be accepted by the Board of Directors.
- o. **STEP 9** *Recording*  
The applicant shall be responsible to obtain the signed and approved five (5) copies of the plat from the Planning office. These plats *must* be in black and white, the Circuit Clerk will *not* record plats in color. The applicant or his or her agent must submit these plats to the Benton County Circuit Clerk's office for recording. After this is done, the applicant *must* return to the City two (2) file stamped copies of the plat and one (1) filed stamped copy of the restricted covenants (if applicable) within forty-five (45) days of the approval. **Note: If these items are not returned to the City, no additional permits related to the subdivision will be released by the City.** Subdivision lots are not legal for sale until recordation is completed. If the applicant desires to retain more than one (1) copy after filing with the County and returning two (2) to the City, the applicant may submit additional copies (beyond five) for the number desired.
- p. **STEP 10** *County Assessor's Form*  
The Benton County Assessor requires that the applicant complete a form at their offices in order to authorize the assignment of new tax parcels for all newly created lots (a copy of this form may be obtained at the Planning Div. office for your convenience).
- q. **STEP 11** *As-built Drawings*  
Provide one (1) hard copy of the as-builts in the following forms; PDF, CAD file, and paper file.

2.1.3 Revised Final Plats (re-plats and informal plats):

**Reference Documentation:**

- Final Plat Application
- Development Permit Checklist Chart (See Sec. 2.1.4)
- Municipal Code Ch. 54 (Land Use Code)
- Municipal Code Ch. 102 (Zoning Code)
- Municipal Code Ch. 87 (Subdivision Code)
- Siloam Springs Storm Water Drainage Manual
- Master Street Plan
- Legal Notification Requirements (See Sec. 1.1)
- [www.siloamsprings.com](http://www.siloamsprings.com) (Planning Division)

- a. **Definition.** The platting of three (3) or more lots as part of the re-platting of existing platted lots.
- b. **Process.** The submission, review and approval process for this action occurs in the same manner as a standard final plat and will require recording. (See Manual Sec. 2.1.2. on page 13)

2.1.4 Plat Checklist Chart

KEY: ● = Required

Preliminary Plat	Final Plat	PLAT CHECKLIST CHART
●	●	a. Filing fee (See Schedule of Fees, Manual Sec. 6.4 on page 54).
●	●	b. Legal Notification (See Legal Notification Requirements, Manual Sec. 1.1 on page 5).
●	●	c. Authorization letter from the property owner for an agent to act on their behalf (if applicable).
●	●	d. Completed application form.
●	●	e. Indicate the subdivision name.
●	●	f. Include the boundary of subdivisions with written legal description.
●	●	g. Include the tax parcel ID number and address of the subject property.
●	●	h. Complete legend labeling all symbols and line types used in the drawing.
●	●	i. Provide the names and addresses of owners of record, the applicant and the registered engineer/ surveyor.
●	●	j. Indicate the date of survey, map scale, north arrow, with basis of Bearings: Each Plat shall be referenced to the Arkansas Coordinate System 1983, North Zone, as established by the United States National Geodetic Survey.
●	●	k. Show the names, location, and width of proposed and existing streets and alleys interconnecting and bordering the subdivision.
●	●	l. Dimension the street right-of-ways, blocks, and lot lines.
●	●	m. Show the location of schools, parks, publicly owned or used property, and any significant topographical features within the subdivision or adjacent thereto.
●	●	n. Include applicable zoning districts and the surrounding zoning.
●	●	o. Location and description of all existing and/ or proposed structures.
●	●	p. Indicate the location of building setback lines and easements (see "p" below)
●		q. Indicate the contour lines for drainage.
●	●	r. Show the existing and proposed fire hydrant locations.
●	●	s. Show the location of all existing and proposed features of: utilities (including water and sewer lines), public utility easements (their purpose labeled), and drainage structures within or adjacent to the subject property.
●	●	t. Indicate the bearings of all lines not parallel or perpendicular to lines of known bearing. Interior angles of lots may be shown in lieu of bearings. All bearings shall correspond with the City's control coordinate system.
●	●	u. Provide a location map (within a mile section).
	●	v. Provide the location of monuments.
●	●	w. Show the radius, central deflection angle, degree of curvature, and tangent distances for centerline of curved street/ property lines.
●		x. Show the location and the distances between existing street connections and drive entrances. Show the distances from driveways to all property lines.
●	●	y. Show the location of all ponds, lakes, streams, wetlands, and areas subject to flooding based upon the Flood Insurance Rate Maps.
	●	z. Provide the certificate of licensed surveyor and engineer.
	●	aa. Include a certificate of the dedication of streets and alleys to the City.
	●	bb. Provide a certificate of the owners of record of property. <b>Certificate of ownership must be verified by either an attorney, Title Company, or a lender. Use example on pg. 27-28 of this manual.</b>



Preliminary Plat	Final Plat	PLAT CHECKLIST CHART (Cont. from Pg. 16)
●	●	cc. Include a signature block for Planning Commission and Board of Directors approval.
	●	dd. Record protective covenants.
●		ee. Include a drainage, grading, and erosion control plan, including a preliminary topography and storm water runoff study. (See Siloam Springs Drainage Manual.)
●	●	ff. Show the names of adjacent subdivisions, property lines, and owners of adjacent property.
●		gg. Provide a traffic impact study.
	●	hh. Execute a utility service agreement, if outside the City limits.
	●	ii. One (1) complete paper set, PDF, and CAD file of as-built drawings.
●		jj. Attain a National Pollution Discharge Elimination System Permit.
	●	kk. Provide a benchmark established on a permanent structure (i.e. sanitary sewer manhole rim, chiseled square on headwall, bonnet bolt on fire hydrants.) The elevation on benchmark shall reference the North American Vertical Datum 88 (NAVD-88).
●	●	ll. Basis of Bearings: Each Plat shall be referenced to the Arkansas Coordinate System 1983, North Zone, as established by the United States National Geodetic Survey.
●	●	mm. Each plat shall provide the coordinate pair; Easting (X) and Northing (Y) of two (2) property corners referenced to the Arkansas Coordinate System 1983, North Zone, as established by the United States National Geodetic Survey.
●	●	nn. Label existing easements with the name of the easement holder, purpose of easements, and the book and page number for the easement. If the easement is blanket or indeterminate in nature, a note to this effect shall be indicated on the plat.

## 2.2 Minor Amendments to Platting

### Reference Documentation:

- Lot Split Application
- Lot Consolidation Application
- Lot Line Adjustment Application
- Right-of-Way/Easement Closer Application
- Minor Amendment Checklist Chart (Sec. 2.2.5)
- Municipal Code Ch. 54 (Land Use Code)
- Municipal Code Ch. 102 (Zoning Code)
- Municipal Code Ch. 87 (Subdivision Code)
- Master Street Plan
- Legal Notification Requirements (Sec. 1.1)
- [www.siloamsprings.com](http://www.siloamsprings.com) (Planning Div.)

### 2.2.1 Lot Splits

- a. **Definition.** A lot split occurs when there are one (1) or more platted lots (or on property not platted called “metes and bounds”) split into two (2) lots or tracts. One residential parcel cannot be split more than once per year, unless it’s in a commercial zone district.
- b. **STEP 1** *Pre-Application Meeting*  
The sub-divider of land, the applicant, or his/her agent shall be responsible for scheduling this meeting. This is required prior to the formal submittal to the City. The intent of this meeting is to informally discuss the sub-divider’s intent, which includes the following areas: the general character, zoning, emergency access, utilities, street configurations, flooding, drainage and any other relevant issues associated with the development of the subject property.
- c. **STEP 2** *Application Submittal*  
**When?** Applications are due by 5:00 p.m. on the first business day of each month. Please refer to the Development Calendar for deadline information.  
Go to [www.siloamsprings.com](http://www.siloamsprings.com).

d. *Where?* All items must be submitted to the Planning Division, located on the lower level of City Hall.

### e. **Submission Requirements**

#### *What is needed?*

- i. Application. Forms are available at [www.siloamsprings.com](http://www.siloamsprings.com).
- ii Application Fee. \$100.
- iii. Checklist Chart Submission item (See Manual Sec. 2.2.5 on page 26).
- iv. **First Submittal Exhibits.**  
Applicants must submit a PDF file per Minor Amendments Checklist Chart requirements (See Manual Sec. 2.2.5 on page 26 for Lot Split checklist items)

Note: Incomplete applications will be returned to the applicant and may be delayed to the next month’s deadline. Refer to the Lot Split Checklist, Manual Sec. 2.2.5 on page 26, for specific submittal requirements.

### f. **STEP 3**

#### *Legal Notification*

This is the responsibility of the applicant or his/her agent. Please refer to the Legal Notice Requirements (See Manual Sec. 1.1 on page 5) for details and procedures.

g. **Staff Comments.** On the Friday preceding Technical Review (see “h” below), staff will transmit via e-mail all comments on the project to the agent.

