

③ City of Conway

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SHARON RIMMER

FAULKNER COUNTY CIRCUIT CLERK

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by

220603

D. C.

**ORDINANCE NO. O-03-52**

**AN ORDINANCE ESTABLISHING PROCEDURES FOR SUBMISSIONS, POSTPONEMENTS AND WITHDRAWALS OF PLANNING-RELATED ITEMS FROM THE CONWAY CITY COUNCIL AGENDA; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES**

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

**SECTION 1.** For the purposes of this ordinance, "planning-related items" shall include, but not be limited to: Zoning, conditional uses (items that require prior Planning Commission action), variances for parking lots, variances for signs, variances from the overlay district ordinance, waivers for boundary street improvements and alley/street/easement abandonment (items that do not require prior Planning Commission action).

**SECTION 2.** Submissions of planning items by applicants to be placed on the agenda of the Conway City Council for a regular meeting must be made in writing with all necessary paperwork no later than noon on Tuesday the week before the regular Council meeting on which the agenda item is desired to appear. Items so submitted with all appropriate paperwork shall be deemed "on the agenda."

**SECTION 3.** Any planning item that has been placed on the agenda either by an applicant or automatically by the Planning Commission may be postponed until the next regular City Council meeting by written request of the applicant no later than noon on Thursday before the Council meeting on which agenda the item was to be discussed. The item can only be postponed one time at the request of the applicant.

**SECTION 4.** Any planning item that has been placed on the agenda may be withdrawn by the applicant at anytime subject to the restriction that the application shall then be terminated as to the approval process. Any planning item whose withdrawal from the City Council agenda has terminated the approval process and that also requires Planning Commission approval must, if approval is still sought by the applicant, return to the Planning commission subject to its rules and procedures for resubmittal. Any planning item whose withdrawal from the City Council agenda has terminated the approval process and that does not require prior Planning Commission approval shall not be placed on the City Council agenda again for consideration for a period of not less than one (1) year except the Council shall by two-thirds vote of the entire Council approve resubmittal in a shorter time.

**SECTION 5.** Any planning item that has been considered by the City Council and fails to receive a majority vote when the question is put to the Council shall be deemed terminated as to the approval process. The item may be resubmitted for consideration according to the procedures outlined in Section 4.

**SECTION 6.** The Council reserves the right to hold any items in committee for further consideration.

**SECTION 7.** All ordinances in conflict herewith are hereby repealed to the extent of that conflict.

SECTION 8. This ordinance is necessary for the protection of the public peace, health, and safety of the citizens of Conway and, therefore, an emergency is declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

Passed this 13th day of May 2003

APPROVED:

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Mayor Tab Townsell

ATTEST:

  

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Michael O. Garrett, City Clerk