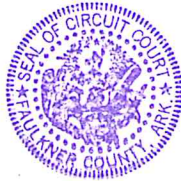


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City of Conway, Arkansas
Ordinance No. O-19-123



L201919682
CERTIFICATE OF RECORD
FAULKNER CO, AR FEE \$25.00
RECORDED: 12-27-2019 01:54:53 PM
CRYSTAL TAYLOR
CIRCUIT CLERK
BY: LIZ BAUMGARTNER, D.C.
ORDINANCE
3 Pages

AN ORDINANCE AMENDING SECTIONS 401, 801, 901, AND 1101 OF THE CONWAY ZONING CODE CONCERNING SUBMISSION DEADLINES FOR VARIOUS APPLICATION TYPES; AND FOR OTHER PURPOSES:

WHEREAS; it is necessary and desirable to give city staff and the Planning Commission more time to review applications coming before the Planning Commission;

WHEREAS, The Conway Planning Commission has prepared amendments to the Conway Zoning Code, gave proper public notice in accordance with Arkansas Code Annotated § 14-56-422, held a duly authorized public hearing on November 18th, 2019, and adopted the prepared amendments;

WHEREAS, The City Council accepts the Planning Commission’s recommended amendments;

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

Section 1. That the Conway Zoning Code, be amended as follows:

Section 401.10, paragraph C., item 1, subparagraph c.

c. Public Meeting. The Director of Planning and Development or designee shall schedule a Public Meeting at which time the applicant shall present the PUD proposal to all interested parties, including, though not limited to, neighborhood residents, property owners associations, neighboring business owners, City officials, and community groups. The public meeting must occur at least 15 days prior to the official public hearing date for the application. Notice of the public meeting shall be published on the City of Conway’s website at least 15 days prior to the meeting. A Public Hearing sign shall be conspicuously posted on the subject property at least 15 days prior to the public meeting. The applicant shall use relevant comments gathered at the public meeting to amend the PUD proposal in a manner that is both feasible for the applicant and most satisfactory to the interested parties.

Section 801.4, paragraph B.

B. Public Notice and Hearing

The Commission shall conduct a public hearing of an appeal at the next available regular meeting of the Planning Commission. The applicant shall publish a public notice at the applicant’s expense at least once not less than fifteen (15) days preceding the date of such hearing in a newspaper of general circulation in Conway. The public notice shall give the particular location of the property on which the appeal is requested, including a legal description and an address (if no address is available, a description which is clear to the average lay person will suffice), as well as a brief statement of what the appeal consists.

Each applicant for the variance shall be required to post a public hearing notice sign on the property for which the variance is being sought at least fifteen (15) days prior to the date of the public hearing. This sign shall be in plain view of and easily readable from a public street, state the variance being sought, and give the place, date, and time of the public hearing. The applicant shall obtain the sign from the Conway Planning Department and shall pay a fee as established by the City of Conway for the sign. The fee is not refundable and the sign is not required to be returned.

In addition, the petitioner shall be required to notify by USPS First Class mail with Certificate of Mailing and/or petition, all property owners within two hundred (200) feet of his property of his intentions to seek a variance, not less than fifteen (15) days prior to the hearing. The petitioner shall state the date and time and location of the public hearing and describe the requested variance with the certified letter and/or petition. The Certificates of Mailing and/or petition shall be submitted to the Planning Department staff not less than five (5) days prior to the meeting of the Planning Commission along with a map showing the location of the property in question, as well as the owners within 200 feet of the property and a letter from the petitioner certifying that the map shows a complete list of those property owners.

Each applicant must submit, in accordance with the Planning Commission calendar being at least fifteen (15) thirty (30) days prior to the public hearing, a scale drawing showing the requested variance along with all relevant information, including the exceptional condition or situation of the property which causes the exceptional practical difficulty or undue hardship for which relief is being sought.

Section 901.2, paragraph A.

A. An application shall be filed by the property owner with the City Planning Commission for review. Said application shall be filed in accordance with the Planning Commission calendar being no less than seventeen (17) thirty (30) days prior to the Planning Commission meeting. Such applications shall show the location and intended use of the site. A general graphic representation of what is proposed shall be submitted as well.

Section 901.4, paragraph C., item 2.

(2) A petition giving the legal description of the property involved and the zoning classification requested for the property, shall be submitted to the Planning Commission by the agent of the property owner in accordance with the Planning Commission calendar no less than seventeen (17) thirty (30) days prior to the public hearing. The petition shall also include a statement and diagram explaining why the proposed changes will not conflict with the surrounding land uses.

Section 1101.3, paragraph B., item 8.

8. Submissions must include all supporting documentation, including, but not limited to the following: variances, deeds, access agreements, and conditional use permits. Submissions must be made to the City of Conway Planning Department at any time the Planning Department is open for business in accordance with the Planning Commission calendar.

Section 2: That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.


Section 3: That in order to provide adequate time for design professionals to adapt to the requirements of this ordinance, this ordinance shall not take effect until March 2, 2020.

PASSED this 26th day of November, 2019.

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 26th day of November, 2019 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 10th day of December, 2019.


CITY CLERK-TREASURER