### h. **STEP 4**

#### *Staff Technical Review*

The City of Siloam Springs staff technical review (See Manual Sec. 6.2 on page 52) provides an opportunity for various City departments to review development proposals and provide comments necessary to ensure the proposal’s consistency with the Municipal Code. The agent/applicant is invited to attend the Technical Review Meeting. The Technical Review Committee

meets on the third Wednesday of each month at 2:00 p.m. All meetings are held in the lower conference room at City Hall, unless noted otherwise.

i. **STEP 5** *Second Submittal Exhibits.*

Once the technical review comments are addressed, it is necessary to resubmit to the City one (1) revised PDF copy of the plat no more than five (5) business days after Technical Review (or as instructed by the Development Calendar). This submittal is checked to ensure all comments are addressed. The revisions may only include the site, grading/erosion control, and utility plans.

j. **STEP 6** *Legal Notice Documentation*

In order to ensure that all legal notice procedures were completed correctly by the applicant, the applicant or his or her agent is responsible to provide staff proof that legal notice occurred. Please see page 6 of this manual for details. **Failure to complete this step will result in delay of your application's review.**

k. **STEP 7** *Third and FINAL Submittal Exhibits*

Upon addressing all remaining comments from staff, the applicant shall provide one pdf COPY OF THE PLAT PROPOSAL FORMATTED TO 8.5 x 11 in. and five (5) originals 18 x 24 in. at full size. The full sized originals must be signed, sealed, and dated by all parties involved. The City will not accept unsigned originals. Note: Five (5) originals will be used for recording at the County offices if the plat is approved.

l. **Planning Division Action.** During the submittal process, relevant City staff members shall review the proposal for adherence to all City Codes. All commentary received by staff, from other reviewers, and from the public shall be furnished in a staff

report memorandum. The staff reports are submitted to the Planning Commission for review and consideration.

m. **STEP 8** *Planning Commission Action*

Commissioners will receive a copy of the plan to review and a staff recommendation. Taking into consideration the staff report, the information from the applicant, and any other interested parties, the Planning Commission will vote to either, approve, approve conditionally, deny, or table the request. The public hearing begins with the announcement of the application. The applicant or his or her agent must be present at the hearing to present information.

n. **STEP 9** *Recording*

The applicant shall be responsible to obtain the signed and approved five (5) copies of the plat from the Planning office. These plats *must* be in black and white, the Circuit Clerk will *not* record plats in color. The applicant or his or her agent must submit these plats to the Benton County Circuit Clerk's office for recording. After this is done, the applicant *must* return to the City two (2) file stamped copies of the plat and one (1) filed stamped copy of the restricted covenants (if applicable) within forty-five (45) days of the approval. **Note: If these items are not returned to the City, no additional permits related to the subdivision will be released by the City.** Subdivision lots are not legal for sale until recordation is completed. If the applicant desires to retain more than one (1) copy after filing with the County and returning two (2) to the City, the applicant may submit additional copies (beyond five) for the number desired.

o. **STEP 10** *County Assessor's Form*

The Benton County Assessor requires that

the applicant complete a form at their offices in order to authorize the assignment of new tax parcels for all newly created lots (a copy of this form may be obtained at the Planning Div. office for your convenience).

2.2.2 Lot Consolidation:

Amendments Checklist Chart requirements (See Manual Sec. 2.2.5 on page 26)

Note: Incomplete applications will be returned to the applicant and may be delayed to the next month's deadline. Refer to the Lot Split Checklist, Manual Sec. 2.2.5 on page 26, for specific submittal requirements.

a. **Definition.** A re-platting of multiple contiguously platted lots in common ownership into one (1) lot, effectively dissolving all interior lot lines. (See Sec. 102-83 of the Siloam Springs Municipal Code.). Legal notice is not required for this application.

b. **STEP 1** *Pre-Application Meeting*  
The sub-divider of land, the applicant, or his/her agent shall be responsible for scheduling this meeting. This is required prior to the formal submittal to the City. The intent of this meeting is to informally discuss the sub-divider's intent, which includes the following areas: the general character, zoning, emergency access, utilities, street configurations, flooding, drainage and any other relevant issues associated with the development of the subject property.

f. **Staff Comments.** On the Friday preceding Technical Review (see "g" below), staff will transmit via e-mail all comments on the project to the agent.

c. **STEP 2** *Application Submittal*  
*When?* Applications are due by 5:00 p.m. on the first business day of each month. Please refer to the Development Calendar for deadline information. Go to [www.siloamsprings.com](http://www.siloamsprings.com).

g. **STEP 3** *Staff Technical Review*  
The City of Siloam Springs staff technical review (See Manual Sec. 6.2 on page 52) provides an opportunity for various City departments to review development proposals and provide comments necessary to ensure the proposal's consistency with the Municipal Code. The agent/applicant is invited to attend the Technical Review Meeting. The Technical Review Committee meets on the third Wednesday of each month at 2:00 p.m.

d. *Where?* All items must be submitted to the Planning Division, located on the lower level of City Hall.

h. **STEP 4** *Second Submittal Exhibit*  
After comments are released, the applicant must re-submit one (1) revised PDF copy of the plat addressing all staff comments. If nothing is re-submitted within ninety (90) days and no updates are received by the applicant the application will be terminated.

e. **Submission Requirements.**  
*What is needed?*  
i. Application. Forms are available at [www.siloamsprings.com](http://www.siloamsprings.com).  
ii. Application Fee. \$100.  
iii. Checklist Chart Submission item (See Manual Sec. 2.2.5 on page 26).  
iv. First Draft Plat Exhibit. The applicant shall provide a PDF file of the proposed re-plat for staff review per Minor

i. **Administrative Approval.** Upon review by City staff of the second submittal, staff will either approve, disapprove, or conditionally approve the request. Conditional approvals, with outstanding comments, must be addressed prior to final approval.

j. **STEP 5** *Third Submittal Exhibits*

The applicant must provide five (5) original 18 x 24 in. signed and stamped copies of the final approved plat survey. The City will not accept unsigned originals. Authorized staff will sign these copies and return them to the applicant for recording.

k. **STEP 6** *Recording*

The applicant shall be responsible to obtain the signed and approved five (5) copies of the plat from the Planning office. These plats *must* be in black and white, the Circuit Clerk will *not* record plats in color. The applicant or his or her agent must submit these plats to the Benton County Circuit Clerk's office for recording. After this is done, the applicant *must* return to the City two (2) file stamped copies of the plat and one (1) filed stamped copy of the restricted covenants (if applicable) within forty-five (45) days of the approval. **Note: If these items are not returned to the City, no additional permits related to the subdivision will be released by the City.** If the applicant desires to retain more than one (1) copy after filing with the County and returning two (2) to the City, the applicant may submit additional copies (beyond five) for the number desired.

l. **STEP 7** *County Assessor's Form*

The Benton County Assessor requires that the applicant complete a form at their offices in order to authorize the assignment of new tax parcels for all newly created lots (a copy of this form may be obtained at the Planning Div. office for your convenience).

2.2.3 Lot Line Adjustment:

a. **Definition.** Lot line adjustments (also known as a plat correction) occur when a lot line needs to be adjusted between two lots or tracts, without changing the total number

of existing parcels, lots, or tracts. This process is also used in cases when a plat correction is needed. A correction is necessary when there is an incorrect legal description, graphical error, or any other errant textual feature which requires a correction. Changes to the subdivision name or any other physical changes to lot configuration would fall under a revised final plat process. (See Manual Sec. 2.1.3 on page 15). Legal notice is not required for this application.

b. **Process.** The submission, review, and approval process for this action occurs in the same manner as a lot line consolidation and will require recording. Review times may vary depending on the nature of the correction or lot line alteration. (Plat corrections are exempt from formal application and fees. See Manual Sec. 2.2.2 on page 21).

2.2.4 Right-of-Way and Easement  
Closures (Vacations):

a. **Definition.** Right-of-way (R-O-W) and easement closures occur when the applicant desires to permanently close and abandon a public R-O-W or access easement, or any other kind of easement for public or governmental use or access.

c. **STEP 1**

***Pre-Application Meeting and Acceptance Criteria***

The applicant, or his/her agent, shall be responsible for scheduling this meeting. This is required prior to the formal submittal to the City. The intent of this meeting is to informally discuss the applicant's intent and to uncover any other relevant issues associated with the development of the subject property.

The City will only consider R-O-W to be closed that are clearly abandoned or are impassible and pose no need for the existing or future vehicular circulation for the area. The same conditions apply to easement closures. A closure must demonstrate that no utility requires the easement for existing or future utility services.

Note: If a fence is constructed over an existing utility easement, it will be the responsibility of the fence owner to replace fencing that is removed for maintenance or utility work.

d. **STEP 2** ***Application Submittal***

***When?*** Applications are due by 5:00 p.m. on the first business day of each month. Please refer to the Development Calendar for deadline information. Go to [www.siloamsprings.com](http://www.siloamsprings.com)

d. ***Where?*** All items must be submitted to the Planning Division, located on the lower level of City Hall.

e. ***Submission Requirements***

***What is needed?***

- i. Application Fee. \$100.00.
- ii. Letter to the Board of Directors stating the request (a sample letter is available at the Planning Division).
- iii. Signed petition from all surrounding property owners contiguous to the R-O-W or easement. The petition shall contain the legal description of the R-O-W or easement to be vacated and a copy of the plat (if applicable) which shows the R-O-W or easement to be closed.
- iv. A PDF file of a survey indicating what area is to be vacated and newly set property lines for all affected lots. The file should be saved as 8.5 x 11 in. or 11 x 17 in. in size. (See Manual Sec. 2.2.5 on page 26).

