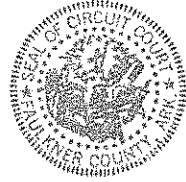


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City of Conway, Arkansas  
Ordinance No. O-18-40



**L201805657**  
CERTIFICATE OF RECORD  
FAULKNER CO, AR FEE \$25.00  
RECORDED: 04-13-2018 03:49:30 PM  
CRYSTAL TAYLOR  
CIRCUIT CLERK  
BY: LIZ BAUMGARTNER, D.C.  
**ORDINANCE**  
**3 Pages**

**AN ORDINANCE AMENDING THE CONWAY SUBDIVISION ORDINANCE NO. O-00-03 ARTICLE V,  
SECTION 9, PART 10; AND FOR OTHER PURPOSES**

Whereas: It is desirable to amend certain regulations pertaining to sidewalks:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY,  
ARKANSAS THAT:**

**Section 1.** That ARTICLE V Improvements SECTION 9, Sidewalks, PART 10 of the Subdivision Ordinance for the City of Conway as adopted by Ordinance No. O-00-03 on January 25, 2000 is hereby amended to read as follows:

“The subdivider/developer may request a waiver from the required sidewalk construction. The Planning Commission/Planning Director should approve this waiver only in unusual circumstances. The following factors shall be reviewed in order to determine whether or not to grant this waiver:

- ARDOT determination that a sidewalk is not allowed within state right-of-way
- Pedestrian traffic generators such as parks and schools in the area.
- The existence of a sidewalk network in the area.
- The density of current and future development in the area.
- The amount of pedestrian traffic likely to be generated by the proposed development.
- Whether the terrain is such that a sidewalk is physically practical and feasible, and the extent to which drainage ditches, trees, ground cover, and natural areas would be adversely impacted by the construction of the sidewalk.
- The design of the subdivision such that utilities, the location of structures, rights of way, easements, etc., create conditions making sidewalks impractical.
- The overall need for a sidewalk to be constructed on the lot.

"If a waiver is granted, the subdivider/developer shall contribute funds in lieu of sidewalk construction equal to the "WEIGHTED AVERAGE" amount listed for "CONCRETE WALKS" in the most recent edition of the "Arkansas Department of Transportation Weighted Average Unit Prices". This in-lieu fee shall be subject to a maximum fee equivalent to one hundred ffifty (150) feet of street frontage per lot for residential projects with two family dwelling units or less per lot. The funds shall be deposited into a general sidewalk fund to be used solely for the addition of new sidewalks and maintenance of the existing sidewalk network. The dispersal of funds from this sidewalk fund shall be at the discretion of the Conway City Council.

The Planning Commission may also grant a waiver to construct an internal pedestrian trail system in lieu of the required sidewalks. The pedestrian trail right of way shall be clearly noted on the final plat. Specifications for the right of way width, trail pavement, and other specifications shall be determined by the City Engineer and Director of Planning and Development."


**Section 2.** All ordinances in conflict herewith are repealed to the extent of the conflict.

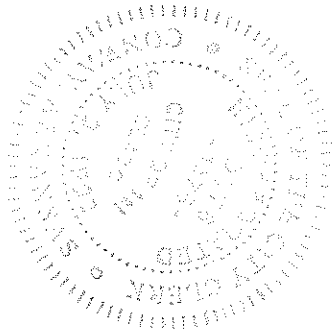
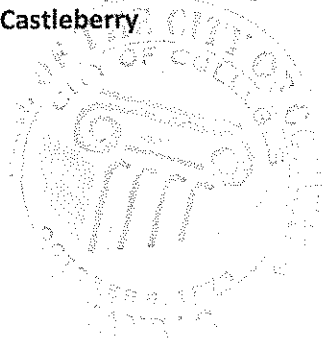
**PASSED** this 27<sup>th</sup> day of March, 2018.

**Approved:**

  
**Mayor Bart Castleberry**

**Attest:**

  
**Michael O. Garrett**  
**City Clerk/Treasurer**



**CERTIFICATE**

**STATE OF ARKANSAS  
COUNTY OF FAULKNER  
CITY OF CONWAY**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of an ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 27th day of March, 2018 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 30<sup>th</sup> day of March, 2018.

  
**CITY CLERK-TREASURER**

