

QUALITY GROWTH

I. PURPOSE:

The following guideline establishes policies and procedures to implement Resolution No. 7,893 adopted by the Little Rock City Board of Directors on February 2, 1988, relating to quality growth and more particularly water and sewer service outside the existing City Limits.

II. PRESPONSIBILITY:

- A. The Manager of Central Arkansas Water and the Manager of the Little Rock Wastewater Utility, or their designated agents, shall be responsible respectively for the initial review of requests for water or sewer services outside the existing City Limit boundaries and for the preparation of recommendations to the Planning and Development Department on the water or sewer service requests.
- B. The Planning and Development Department Director, or his designated agent, shall be responsible for communications with Central Arkansas Water and Little Rock Wastewater Utility concerning City Policies, Procedures and Actions. In addition, the Planning and Development Department Director, or his designated agent, shall be responsible for the review of water utility tie-ons, water main extensions, sewer main extensions and sewer tie-one submitted by Central Arkansas Water and the Wastewater Utility of the City of Little Rock. This review responsibility shall include all water and sewer main extensions and individual tie-ons within the City's extraterritorial jurisdiction. However, this responsibility does not include review of tie-ons or main extensions within other incorporated municipalities that are served by Little Rock utilities. In addition, it does not include review for subdivision compliance beyond the City's extraterritorial jurisdiction, where the Pulaski County Planning Commission will conduct such reviews. Applications reviewed by the Pulaski County Planning Commission will be submitted to all utility involved, which will in turn submit them to the Planning and Development Department for processing of water and/or sewer service agreements, including agreements to petition to annex and bills of assurance, and for review and action by the Little Rock City Board of Directors, or City Manager, as appropriate.

With regard to water and sewer mains, the Planning and Development Department Director, or his designated agent, shall be responsible for the review of water main requests twelve (12) inches or less in diameter, prior to their submittal to the Little Rock Board of Directors for final action. With regard to water tie-ons where subdivision and zoning approval have been granted by the Planning and Development Department, the Little Rock Planning Commission or the Pulaski County Planning Commission, as applicable, the Planning and Development Department Director, or his designated agent, shall process the water service agreements through the City Attorney's Office, as necessary, and on to the City Manager for signature. The Little Rock City Board of Directors authorized the City Manager to act upon individual water tie-ons by Resolution No. 7,919 adopted April 5, 1988. The Little Rock City Board of Directors will only consider tie-on applications when sewer tie-ons or extraordinary exceptions are requested. After the Little Rock City Board of Directors or City Manager action, the responsibility for establishing and maintaining a computer tracking system for water and/or sewer service agreements and bills of assurance shall rest with the Planning and Development Department Director, or his designated agent.

- C. The Planning and Development Department Director, or his designated agent, shall be responsible for the review of water and sewer service requests for compliance with adopted City zoning and subdivision regulations applicable to the areas to be served.
- D. The Little Rock Planning Commission shall be responsible for the review of water and sewer main extensions more than twelve (12) inches in diameter, prior to their submittal to the Little Rock Board of Directors for final action.
- E. The City Attorney, or his designated agent, shall be responsible for any necessary review of proposed water and/or sewer agreements, and for reporting on these to the Planning and Development Department Director, or his designated agent. In addition, the City Attorney shall be responsible for any necessary review of agreements to petition to annex and bills of assurance tied to water and/or sewer service agreements, plus the preparation or resolutions to be acted upon by the Little Rock City board of Directors concerning water and sewer service requests. The City Attorney shall also be responsible for the review of agreements for new service or amended service to incorporated areas outside the City of Little Rock and the preparation of reports to the Planning and Development Department, the Little Rock City Board of Directors and the City Manager concerning the agreements.
- F. The Assistant City Manager shall be responsible for overseeing the overall implementation of this procedure guideline.
- G. The Central Arkansas Water Commission and the Little Rock Sewer Committee shall be responsible for initiating and carrying out negotiations for amendment of existing service agreements with other incorporated areas to provide for limits on service volume. However, both Central

Arkansas Water and the Little Rock Sewer Committee must bring the amended agreements to the Little Rock City Board of Directors for final review and approval.

- H. The City Clerk shall be responsible for filing signed water and/or sewer service agreements, including agreements to petition to annex and bills of assurance in the Pulaski County Circuit Clerk's Office and submitting copies of the agreements, bills of assurance and Board Resolutions to the Planning and Development Department after Board or City Manager action.

III. POLICY:

Requests for water and sewer main extensions and individual tie-ons shall be handled in an orderly and expeditious fashion, while assuring that the intent of Resolution No. 7,893 of the Little Rock City Board of Directors is carried out. The authority of the Central Arkansas Water Commission and the Sanitary Sewer Committee shall be recognized by requiring that they first review respective water and sewer service requests prior to their consideration by the Little Rock Planning Commission, the Planning and Development Department and the Little Rock City Board of Directors. After submittal to the City, the respective utilities and Departments assigned responsibilities under this procedure guideline will cooperate to provide sound advice to the Little Rock Planning Commission and the Little Rock City Board of Directors through staff reports and evaluations based upon criteria specified in this guideline.