Note: Incomplete applications will be returned to the applicant and may be re-submitted for the next month's deadline. Refer to the Minor Amendment Checklist Chart (See Manual 2.2.5 on page 26) for specific submittal requirements.

f. ***Staff Comments.*** On the Friday preceding Technical Review (see "g" below), staff will transmit via e-mail all comments on the project to the agent.

g. **STEP 3** ***Legal Notification***

This is the responsibility of the applicant or his/her agent. Please refer to the Legal Notice Requirements (See Manual Sec. 1.1) for details and procedures. The process for legal notification differs from other planning applications due to State of Arkansas

Statutes. The following must occur for legal notification:

- i. The alleyway (or easement) will be posted on both sides by City staff.
  - ii. Once the alleyway or easement is reviewed by the Technical Review Committee, and all comments addressed, the City Clerk will assign the date for formal Board review.
  - iii. Once the date is established by the City Clerk, the applicant shall publish notice of the public hearing for two (2) consecutive weeks, one time per week, prior to the formal review at the Board of Directors. Proof of Publication is required. (See Manual Sec 1.1 on page 5 for notice content)
  - iv. If there are third party property owners (not associated with this request) that are within 300 ft. of the proposed closure, the applicant must submit letters (See Manual Sec 1.1 on page 5) advertising the public hearing date. This shall be done in accordance to the general standards for legal notification.
- h. **STEP 4** *Staff Technical Review*  
The City of Siloam Springs staff technical review (See Manual Sec. 6.2 on page 52) provides an opportunity for various City departments to review development proposals and provide comments necessary to ensure the proposal's consistency with the Municipal Code. The agent/applicant is invited to attend the Technical Review Meeting. The Technical Review Committee meets on the third Wednesday of each month at 2:00 p.m. All meetings are held in the lower conference room at City Hall, unless noted otherwise.
- i. **Staff's Recommendation.** For R-O-W and easement closures, selected City staff members and the members of the Technical Review Committee are required to sign an

approval memorandum stating that the alleyway or easement may be closed before the proposed closure can be reviewed by the Board of Directors.

- j. **STEP 5** *Legal Notice Documentation*  
In order to ensure that all legal notice procedures were completed correctly by the applicant, the applicant or his or her agent is responsible to provide staff proof that legal notice occurred. Please see page 6 of this manual for details. **Failure to complete this step will result in delay of your application's review.**
- k. **STEP 6** *Final Survey Submittal*  
After all staff comments are addressed and staff has approved the proposed closure, it will be necessary for all adjoining property owners and all associated parties to sign five (5) 18 x 24 in. originals (this is in addition to the signed petition of closure). The City will not accept unsigned copies of the survey. The applicant shall also provide one (1) PDF copy of the survey. The original surveys *must* be in black and white, the Benton County Circuit Clerk will *not* file color copies.
- l. **STEP 7** *Board Review*  
The Board of Directors will consider the item as an ordinance at the meeting date established by the City Clerk (see step g-ii). The item will be read three (3) times before approval, unless the reading rule is suspended by the Board.
- m. **STEP 8** *Recording*  
After the application is approved by the Board of Directors via an Ordinance, the applicant must submit the five (5) signed original surveys (step k) to the Benton County Circuit Clerk's office for recording. After the surveys are recorded, the applicant must return two (2) filed originals to the City within forty-five (45) days of the



Board's approval. If these originals are not returned, no additional permits related to the closure will be accepted by the City.

- n. **STEP 9**                    *County Assessor's Form*  
The Benton County Assessor requires that the applicant complete a form to authorize the assignment of new tax parcels for all newly amended lots (a copy of this form is available at the Planning Div. office for your convenience).

2.2.5 Minor Amendments to Platting Checklist

				KEY: ● Required
Lot Split	Lot Consolidation	Lot Line Adjustment	R-O-W Closure	
				<b>MINOR AMENDMENTS TO PLATTING</b>
●	●	●	●	a. Filing fee (See Schedule of Fees, Manual Sec. 6.4, pg. 54).
●			●	b. Legal Notification (See Legal Notification Requirements, Manual Sec. 1.1 on page 5).
●	●	●	●	c. Authorization letter from the property owner for an agent to act on their behalf (if applicable).
●	●	●	●	d. Completed application form.
			●	e. Completed letter of request addressed to the Board of Directors. Letter must explain the reason for the request and include a legal description of the property to be closed.
			●	f. Signed petitions from all affected property owners who own property that abut the closure.
●	●	●	●	g. Include the name and address of the owner(s) of record (Certificate of Ownership)*, subdivider(s), and the registered engineer(s) and/or surveyor(s). <b>Certificate of ownership must be verified by either an attorney, Title Company, or a lender. Use example on pg. 27-28.</b>
●				h. Provide a signature block for Planning Commission approval.
	●	●		i. Provide a signature block for Planning Division approval.
			●	j. Provide a signature block for Board of Directors approval.
			●	k. Provide a signature block for all adjoining property owners.
			●	l. Show all utility lines located within 50 ft. of the proposed closed alleyway or easement.
●	●	●	●	m. Include a legal description of the property and complete boundary survey showing the dimensions, distances to the nearest one-hundredth foot, bearings to the nearest second, and acreage to the nearest one-hundredth acre. Basis of Bearings: Each Plat shall be referenced to the Arkansas Coordinate System 1983, North Zone, as established by the United States National Geodetic Survey.
●	●	●		n. Include bearings (or interior angles of lots) of lines not parallel/ perpendicular to establishment bearing lines. Show in City's coordinate system.
●	●	●	●	o. Include tax parcel ID numbers and address for the subject property.
●	●	●	●	p. Complete legend labeling all symbols and line styles used in the drawing.
●	●	●	●	q. Indication of a scale, bar scale, north arrow, and date.
●	●	●	●	r. Include a location map (within a mile section).
●	●	●	●	s. Show the location of all property lines of adjoining lands, subdivisions, property owners (by parcel or address), and City limit boundaries (if adjoining the property).
●	●	●	●	t. Show the location and description of all existing structures.
●	●	●	●	u. Show the location of all ponds, lakes, streams, wetlands, and areas subject to flooding based upon the Flood Insurance Rate Maps.
●	●	●	●	v. Show the location, width, and name of each existing and adjacent street or public way, railroad, bridge, park, school, or other public property or open space.
●	●	●	●	w. Indicate all facilities or land for dedication to the public use, and/or to be reserved for the use of all property owners in the subdivision and any conditions of such dedications or reservations. All right-of-way closures shall be retained as a utility easement.
●	●	●	●	x. Show all existing utility lines including fire hydrant locations.
●	●	●	●	y. Show the location, width, and distance between existing street connections or drive entrances and their distance from property lines.
●	●	●	●	z. Indicate zoning district and the surrounding zoning.

KEY: ● = Required (Continued from Page 25)

Lot Split	Lot Consolidation	Lot Line Adjustment	R-O-W Closure	
●	●	●	●	aa. Indicate all required utility easements and setbacks for the split, re-plat or right-of-way closure.
●	●	●	●	bb. Basis of Bearings: Each Plat shall be referenced to the Arkansas Coordinate System 1983, North Zone, as established by the United States National Geodetic Survey.
●	●	●	●	cc. Each plat shall provide the coordinate pair; Easting (X) and Northing (Y) of two (2) property corners referenced to the Arkansas Coordinate System 1983, North Zone, as established by the United States National Geodetic Survey.
●	●	●	●	dd. Label existing easements with the name of the easement holder, purpose of easements, and the book and page number for the easement. If the easement is blanket or indeterminate in nature, a note to this effect shall be indicated on the plat.

\*Proof of Land Ownership Methods (choose one)

### 1. Attorney's Certificate

I, \_\_\_\_\_, being an attorney licensed to practice law in the State of Arkansas, certify that I have examined title to the above described land dedication to the City of Siloam Springs, Arkansas, and that the party executing the dedication is the owner thereof in fee simple, and the dedicated land is free and clear of liens and encumbrances.

\_\_\_\_\_  
Attorney at Law

\_\_\_\_\_  
Date

### 1A. Attorney's Certificate (in the case of no land dedication)

I, \_\_\_\_\_, being an attorney licensed to practice law in the State of Arkansas, certify that I have examined title to the above described land within the City of Siloam Springs, Arkansas, and that the party executing the plat is the owner thereof in fee simple.

\_\_\_\_\_  
Attorney at Law

\_\_\_\_\_  
Date

### 2. Title Company certificate (land dedication).

#### Title Company's Certificate

I, \_\_\_\_\_, a \_\_\_\_\_ representing \_\_\_\_\_ **Title Company Name** certify that I have examined title to the described land dedication to the City of Siloam Springs, Arkansas, and that the parties executing the dedication are the owners thereof in fee simple, and the dedicated land is free and clear of all liens and encumbrances.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ A.D.

**2A Title Company's Certificate (in the case of no land dedication)**

I, \_\_\_\_\_, representing Title Company Name certify that I have examined title to the described land within the City of Siloam Springs, Arkansas, and that the parties executing the plat are the owners thereof in fee simple.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

Executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ A.D.

**3. Lender's Approval and Subordination (Use if the property is not owned free and clear of any mortgage)**

The undersigned consents to the dedication of the right-of-way and (utility, drainage, pedestrian, and/or access) easements as indicated on the Subdivision Plat and hereby subordinates any interest it may have to such dedication.

Mortgage Company Name \_\_\_\_\_

By:

State of \_\_\_\_\_ )

)ss

County of \_\_\_\_\_ )

The foregoing Lender's Approval and Subordination was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ 20\_\_ A.D.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

### 3.0 COMMERCIAL AND INDUSTRIAL DEVELOPMENT PROCEDURES

#### Contact Information

(See Manual Sec. 6.1)

Justin Bland, PE – City Engineer

Brian Phillips– Permit Technician

Ben Rhoads, AICP – Senior Planner

#### **Reference Documentation:**

- Significant Development Application
- Development Permit Checklist Chart (See Manual Sec. 3.3)
- Municipal Code Ch. 54 (Land Use Code)
- Municipal Code Ch. 81 (Sign Code)
- Municipal Code Ch. 102 (Zoning Code)
- Legal Notification Requirements (Sec. 1.1)
- Siloam Springs Storm Water Drainage Manual
- [www.siloamsprings.com](http://www.siloamsprings.com) (Planning Div.)

