

**ORDINANCE NO. 138**

**AN ORDINANCE AMENDING ORDINANCE NO. 137  
AND TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES**

WHEREAS, the City Council of the City of Goshen adopted Ordinance 137 on September 12, 2017, and thereby created a moratorium on the approval of lot splits within the corporate limits and planning area of the City of Goshen for a period of thirty-five (35) days; and

WHEREAS, the conditions which existed at the time of the passage of Ordinance 137 on September 12, 2017 remain largely unchanged, but the time of the moratorium is about to expire. The City Council has requested input from the Planning Commission. The Planning Commission met on October 3, 2017, but plans another meeting on October 24, 2017. For these reasons, the City Council has determined the moratorium needs to be extended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GOSHEN, ARKANSAS:

SECTION 1. That Ordinance 137 is amended as follows: “sixty five (65) days” shall be substituted wherever “thirty-five (35) days” appears and “65<sup>th</sup>” shall be substituted for “35<sup>th</sup>.” The intended effect of this ordinance is to extend by an additional thirty (30) days the moratorium created by Ordinance 137. In all other respects, Ordinance 137 is ratified and reaffirmed.

SECTION 2. That Ordinance 137 is amended to remove the words: “subdivision or large scale development,” so that the moratorium only applies to lot splits.

SECTION 3. EMERGENCY CLAUSE: Market conditions have caused an increase in real estate sales and the result is that there is more expressed interest in lot splits. But it is recognized by the City Council of the City of Goshen that there are some shortcomings in the current framework related to all types of subdivision of land within the City’s corporate limits and its planning area. It is hereby declared that based on the conditions set forth herein, just as were first stated in Ordinance 137, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 10<sup>th</sup> day of October, 2017.

  
\_\_\_\_\_  
Max Poye, Mayor

ATTEST:

  
\_\_\_\_\_  
Sharon Baggett, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Charles L. Harwell, City Attorney

**ROLL CALL**

Names Of Those Voting YEA

Names Of Those Voting NAY

Andy Bethell  
Brian Buell  
Cathy Oliver  
Lanny Samuels  
Dick Seddon

Absent  
Paula Anderson

**ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE**

Names Of Those Voting YEA

Names Of Those Voting NAY

Andy Bethell  
Brian Buell  
Cathy Oliver  
Lanny Samuels  
Dick Seddon

Absent  
Paula Anderson