IV. PROCEDURE:

- A. All requests for water or sewer mains or individual tie-ons shall first be submitted to the appropriate utility for review and recommendation.
- B. The utility shall submit service requests and the utility's recommendations to the Planning and Development Department Director, or his designated representative. Where zoning regulations are in effect, the Planning and Development Department Director, or his designated representative, shall review for zoning compliance. All requests within the extraterritorial subdivision or zoning jurisdiction and those lying beyond that jurisdiction shall be referred by the Planning and Development Department to the City Attorney, as necessary, for review of proposed water and/or sewer service agreements related to the service requests.
- C. After completing its own review and receiving reports from the City Attorney, the Planning and Development Department shall prepare reports to the Little Rock Planning Commission on items under the Commission's jurisdiction. After Little Rock Planning Commission review, the Planning and Development Department shall prepare a report to the Little Rock City Board of Directors regarding the Little Rock Planning Commission's recommendation. For those requests that do not go to the Little Rock Planning Commission, the Planning and Development Department Staff

shall prepare a report on each request that is to be submitted to the Little Rock City Board of Directors or the City Manager.

- D. Requests for new service to incorporated areas not presently service outside of the City of Little Rock shall be first submitted to the Sanitary Sewer Committee or the Central Arkansas Water Commission, as appropriate. After review, the utilities shall submit the requests and their recommendations concerning the requests to the Planning and Development Department Director for placement before the Little Rock City Board of Directors. The Planning and Development Department Director shall cause an additional review to be conducted by City Staff prior to the requests being placed before the Little Rock City Board of Directors.
- E. After Little Rock City Board of Directors or City Manager action upon main extensions, individual tie-ons, or agreements for service to other incorporated areas, copies of the applicable resolutions, agreements and bills of assurance shall be submitted by the City Clerk to the Planning and Development Department which shall maintain a computerized tracking system, including copies of water and/or sewer service agreements and bills of assurance. The City Clerk shall also file signed water and/or sewer service agreements, including agreements to petition to annex and bills of assurance in the Pulaski County Circuit Clerk's Office. The Pulaski County Circuit Clerk's filing fee shall be paid by the City of Little Rock.

V. CONTENT FOR FILINGS FOR WATER AND SEWER SERVICE:

Applications for water and sewer main tie-ons shall include, but not be limited to, the information listed below. The Little Rock Wastewater Utility, Central Arkansas Water and the City of Little Rock Departments may require additional information as needed to properly evaluate a request. The required information shall be submitted by the applicant at the time of application, unless the utility agrees to obtain the information from another source. As a minimum, the following information shall be provided:

- A. Name, address and phone number of the applicant.
- B. Location of the property to be served.
- C. Location and sizes of lines to be installed.
- D. Legal description of the property to be served.
- E. Map of the property to be served. If available, base maps provided by the utility may be utilized.
- F. Proof of County jurisdiction approval if the property is located beyond the extraterritorial subdivision of the City. The utility may obtain this information by referral to the Pulaski County Planning Commission or may have the applicant obtain the information.
- G. Signed water and/or sewer service agreement, including an agreement to petition to annex and a bill of assurance, which must be recorded in the Pulaski County Circuit Clerk's Office after approval by the Little Rock City Board of Directors or the City Manager. A water and/or sewer

service agreement signed by the applicant must be submitted at the time of application to the utility. If the applicant is seeking both water and sewer service and a signed water and sewer service agreement is submitted to Central Arkansas Water, then a second signed agreement does not have to be submitted to the Little Rock Wastewater Utility. A copy of the one submitted to Central Arkansas Water; however, must be provided to the Little Rock Wastewater Utility.

- H. Identification of the proposed use of the property, if the property is located in the extraterritorial zoning or subdivision jurisdiction of the City.
- I. Number of existing and proposed buildings, land uses and dwelling units on the subject property, if the property is located in the extraterritorial zoning or subdivision jurisdiction of the City.
- J. Zoning plot plan depicting parcels to be served, building locations, parking, locations of different land uses, setback dimensions from property lines and distances between buildings if the subject property is located in the extraterritorial zoning jurisdiction of the City. A survey of the parcels is not required. If existing building are involved, the plan does not have to be drawn to scale. Zoning plot plans involving new buildings or additions to buildings must be drawn to scale.
- K. Fees including utility deposit and connection fee.

VI. CRITERIA FOR CITY REVIEW:

Staff of the utilities, City Departments, Members of the Little Rock Planning Commission and the Little Rock City Board of Directors should consider the items listed below during the review process. Other items may also be considered. Specific review items should include:

- A. Engineering and maintenance considerations.
- B. Compliance with City and County land development regulations, as applicable.
- C. Desirability of the subject property being annexed to the City within the foreseeable future.
- D. Other service requests that may be generated as a result of a particular request.
- E. Compatibility of proposed uses with the surrounding area.
- F. Problems with leapfrog development.
- G. Consistency of the development proposal with adopted land use plans.
- H. The potential for the subject area to be incorporated as a separate municipality.
- I. The potential for the subject area to be annexed by another municipality.
- J. The need for limits upon the provision of service.