#### 3.1 Large Scale Review

##### 3.1.1 Significant Development:

- Definition.** These are standard structures that are more than 5,000 sq. ft. in floor area or more than 20,000 sq. ft. in total lot coverage (i.e. disturbed area).
- STEP 1** *Pre-Application Meeting*  
The applicant or his /her agent shall be responsible for scheduling this meeting. This is required prior to the formal submittal to the City. The intent of this meeting is to informally discuss the applicant’s intent, which includes the following areas: the general character, zoning, emergency access, utilities, street configurations, flooding, drainage, and any other relevant issues associated with the development of the subject property.
- STEP 2** *Application Submittal*  
**When?** Applications are due by 5:00 p.m. on the first business day of each month. Please refer to the Development Calendar for deadline information. Go to [www.siloamsprings.com](http://www.siloamsprings.com)
- Where?** All items must be submitted to the Planning Division, located on the lower level of City Hall.

#### e. **Submission Requirements**

*What is needed?*

- Application. Forms are available at [www.siloamsprings.com](http://www.siloamsprings.com)
- Application Fee. \$350.
- Drainage Report.
- Traffic Impact Study (unless exempted by City Engineer).
- Letter of consent if applicant is not listed as the property owner.
- Site Plan (PDF). See Manual Sec. 3.3 for checklist requirements.

Note: Incomplete applications will be returned to the applicant and may be delayed to the next month’s deadline. See the Commercial/Industrial Checklist on Manual Sec. 3.3, page 32, for specific submittal requirements.

#### f. **STEP 3**

##### *Legal Notification*

This is the responsibility of the applicant or his/her agent. See Legal Notification Requirements in Manuel Sec. 1.1 on page 5.

- Staff Comments.** On the Friday preceding Technical Review, see step “h” below, staff will transmit via e-mail all comments on the project to the agent.

#### h. **STEP 4**

##### *Staff Technical Review*

The City of Siloam Springs staff technical review (See Manual 6.2 on page 52)

provides an opportunity for various City departments to review development proposals and provide comments necessary to ensure the proposal's consistency with the Municipal Code. The agent/applicant is invited to attend the Technical Review Meeting. The Technical Review Committee meets on the third Wednesday of each month at 2:00 p.m. All meetings are held in the lower conference room at City Hall, unless noted otherwise.

- i. **STEP 5** *Second Submittal Exhibit*  
Once the technical review comments are addressed, it is necessary to resubmit to the City one (1) revised PDF copy of the plans no more than five (5) business days after Technical Review (or as directed in the Development Calendar). This submittal is checked to ensure all comments are addressed. Revised items may include the site, grading/erosion control, and utility plans.
- j. **STEP 6** *Legal Notice Documentation*  
In order to ensure that all legal notice procedures were completed correctly by the applicant, the applicant or his or her agent is responsible to provide staff proof that legal notice occurred. Please see page 6 of this manual for details. **Failure to complete this step will result in delay of your application's review.**
- k. **STEP 7** *Third and FINAL Submittal Exhibit*  
Upon addressing all remaining comments from staff, the applicant shall be responsible to provide one (1) PDF reduced to 8.5 x 11 in. and two (2) full sized originals signed by all parties. In addition, he or she shall provide an electronic copy of the proposal.

- l. **Planning Division Action.** During the submittal process, City staff shall review the proposal for adherence to all City Codes. The culmination of all commentary received by staff, from other reviewers, and from the public shall be furnished in a staff report memorandum. The staff report is submitted to the Planning Commission and ultimately to the Board of Directors for review and consideration.
- m. **STEP 8 Planning Commission Action**  
Commissioners will receive a copy of the plan to review and a staff recommendation. Taking into consideration the staff report, the information from the applicant, and any other interested parties, the Planning Commission will vote to either, approve, approve conditionally, deny, or table the request. The public hearing begins with the announcement of the application. The applicant or his or her agent must be present at the hearing to represent the project. The request will be scheduled for the next available meeting of the Board of Directors.
- n. **STEP 9** *Pre-construction Meeting*  
Within seven (7) days after the Planning Commission review, or as specified by the City Engineer, the applicant submits two (2) copies of construction plans to the Engineering Division. The construction plan shall include detail sheets and additional information beyond the exhibit used for approval, commonly referred to as the civil set. City staff requires at least two weeks for construction plan review. Construction plans are typically reviewed by staff prior to Board of Directors approval, however these may be submitted after Board review, if desired by the applicant.

Upon completion of staff's review, the City Engineer, or staff member, will contact the applicant to schedule a pre-construction meeting for the item after Board of Directors approval.

- o. **Board of Directors.** This Board of Directors will be provided with the 8.5 x 11 in. copy of the proposal, along with a staff memorandum, including the original staff report. The item will be considered as a resolution, which requires one (1) reading.

p. **STEP 10**

***Authorization to Proceed with Construction***

After the pre-construction meeting and the approval or conditional approval of the construction plans, the applicant is officially authorized to proceed. The applicant must complete all improvements as specified on the approved construction plans. Work must begin on the significant development no later than 180 days after approval from the Board of Directors or it is deemed expired. Staff may issue an extension if a letter requesting an extension is received no later than seven (7) days prior to the expiration.

q. **STEP 11**

***Easement Plat***

When there are easements needed, provide an easement plat per the applicable standards in the Minor Amendments to Platting Checklist Chart in Sec. 2.2.5.

### 3.2 Small Scale Review

**Reference Documentation:**

- Building Permit Application
- Commercial/ Industrial Checklist Chart (Sec. 3.3)
- Municipal Code Ch. 102 (Zoning Code)
- Siloam Springs Storm Water Drainage Manual
- [www.siloamsprings.com](http://www.siloamsprings.com)

#### 3.2.1 Small Scale Commercial Review:

- a. **Definition.** New commercial structures that are less than 5,000 sq. ft. of floor area and less than 20,000 sq. ft. in lot coverage.
- b. **STEP 1** ***Application Submittal***
- c. Applications may be submitted at anytime. The following items are required at the time of submittal:
- i. Application. Forms are available at [www.siloamsprings.com](http://www.siloamsprings.com).
  - ii. Building Permit Fee (amount will vary, see Schedule of Fees, Sec. 6.4, pg. 54).
  - iii. Building Plans (2 copies).
  - iv. Site Plan. Include proper scale, adjoining property, number of parking spaces provided, zoning district, and utility information.

Note: Incomplete applications will be returned to the applicant and may be delayed for review. See the Commercial/Industrial Checklist on Manual Sec. 3.3, page 32, for specific submittal requirements.

- d. **Plan Approval.** Upon acceptance of the plans staff will approve, or conditionally approve, the building permit with appropriate documentation and updates as requested by staff.
- e. **STEP 2**

***Authorization to Proceed with Construction***

If the item is approved, the applicant is authorized to proceed with the project. The applicant must complete all improvements as specified on the approved plans. Work must begin on the standard building development no later than 180 days after approval or the permit is deemed expired.

3.3 Commercial/ Industrial Checklist Chart

		KEY: ● = Required
Significant Development Permit	Small Scale Review	COMMERCIAL AND INDUSTRIAL DEVELOPMENT
		●
●		b. Legal Notification (See Legal Notification Requirements, Manual Sec. 1.1 on page 5).
●		c. Authorization letter from the property owner for an agent to act on their behalf (if applicable).
●	●	d. Completed application form.
●	●	e. Indicate the name and address of the owner(s) of record, the registered engineer(s), and surveyor(s).
●		f. Provide a signature block for Planning Commission and Board of Directors approval.
●	●	g. Show the tax parcel ID number and physical address for the subject property.
●	●	h. Provide a complete legend labeling all symbols and line types used in the drawing.
●	●	i. Provide the proposed name of the development proposal.
●	●	j. Indicate the zoning district.
●	●	k. Indicate the all existing and proposed structure locations, including the gross floor area for each type of use, and the number of floors (stories) per each proposed structure.
●	●	l. Indicate the lot coverage and floor to area ratio (FAR).
●	●	m. Indication of scale, bar scale, date, and north arrow with basis of Bearings: Each Plat shall be referenced to the Arkansas Coordinate System 1983, North Zone, as established by the United States National Geodetic Survey.
●	●	n. Provide a legal description of the property and complete boundary survey showing the dimensions, distances to the nearest one-hundredth foot, bearings to the nearest second, and acreage to the nearest one-hundredth acre. Basis of Bearings: Each Plat shall be referenced to the Arkansas Coordinate System 1983, North Zone, as established by the United States National Geodetic Survey.
●		o. Show the bearings of lines not parallel/ perpendicular to established bearing lines in the City's coordinate sys.
●		p. Show the radius, central deflection angle, degree of curvature, and tangent distances for centerline of curved streets or property lines.
●		q. Show the location of all property lines of adjoining lands, subdivisions, property owners, and City limit boundaries (if adjoining the property) and all surrounding zoning.
●	●	r. Provide a location map (within a mile section).
●	●	s. Indicate the location all existing and/ or proposed drainage structures and facilities.
●	●	t. Show all ponds, lakes, streams, and areas subject to flooding based on the Flood Insurance Rate Maps.
●	●	u. Indicate the location, width, and name of each existing and/ or proposed street or public way, railroad, utility easement, setbacks, bridge, park, school, or other public open space.
●	●	v. Indicate the location of facilities or land to be considered for dedication to the public use and any conditions of such dedications or reservations.
●	●	w. Indicate the location of proposed or existing utility lines, including fire hydrant locations.
●		x. Show the location, width and distance between proposed or existing street connections, drive entrances, and distance from property lines.
●		y. Provide site contour lines (intermediate and index) not to exceed two (2) foot intervals; Vertical datum shall be NAVD-88.
●		z. Provide a grading, drainage, and erosion control plan.



KEY: ● = Required Continued from page 31

**COMMERCIAL  
 AND  
 INDUSTRIAL DEVELOPMENT**

Significant Development Permit	Small Scale Review	
●	●	aa. Indicate the location, size, and layout of all parking and loading areas, include a required parking and proposed parking total.
●	●	bb. Indicate the location and size of all proposed signs (signs are permitted separately).
●	●	cc. Indicate the landscaping type, quantity or coverage, and description of material.
●	●	dd. Show the dumpster location and screening material.
●		ee. Provide a traffic impact study.
●		ff. Show all pedestrian sidewalks and crosswalks as drive intersection. Crosswalks to meet all ADA standards with ramps and truncated domes.
●	●	gg. Show the location, height, and material of any proposed fencing of opaque screening.
●		hh. Attain a National Pollution Discharge Elimination System permit.
●		ii. Provide two copies of the As-built drawings after the completion of the project.
●	●	jj. If necessary, provide easement dedication plat per Minor Amendments to Platting checklist in Sec. 2.2.5

## 4.0 LAND USE CHANGE AND ANNEXATION PROCEDURES

### Contact Information

(See Manual Sec. 6.1)  
Ben Rhoads, AICP – Senior Planner  
Brian Phillips – Permit Technician

#### Reference Documentation:

- Variance Application
- Statement of Hardship
- Land Use Changes Checklist Chart (Sec. 4.5)
- Municipal Code Ch. 102 (Zoning Code)
- Legal Notification Requirements (Sec. 1.1)
- [www.siloamsprings.com](http://www.siloamsprings.com) (Planning Div.)

### 4.1 Variance

#### 4.1.1 Standard Variance:

- a. **Definition.** Variances are required whenever there is a need for relief from various zoning regulations. There are additional standards for what can qualify as a variance in Sec. 102-3 of the Siloam Springs Municipal Code. Variances must show a non-financial hardship unique to that property that does not frequently occur in that zone. Variances cannot be used for land-use change or to increase residential density.
- b. **STEP 1** *Pre-Application Meeting*  
The applicant or his/her agent shall be responsible for scheduling this meeting. This is required prior to the formal submittal to the City. The intent of this meeting is to informally discuss the applicant's intent and allow staff to provide any relevant feedback.
- c. **STEP 2** *Application Submittal When?*  
Applications are due by 5:00 p.m. on the first business day of each month. Please refer to the Development Calendar for deadline information. Go to [www.siloamsprings.com](http://www.siloamsprings.com).

- d. *Where?* All items must be submitted to the Planning Division, located at the lower level at City Hall.

#### e. **Submission Requirements**

##### *What is needed?*

- i. Application. Forms are available at [www.siloamsprings.com](http://www.siloamsprings.com)
- ii. Application Fee. \$100.
- iii. Letter of consent if applicant is not listed as the property owner.
- iv. Statement of Hardship.
- v. Applicable survey or site plan (10 copies) sized at 8.5 x 11 in. (Larger sized plans are acceptable, however only for the initial review)

Note: Incomplete applications may be delayed for review. Refer to the Land Use Changes Permit Checklist (See Manual Sec. 4.5 on page 43) for specific submittal requirements for this item.

#### f. **STEP 3** *Legal Notification*

This is the responsibility of the applicant or his/her agent. Please refer to the Legal Notification requirements (See Manual Sec. 1.1 on page 5).

- g. **Staff Review.** The City staff review provides an opportunity for planning staff and other applicable departments to

review development proposals and provide comments necessary to ensure the proposal's consistency with the Municipal Code. Staff will take the applicant's written Statement of Hardship and other arguments to state the reasoning and merits of the variance request. Staff will *not* issue a recommendation on variances.

agent must be present at the hearing, as they will be given an opportunity to present information. Upon hearing all of the testimony relative to the request, the Board of Adjustment will vote to approve, approve conditionally, or deny the variance.

h. **STEP 4** *Second Submittal*  
If comments are issued by staff, the applicant must address these by the deadlines established by staff on a case by case basis. Final submittal is one (1) 8.5 x 11 in. or 11 x 17 in. site plan or exhibit.

l. **Building Permit Issuance.** If approved, any applicable building permits may be issued, see the Building Div. for more information.

i. **STEP 5** *Legal Notice Documentation*  
In order to ensure that all legal notice procedures were completed correctly by the applicant, the applicant or his or her agent is responsible to provide staff proof that legal notice occurred. Please see page 6 of this manual for details. **Failure to complete this step will result in delay of your application's review.**

j. **Planning Division Action.** The staff reports are submitted to the Board of Adjustment for review and consideration. The report will take in account all factual evidence relating to the variance request. The Statement of Hardship is also included in the report.

k. **STEP 6** *Board of Adjustment Action*  
The Board of Adjustment (the same body that makes up the Planning Commission) will make the final approval, taking into consideration the staff report, the information provided by the applicant, and any other interested party. The public hearing begins with the announcement of the application. The applicant or his/her

**Reference Documentation:**

- Sign Variance Application
- Sign Permit Application
- Land Use Changes Checklist Chart (Sec. 4.5)
- Statement of Hardship
- Municipal Code Ch. 81 (Sign Code)
- Legal Notification Requirements (Sec. 1.1)
- [www.siloamsprings.com](http://www.siloamsprings.com) (Planning Div.)

4.1.2 Sign Variance:

- a. **Definition.** Sign variances are required whenever there is a need for relief from any provision in Chapter 81 of the Siloam Springs Municipal Code. These permits are approved solely on the basis of practical difficulties with meeting Code standards based on the characteristics of the sign and not the site where the sign is proposed to be located.
- b. **STEP 1** *Pre-Application Meeting*  
The applicant or his/her agent shall be responsible for scheduling this meeting. This is required prior to the formal submittal to the City. The intent of this meeting is to informally discuss the applicant's intent and allow staff to provide any relevant feedback.
- c. **STEP 2** *Application Submittal*  
**When?** Applications are due by 5:00 p.m. on the first business day of each month. Please refer to the Development Calendar for deadline information. Go to [www.siloamsprings.com](http://www.siloamsprings.com).
- d. **Where?** All items must be submitted to the Planning Division, located at the lower level at City Hall.
- e. **Submission Requirements**  
What is needed?

- i. Application. Forms are available at [www.siloamsprings.com](http://www.siloamsprings.com).
- ii. Application Fee. \$100.
- iii. Letter of consent if applicant is not listed property owner.
- iv. Statement of Hardship.
- v. PDF or sign drawing plan sized at 8.5 x 11 in.
- vi. Copy of the sign permit application, if applicable

Note: Incomplete applications may be delayed for review. Refer to the Land Use Changes Permit Checklist (See Manual Sec. 4.5 on page 42) for specific submittal requirements for this item.

- f. **STEP 3** *Legal Notification*  
This is the responsibility of the applicant or his/her agent. Please refer to the Legal Notification requirements (See Manual Sec. 1.1 on page 5).
- g. **Staff Review.** The City of Siloam Springs staff review affords an opportunity for planning staff and other applicable departments to review the applicant's sign proposal and provide comments necessary. Staff will take the applicant's written Statement of Hardship and other arguments to state the reasoning and merits of the variance request. Staff will *not* issue any recommendations on sign variances.
- h. **STEP 4** *Legal Notice Documentation*  
In order to ensure that all legal notice procedures were completed correctly by the applicant, the applicant or his or her agent is responsible to provide staff proof that legal notice occurred. Please see page 6 of this manual for details. **Failure to**

**complete this step will result in delay of your application's review.**

- i. **Planning Division Action.** The staff reports are submitted to the Board of Adjustment for review and consideration. The report will take in all factual evidence relating to the request. The Statement of Hardship and sign drawing plans are also included in the report.
  
- j. **STEP 5**            *Board of Adjustment Action*  
The Board of Adjustment (the same body as the Planning Commission) will make the final approval, taking into consideration the staff report, the information provided by the applicant, and testimony of any interested party. The public hearing begins with the announcement of the application. The applicant or his/her agent must be present at the hearing, as they will be given an opportunity to present information. Upon hearing all of the testimony relative to the request, the Board of Adjustment will vote to approve, approve conditionally, or deny the request.
  
- k. **STEP 6**            *Sign Permit Issuance*  
After the variance is approved, the applicant may obtain the sign permit from the Permit Technician.

## 4.2 Rezoning

### Reference Documentation:

- Rezoning Application
- Land Use Changes Checklist Chart (Sec. 4.5)
- Municipal Code Ch. 54 (Land Use Code)
- Municipal Code Ch. 102 (Zoning Code)
- Legal Notification Requirements (Sec. 1.1)
- [www.siloamsprings.com](http://www.siloamsprings.com) (Planning Div.)

Note: incomplete applications may be delayed for review. Refer to the Land Use Changes Permit Checklist (See Manual Sec. 4.5 on page 43) for specific submittal requirements for this item.

a. **Definition.** The process in which a zone is changed for the purpose of changing the allowed land use for a given area or parcel.

b. **STEP 1** *Pre-Application Meeting*  
The applicant or his/her agent shall be responsible for scheduling this meeting. This is required prior to the formal submittal to the City. The intent of this meeting is to informally discuss the applicant's intent, which includes the following areas: the general character, future land-use, future platting or development, and any other relevant issues associated with the rezoning request.

c. **STEP 2** *Application Submittal*  
**When? Applications are due by 5:00 p.m. on the first business day of each month.** Please refer to the Development Calendar for deadline information. Go to [www.siloamsprings.com](http://www.siloamsprings.com)

d. **Submission Requirements.**  
What is needed?