VII. CRITERIA FOR EXTRAORDINARY EXCEPTIONS:

The applicant must demonstrate to the Little Rock City Board of Directors undue hardship as applied to the property in question. Any exceptions granted should

be in keeping with the spirit and intent of the quality growth resolution, No. 7,893. Extraordinary exceptions should not be frequently granted, but should be limited to only extreme hardship situations. The only hardships that will be considered by the Little Rock City Board of Directors are those relating to public health, safety and welfare. The applicant must provide proof of these hardships. City Staff shall not submit to the Little Rock City Board of Directors for action any hardships other than those specified herein.

VIII. PRIOR APPLICATIONS:

Applications submitted prior to February 3, 1988, shall be handled base upon regulations and procedures in effect at the time of application. The only exceptions to this procedure are: 1) the Youth Home Application, where they were advised that Little Rock City Board of Directors approval would be required; and 2) the proposed water district to serve the Ferndale area. Regulations in effect prior to February 2, 1988, included a requirement that service to other municipalities must be approved by the Little Rock City Board of Directors. Specifically, water service to the cities of Bryant and Shannon Hills will have to be reviewed and authorized by the Little Rock City Board of Directors before any service is granted.

In addition, if in the future, City regulations change during the time that an application is pending, the applicant shall be subject to the provisions of regulations in effect at the time of application.

IX. TIE-ONS IN INCORPORATED AREAS PRESENTLY SERVED:

Water and sewer tie-ons and main extensions to properties within the currently existing City Limits of Alexander, Wrightsville and Cammack Village, where service has already been authorized, shall be reviewed and acted upon by staff of Little Rock Water Works and Little Rock Wastewater Utility. Review by the Planning and Development Department, the Little Rock Planning Commission, the City Manager or the Little Rock City Board of Directors shall not be required in such cases. However, extensions of mains beyond the February 3, 1988, City Limits of these municipalities are subject to approval by the Little Rock City Board of Directors.

X. TIE-ONS IN EXISTING IMPROVEMENT DISTRICTS:

Where assessments have been paid for water or sewer service in an existing improvement district, it is expected that tie-ons will be authorized if the required reviews are conducted and applicable requirements and regulations are met. However, if an improvement district wishes to expand its area of service or allow service outside the district, the proposed expansion or service extension is subject to approval of the Little Rock City Board of Directors.

XI. TIE-ONS IN APPROVED SUBDIVISIONS:

If a subdivision has been previously approved by the City of Little Rock, the Pulaski County Planning Commission or staff, approval of water tie-ons to individual lots in the subdivision may be granted by the Director of Planning and Development, or his designated representative. In such cases, all City and County conditions, as applicable, must have been met in the subdivision before tie-on approval will be granted. The required water service agreement for water tie-ons may be signed by the Director of Planning and Development, or his designated representative, and does not have to be placed before the Little Rock City Board of Directors for approval. Approval from the Little Rock City Board of Directors will be necessary only in the case of sewer tie-ons and extraordinary exceptions. The Little Rock City Board of Directors has authorized the City Manager to sign the agreements for water tie-ons by Resolution No 7,919. All tie-on requests must first be submitted to Central Arkansas Water or Little Rock Wastewater Utility for review prior to consideration by the Planning and Development Department, which will review them prior to submittal to the Little Rock City Board of Directors or the City Manager.

XII. PROCEDURES FOR PROPOSED NEW SUBDIVISIONS:

The developer should submit detailed plans for action by the Little Rock Planning Commission to the Planning and Development Department for review. Planning and Development Staff will review submittals for conformity to ordinance regulations of the City of Little Rock. The Little Rock Planning Commission shall conduct a hearing to review the new subdivision and Planning and Development Staff's review of said subdivision. The Little Rock Planning Commission shall then vote on the approval of said subdivision. If the subdivision includes any requests for variances, the Little Rock City Board of Directors shall review the subdivision after Little Rock Planning Commission approval.

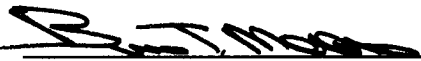
XIII. EMERGENCY SERVICES:

In the case of an emergency, Central Arkansas Water or the Little Rock Wastewater Utility may provide temporary water or sewer service beyond the Little Rock City Limits to a utility, municipality or service district not presently served, without complying with the procedures herein or obtaining Little Rock City Board of Directors approval. The maximum length of time that such emergency service may be provided without Little Rock City Board of Directors approval shall be forty-five (45) days. Upon provision of such emergency service, notice shall be given to the City Manager by telephone and a follow-up letter of confirmation.

XIV. CONSTRUCTION METERS AND SPRINKLER METERS:

Water meters installed temporarily for up to two (2) weeks for construction purposed must go through the normal water tie-on procedures set forth in this guideline. Sprinkler meters; however, may be approved by Central Arkansas Water Staff without further review by other agencies, if the sprinkler meters are in addition to already approved water meters.

Approved:



Bruce T. Moore
City Manager