- i. Application. Form is available at [www.siloamsprings.com](http://www.siloamsprings.com)
- ii. Application Fee. \$100.
- iii. Letter of consent if applicant is not listed property owner.
- vi. First Draft Exhibit. A PDF file indicating zoning area, including legal description, sized at 8.5 x 11 in. or 11 x 17 in.

e. **Where?** All items must be submitted to the Planning Division, located at the lower level at City Hall.

f. **STEP 3** *Legal Notification*  
This is the responsibility of the applicant or his/her agent. Please refer to the Legal Notification Requirements. (See Manual Sec. 1.1 on page 5)

g. **Staff Comments.** On the Friday preceding Technical Review (see "h" below), staff will transmit via e-mail all comments on the project to the agent.

h. **STEP 4** *Technical Review*  
The City of Siloam Springs staff technical review (See Manual Sec. 6.2 on page 52) provides an opportunity for various City departments to review development proposals and provide comments necessary to ensure the proposal's consistency with the Municipal Code. The staff Technical Review Committee meets on the third Wednesday of each month at 2:00 p.m. All meetings are held in the lower conference room at City Hall, unless noted otherwise.

i. **STEP 5** *Second Submittal*  
It is necessary to resubmit to the City a revised PDF file of the survey after staff Technical Review. This is usually due no later than five (5) business days after Technical Review, or as stated in the Development Calendar. If there are no

- comments at Technical Review, this step may be bypassed.
- j. **STEP 6 *Legal Notice Documentation***  
In order to ensure that all legal notice procedures were completed correctly by the applicant, the applicant or his or her agent is responsible to provide staff proof that legal notice occurred. Please see page 6 of this manual for details. **Failure to complete this step will result in delay of your application's review.**
- k. **STEP 7 *Third and FINAL Submittal***  
Upon addressing all remaining comments from staff, the applicant shall provide one (1) PDF copy of the survey at 8.5 x 11 in.
- l. ***Planning Division Action.*** During the submittal process, relevant City staff members shall review the proposal for adherence to all City Codes. All commentary received by staff, from other reviewers, and from the public shall be furnished in a staff report memorandum. The staff reports are submitted to the Planning Commission and ultimately to the Board of Directors for review and consideration.
- m. **STEP 8 *Planning Commission***  
Commissioners will receive a copy of the plan to review and a staff recommendation. Taking into consideration the staff report, the information from the applicant, and any other interested parties, the Planning Commission will vote to either, approve, approve conditionally, deny, or table the request. The public hearing begins with the announcement of the application. The applicant or his or her agent must be present at the hearing to present information. The request will be scheduled for the next available meeting of the Board of Directors.
- n. ***Board of Directors.*** This Board of Directors will be provided with the final copy of the survey, along with a version of the staff memorandum. A rezoning is approved by ordinance, which requires three (3) readings at the Board. See the Development Calendar for specific review times.
- o. **STEP 9 *Authorization to Proceed with Construction***  
If the item is approved, the applicant is authorized to proceed with a building permit or other applicable permits.

#### 4.3 Prohibited and Special Uses

a. **Definition.** Prohibited Uses (P.U.) and Special Uses (S.U.) are uses that are allowed only under special review. Refer to the matrix in Sec. 102-41 of the Municipal Code, which indicates the land uses that are S.U.'s or P.U.'s by zone. P.U.'s are allowed only with the approval of the Board of Directors. P.U. permits are also used for items that cannot be approved through a variance. S.U.'s are also approved by the Board via resolution with one (1) reading.

b. **STEP 1** *Pre-Application Meeting*  
The applicant, or his/her agent, is responsible for scheduling this meeting. The intent of this meeting is to informally discuss the proposal with the applicant or his/her agent.

c. **STEP 2** *Application Submittal*  
**When?** Applications are due by 5:00 p.m. on the first business day of each month. Please refer to the Development Calendar for deadline information. Go to [www.siloamsprings.com](http://www.siloamsprings.com).

d. **Submission Requirements.**  
*What is needed?*

- i. Application. Forms are available at [www.siloamsprings.com](http://www.siloamsprings.com).
- ii. Application Fee. \$100.00.
- iii. Letter of consent if applicant is not listed property owner.
- iv. Any supplementary material/information that will support the request (1 copy, sized 8.5 x 11 in. or 11 x 17 in). PDF files preferred.

Note: Incomplete application may be delayed for review.

e. *Where?* All items must be submitted to the Planning Division, located at the lower level at City Hall.

f. **Planning Division Action.** During the submittal process, Technical Review Committee members will review the proposal for adherence to all applicable City Codes. Any unresolved comments are discussed in a staff report. The report is submitted to the Planning Commission and ultimately to the Board of Directors for review and consideration.

g. **STEP 3** *Legal Notification*  
This is the responsibility of the applicant or his/her agent. Please refer to the Legal Notification Requirements. (See Manual Sec. 1.1 on page 5)

h. **STEP 4** *Legal Notice Documentation*  
In order to ensure that all legal notice procedures were completed correctly by the applicant, the applicant or his or her agent is responsible to provide staff proof that legal notice occurred. Please see page 6 of this manual for details. **Failure to complete this step will result in delay of your application's review.**

i. **STEP 5** *Planning Commission Action*  
Commissioners will receive a copy of the plan to review and a staff recommendation. Taking into consideration the staff report, the information from the applicant, and any other interested parties, the Planning Commission will vote to either, approve, approve conditionally, deny, or table the request. The public hearing begins with the announcement of the application. The applicant or his or her agent must be present at the hearing to present



information as requested by the Commission.

- j. **Board of Directors.** This Board of Directors will be provided with all submitted materials and a version of the staff memorandum. A Prohibited Use is approved by an ordinance, which requires two (2) readings at the Board. A special use is approved by resolution, which requires one (1) reading at the Board. See the Development Calendar for specific review times.

#### 4.4 Annexation (Benton County Process)

##### 4.4.1 Petition Process:

- a. **Background.** The annexation process in Arkansas can be obtained by three distinct methods. These are:
- i. *Petition – partial owner agreement.* The property owner petitions the County to annex into a City. The petition annexation process starts at the Benton County Clerk's office. The petitioner can obtain forms from the County Clerk's Office, or have the forms prepared by an attorney. The petitioners must provide a map or plat and legal description of the property. The map must show that the property to be annexed is contiguous to the City and its relationship to the present City limits.
  - ii. *Petition – full ownership agreement.* This method occurs in a similar fashion as with a petition, only that the approval process is accelerated. The process does not require a filing fee. The County Clerk has 15 days to review and recommend approval of the petition, then the County Judge has 30 days to make a final decision. After the judge's decree is issued, the City then can

accept the annexed land through an ordinance and assign its ward and zoning.

- iii. *General Election.* This is where a large tract of land can be annexed into the City by an election process by the entire City.
  - iv. *Enclosure.* This is where the City can surround a piece of property and if it is surrounded on all sides, the City may incorporate it if the Board wishes to do so.
- b. **Petition Process (less than 100% owner agreement).** The following is the procedure provided by Benton County:
- i. The Petitioner(s) or their agent must sign the Petition for Annexation.
  - ii. The signed petition must be filed at the Benton County Clerk's office. Along with the petition, a map, legal description, and a filing fee of \$30.00 must also be provided. The Clerk's Office will file the original and place it on record in the County Court. The Clerk will also make a file marked copy to distribute to the County Judge.
  - iii. The petitioner must take the Order for Hearing to the County Judge's office to receive a hearing date. The hearing date will be more than thirty (30) days from the date the petition was filed and published.
  - iv. The petitioner must complete the Notice of Hearing and have it published in the newspaper once per week for three (3) consecutive weeks.
  - v. The affidavit of publication must be filed in the County Clerk's Office prior to the hearing.
  - vi. On the day set for the hearing, the petitioner shall appear before the

- County Judge with the Decree of Annexation completed.
- vii. If the County Judge accepts the annexation, then the Decree of Annexation will be signed.
  - viii. Once the Judge has signed the Decree of Annexation, the petitioner shall then deliver the Decree to the County Clerk's Office for filing.
  - ix. The County Clerk's Office will then send a Certified Copy of the Decree of Annexation to the annexing city. After thirty (30) days have passed and no appeal has been filed, the City Council (or Board of Directors) can pass an ordinance or resolution annexing the property into the City and assign the property to its prospective City wards. Upon passage of the ordinance or resolution, the City Clerk will deliver the certified approved ordinance or resolution to the County Clerk's Office to indicate that the annexed land has been accepted by the City.
  - x. The County Clerk submits certified copies of the ordinance or resolution, the Decree of Annexation, map, and legal description to the Secretary of State, Tax Division of the Arkansas Public Service Commission, Benton County Assessor, and Northwest Arkansas Regional Planning Commission.
  - xi. Once thirty (30) days has passed after the approval of the ordinance or resolution by the Board of Directors, the property annexed will officially go into the City and receive all eligible City services.
  - xii. When an annexed property enters into the City, it is zoned as A-1 (Agriculture). If the applicant desires another zone, he or she must indicate the desired zone as part of the adoption ordinance.
  - xiii. All other forms of annexation are handled by the City as either part of an election or incorporation.

4.5 Land Use Changes Checklist Chart

KEY: ● = Required			
<b>LAND USE CHANGES</b>			
Variances (Standard)	Variance (Sign)	Rezoning	Conditional/ Prohibited Use
●	●	●	●
●	●	●	●
●	●	●	●
●	●	●	●
●	●		
●			●
		●	
		●	
	●		●
		●	

  

a.	Filing fee (see Schedule of Fees in Manual Sec.6.4 on page 54).
b.	Legal Notification (see Legal Notification Requirements Manual Sec. 1.1 on page 5).
c.	Authorization letter from the property owner for an agent to act on their behalf (if applicant does not sign the application).
d.	Complete the application form.
e.	Complete the Statement of Hardship.
f.	Provide a scaled land survey, site plan, or identification certificate (8.5 x 11) showing the property's current and proposed condition, as applicable.
g.	Provide a scaled land survey or site plan including a valid legal or survey description of the subject property to be rezoned. Use table 2.2.5, on pg. 26, for standards and general surveys (larger sizes only acceptable for initial review)
h.	Copy of the legal description in Microsoft Word format. This shall be e-mailed to the City Planner.
j.	Provide information, including but not limited to, diagrams, site plans, or other information explaining the variance request.
k.	Submit <u>one (1)</u> copy of an exhibit 8.5 x 11 in. or a PDF file consisting of either a scaled land survey or a plat (including legal description) indicating the existing and proposed zoning districts.

## 5.0 LICENSES AND PERMITS

### Reference Documentation:

- Business License Application
- Home Occupation License Application
- Sign Permit Application
- Municipal Code Ch. 22 (Municipal Code)
- [www.siloamsprings.com](http://www.siloamsprings.com) (Administration)

### Contact Information

(See Manual Sec. 6.1)

Randal Clark - Building Official

Renea Ellis - City Clerk

Ben Rhoads, AICP - Senior Planner

Todd Colvin - Fire Marshal

Danny Farine - Water Service Supervisor

Brian Phillips – Permit Technician

### 5.1 Business Licenses

#### a. **STEP 1** *Application Submittal*

The applicant must complete a business license application provided by the City or as available online. The applicant should consult the application for all relevant information and requirements to operate the desired business. If the business will be operated out of a residence, please jump to Sec. 5.2 below.

#### b. **Submission Requirements**

*What is needed?*

- Completed application form. Forms are available online at [www.siloamsprings.com](http://www.siloamsprings.com) (there is no fee).
- Signed acknowledgement letter provided with the application.
- Sign permit (if applicable). See sign permit requirements (See Manual Sec. 6.3).

Note: incomplete applications will result in a delayed review.

#### c. *Where do I turn in my application?*

All above items must be submitted to the City Clerk, located at City Hall, 400 N. Broadway St., Siloam Springs.

#### d. **Application Expiration.** Applications not approved, or with pending issues, will expire six months after application.

#### e. **STEP 2**

##### *Benton County Health Department Approval*

If the business license involves the preparation or distribution of food or beverage items, a separate Health Department approval is required. Contact the Benton County Health Department at 479-986-1300.

#### f. **STEP 3** *Authorization to Proceed*

Upon review and approval by City staff, the applicant shall be given notice to proceed. Signatures from the Building Official, Water/Wastewater Director, City Clerk, Fire Marshal, and the City Planner are required for the approval of the business license. Please consult the acknowledgement letter for contact information for the individuals responsible for the approval of your license.

### 5.2 Home Occupation License:

#### a. **STEP 1** *Application Submittal*

Applicants desiring to operate a business out of their home must fill out a home business license application, provided by the City or available at [www.siloamsprings.com](http://www.siloamsprings.com). Before applying, the applicant must know the name and type of business, number of employees, if the business is a sole-ownership or partnership,

Tax ID number, and the zoning district of the residence where the business will also operate. The applicant must reside in the home to qualify for a home occupation license. If the applicant leases the residence, he or she must also submit a letter of consent from the owner stating permission to operate a home-based business.

- b. **Submission Requirements.** The following items are required at the time of submittal:
- i. Completed application form. Forms are available online at: [www.siloamsprings.com](http://www.siloamsprings.com) (there is no fee)
  - ii. Letter of consent, if applicant is not the listed property owner.

Note: Incomplete applications will be delayed for review.

- c. **Where do I turn in my application?**  
All above items must be submitted to the City Clerk, located at City Hall, 400 N. Broadway St., Siloam Springs.

- d. **Home Occupation Requirements.** The following are the requirements for a Home Occupation License:
- i. The business use cannot occupy more than 30 percent of the residence.
  - ii. The business cannot produce noise, odors, pollution, etc. above that which would normally occur in a residential setting.
  - iii. No off-street parking allowed above normal residential requirements.
  - iv. Parking must not interfere with the neighbors' typical parking needs.
  - v. No advertising signage is allowed.
  - vi. No non-residential structural alterations are allowed.

- vii. No deliveries allowed that require a vehicle larger than a passenger car except standard FedEx, UPS, USPS, etc.
- viii. No manifestation of the business shall be visible from the residence's exterior.
- ix. No inventory or materials may be stored outside.
- x. All Federal, State, County, and City laws/ordinances must be obeyed.

- f. **STEP 2 Authorization to Proceed**  
Upon review and approval by City staff the applicant shall be given authorization to proceed with the business. Signatures from the Building Official, City Clerk, and the City Planner are required upon the approval of the home occupation license.

- f. **Violation of City Code.** It is illegal to operate a home occupation without a home occupation license. Violations of Municipal Code regarding home occupations are misdemeanors punishable, upon conviction, by fines of up to \$250 per day.

### 5.3 Sign Permit

#### Contact Information

(See Manual Sec. 6.1)

Brian Phillips – Permit Technician

#### **Reference Documentation:**

- Sign Permit Application
- Municipal Code Ch. 81 (Sign Code)
- [www.siloamsprings.com](http://www.siloamsprings.com) (Planning Div.)

a. **Definition.** A sign is any structure or device visible from the exterior of a structure where its essential purpose and design is to convey to the general public either commercial or noncommercial messages by means of graphical presentation of alphabetic, numerals, or pictorial symbols or representations. Anyone erecting a new sign or altering an existing sign is required to apply for a sign permit. This includes re-facing an existing sign (application fee is \$10.00 per side)

b. **STEP 1** *Application Submittal*  
The applicant must complete a sign permit application. Sign permits are required by the City from any business owner wanting to advertise their business through signage either on the building wall or as a freestanding structure supported by columns or posts.

c. **Submission Requirements.**

What is needed?

- i. Application. Forms are available online at [www.siloamsprings.com](http://www.siloamsprings.com).
- ii. Application Fee. (Base Fee of \$10.00 plus \$1.00 for every one (1) sq. ft. of sign surface area). *Note: Fees will be doubled plus any fines accrued for signs installed prior to the approval of the sign request.*

- iii. Letter of consent if applicant is not listed as the property owner or if the property owner has not signed the permit.
- iv. At least one diagram stating the dimensions of the sign.
- v. An additional diagram if applicant is proposing a freestanding sign. This must include the sign's setback footage, height, and design.

Note: Incomplete applications will be delayed for review.

d. *Where do I turn in my application?*  
All above items must be submitted to the Permit Technician, located at City Hall, 400 N. Broadway St., Siloam Springs.

e. **Staff Review.** Planning staff will review the application. Staff review consists of a site visit to determine correct zoning designation, setbacks, location of sign in relation to abutting lots, character of sign, sign height, and any other factors included on the application.

f. **STEP 2** *Authorization to Proceed*  
Upon review and approval by Planning staff, the applicant shall be given notice to proceed with sign installation. Signatures from the Permit Technician are required upon the approval. *If the sign is installed prior to authorization to proceed, then this shall be deemed a sign violation and subject to a fine.*

g. **STEP 3** *Sign Permit Decal*  
Once the sign permit is approved, the applicant will receive a sign permit decal. This is a sticker that must either be affixed to the sign or placed with the business license displayed on the premises. Failure

to display the decal will constitute a sign violation.

- h. ***Violation of the Sign Ordinance.*** If a violation has occurred, the sign permit applicant may be subject to a fine. Fines cannot exceed \$500 per violation. Each day a violation is in effect may incur an additional fine of up to \$250 per day. Violations include, but are not limited to, erecting a sign without a permit or exceeding the provisions of an approved permit application.

## 5.4 Appeal Applications:

### Contact Information

(See Manual Sec.6.1)

Renea Ellis - City Clerk

Ben Rhoads, AICP - Senior Planner

### **Reference Documentation:**

- Appeals Application
- Municipal Code Ch. 54-41 thru 43 (Land Use Code)
- [www.siloamsprings.com](http://www.siloamsprings.com) (Planning Div.)

#### 5.4.1 Appeal from the City Administrator:

- a. **STEP 1** *Application Submittal*  
The applicant must complete an appeal from the City Administrator Application. This application is provided by the Planning Division and is required for any party wishing to appeal the determination regarding any development permit.

b. **Submission Requirements.**

*What is needed?*

- Deadline. Applications must be submitted no later than fifteen (15) days after the final written determination of the Administrator or his designee.
- Application. Forms are available at the Planning Division or at [www.siloamsprings.com](http://www.siloamsprings.com).
- Application Fee. \$100.00
- Letter. A letter discussing the reason for the appeal.

Note: Incomplete applications will be delayed for review.

- c. *Where?* All above items must be submitted to the Planning Division, located on the lower level of City Hall.

d. **STEP 2** *Legal Notification*

This is the responsibility of the applicant or his/her agent. Please refer to the Legal Notification Requirements. (See Manual Sec. 1.1 on page 5)

- e. **Review Stage.** The application is forwarded to the Board of Directors. The Board will not directly approve or disapprove the appeal, but rather explore if changes are possible to the Municipal Code which may address the need for the appeal. If four regular Board of Directors meetings pass without a proposed amendment to the Code, the appeal is forwarded to the Board of Adjustment. The Board of Adjustment will make the final decision on the appeal.

#### 5.4.2 Appeal from the Board of Adjustment or Planning Commission:

a. **STEP 1** *Application Submittal*

The applicant must complete an appeal application from the Planning Commission/and or the Board of Adjustment. This application is provided by the Planning Division and is required from any party wishing to appeal the determination regarding any development permit.

b. **Submission Requirements.**

*What is needed?*

- Deadline. Applications must be submitted no later than 30 days after the final determination of the Planning Commission or Board of Adjustment.
- Application. Forms are available at the Planning Division or at [www.siloamsprings.com](http://www.siloamsprings.com).
- Application Fee. \$100.



- iv. Letter discussing the reason for the appeal.  
Note: Incomplete application may be delayed for review.
- c. *Where?* All above items must be submitted to the Planning Division, located on the lower level of City Hall.
- d. **STEP 2** *Legal Notification*  
This is the responsibility of the applicant or his/her agent. Please refer to the Legal Notification Requirements. (See Manual Sec. 1.1 on page 5)
- e. **STEP 2** *Legal Notice Documentation*  
In order to ensure that all legal notice procedures were completed correctly by the applicant, the applicant or his or her agent is responsible to provide staff proof that legal notice occurred. Please see page 6 of this manual for details. **Failure to complete this step will result in delay of your application's review.**
- f. **Review Stage.** The application is forwarded to the Board of Directors where the Board will review the item de novo, but only upon evidence and arguments reasonably presented to the Planning Commission. The Board will make the final determination of the appeal.

## 6.0 Appendix

### 6.1 Contact List

City Hall is open from 8:00 a.m. to 5:00 p.m., Monday through Friday, except City holidays.

**After Regular Business Hours Call 524-4118.** Call Dispatch for emergencies, such as: water leaks, sewer problems, electrical outages, reconnections, etc.

#### COMMUNITY SERVICES DEPARTMENT

Director, Don Clark

##### *Planning Division*

400 N. Broadway/P.O. Box 80

**524-5136** ext. 3321

E-mail: [Development@siloamsprings.com](mailto:Development@siloamsprings.com)

Rezoning, special and prohibited uses, variances, preliminary and final plats, large scale review, right-of-way closures, sign permits, sign variances, appeals, and special event permits (including garage sales).

**Ben Rhoads, AICP**, Senior Planner

**Brian Phillips**, Permit Technician

**Brandy Rowbotham**, Administrative Assistant

##### *Engineering Division*

400 N. Broadway St./P.O. Box 80

**524-5136** ext. 3321

E-mail: [Engineer@siloamsprings.com](mailto:Engineer@siloamsprings.com)

Drainage questions/problems.

**Justin Bland, PE**, City Engineer.

**Kevin Moore, EI**, Engineering Intern

**Michael Blankenship**, Surveying and Mapping Technician

##### *Building Division*

400 N. Broadway St./P.O. Box 80

**524-5136** ext. 3321

E-mail: [Building@siloamsprings.com](mailto:Building@siloamsprings.com)

Issue building, plumbing, RPZ permits, inspection scheduling, and code questions.

**Randal Clark**, Building Official  
**Brandy Rowbotham**, Administrative Assistant

*Code Enforcement Division*  
400 N. Broadway St./P.O. Box 80

**524-6535**

E-mail: [jharris@siloamsprings.com](mailto:jharris@siloamsprings.com)

Code enforcement and animal control issues

**Jim Harris**, Animal Services Manager

PUBLIC WORKS DEPARTMENT  
Director, Steve Gorszczyk

*Water/Wastewater Division*  
400 N. Broadway St./P.O. Box 80

**524-5136** ext. 3327

E-mail: [Water@siloamsprings.com](mailto:Water@siloamsprings.com)

Water and sewer line information/problems, upgrade sewer service, RPZ questions/monthly inspections, and set meters for new construction.

**Danny Farine**, Water Service Superintendent  
**Jessica Dry**, Administrative Assistant

E-mail: [Streets@siloamsprings.com](mailto:Streets@siloamsprings.com)

Street repairs, right-of-way clearing, street specs, street cut/bore permits.

**Dennis Kindy**, Street Superintendent  
**Edlin Corder**, Administrative Assistant

FIRE DEPARTMENT  
Chief, Greg Neely

*Fire Department*  
1400 Cheri Whitlock Drive

**524-3103**

E-mail: [FireDepartment@siloamsprings.com](mailto:FireDepartment@siloamsprings.com)

**Greg Neely**, Fire Chief  
**Todd Colvin**, Fire Marshal

ELECTRIC DEPARTMENT

Director, Art Farine,

1600 W. Quarter Rd./P.O. Box 80

**524-3777**

E-mail: [ElectricDept@siloamsprings.com](mailto:ElectricDept@siloamsprings.com)

Set appointments to connect temporary electric service and inspections, street light repairs, and removal of tree limbs in power lines.

**Art Farine**, Director

**John Bland**, Electrical Inspector

**Alison Macias**, Administrative Assistant

UTILITY BILLING

**524-5136** ext. 3316 or 3317 or 3319

400 N. Broadway St./P.O. Box 80

Start new accounts for residential/ commercial construction, payment of utility bills, and disconnection of service.

6.2 Technical Review Committee Membership

STAFF TECHNICAL REVIEW COMMITTEE MEMBERSHIP

Ben Rhoads, AICP, Planning Division, Committee Chair

Justin Bland, PE, City Engineer

Randal Clark, Building Division

Kevin Moore, EI, Engineering Division

Michael Blankenship, Engineering Division

Todd Colvin, Fire Marshal, Fire Department

Dustin Kindell, Fire Department

Danny Farine, Water/Wastewater Department

John Bland, Electric Department

Benton County Planning (*For plats outside of the City limits, but within the City's Planning Area*)

Siloam Springs School Board (*For plats only in the City's Planning Area and for ordinances*)

Private Utilities:

CenturyTel

Cox Communications

Source Gas

### 6.3 Resources

City Website [www.siloamsprings.com](http://www.siloamsprings.com)

#### Building Department:

Arkansas Fire Prevention Code	2012 Volumes I, II, and III
Arkansas State Plumbing Code	2006 Edition
Arkansas Gas Code	2006 Edition
Arkansas Mechanical Code	2010 Edition
Arkansas Energy Code	2015 Edition

#### Planning Department.

Siloam Springs Municipal Code:

Chapter 78	Planning Code
Chapter 81	Sign Code
Chapter 54	Land Use Code
Chapter 87	Subdivision Code
Chapter 102	Zoning Code

#### Electric Department

National Electric Code 2014 Edition

Siloam Springs Municipal Code:

Chapter 98	Utilities Code
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#### Street and Infrastructure Department

Siloam Springs Street Construction Specifications

Specification Requirements for the construction of water and sewer facilities

Siloam Springs Municipal Code:

Chapter 98	Utilities Code
Chapter 86	Streets, Sidewalks and Other Public Places

#### State Licensing Information

General Contractors:	<a href="http://www.state.ar.us/clb/">www.state.ar.us/clb/</a>
Plumbing Professionals:	<a href="http://www.healthyarkansas.com/faq/faq_plumb">www.healthyarkansas.com/faq/faq_plumb</a>
Arkansas Dept of Health:	<a href="http://www.healthyarkansas.com">www.healthyarkansas.com</a>
Electric Professionals:	<a href="http://www.state.ar.us/directory/detail2.cgi?ID=1068">www.state.ar.us/directory/detail2.cgi?ID=1068</a>

#### Other Resources

2030 Land Use Map  
Zoning Map  
Master Street Plan  
Downtown Parking Plan  
Downtown Enhancement Plan

## 6.4 Schedule of Fees

The following schedule of fees includes only those fees and charges assumed at the time of application. Building permit fees, all water and sewer tap fees, street cuts fees, and road bores must be paid in full prior to the permit becoming valid.

### **SPECIAL USE OR REZONING**

Rezone Development Permit	\$100
Special/ Prohibited Use Development Permit	\$100

Water/Wastewater Department for further information at 524-5136 extension 3327.

### **ELECTRIC SERVICE EXTENSION FEE**

Per new building or structure \$1024.54

### **DEVELOPMENT OF LAND**

Lot Split Development Permit	\$100
Preliminary Plat Development Permit	\$350
Final Plat Development Permit	\$350

### **BUILDING PERMITS**

New, Addition, Alteration or Repair

Significant Development Permit	\$350
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### **Total Valuation**

\$1000 and less  
\$15 fee for each required inspection.

### **BOARD OF ADJUSTMENT**

Variance Development Permit	\$100
Sign Variance Development Permit	\$100

\$1001- \$50,000  
\$15/first \$1000; \$5/each additional \$1000 in valuation or fraction thereof.

### **SIGN PERMIT FEE**

Sign Permit Fee (base)	\$10
plus \$1.00 per sq. ft. of sign face	

\$50,001 - \$100,000  
\$260/first \$50,000, \$4/each additional \$1000 in valuation or fraction thereof.

### **WATER TAP FEES**

¾" Tap	\$400
1" Tap	\$525
2" Tap	\$1,100

\$100,001 - \$500,000  
\$460/first \$100,000, \$3/each additional \$1000 in valuation or fraction thereof.

### **SEWER TAP FEES**

4" Tap	\$285
6" Tap	\$300
8" + Tap	Variable
(complete cost to be assumed by owner)	

\$500,001 and up  
\$1660/first \$500,000, \$2/each additional \$1000 in valuation or fraction thereof.

### **WATER METER FEES**

¾" Meter	\$200
1" Meter	\$280
2" Meter	\$580

### **DEMOLITION FEE**

Structure Size  
0 – 100,000 cu. ft. \$50  
100,001 cu. ft. and up \$0.50/1,000 cu. ft.

### **MOVING FEE OF TOTAL STRUCTURE**

\$100

### **PLUMBING FEES**

Please see the Building Dept. for Plumbing Fee Schedule.

### **STREET CUT/ROAD BORE**

Street Cut Permit	\$150
Road Bore Permit	\$100

Variable costs may be incurred by the owner depending on the scope of each project. Contact the

