



CONDITIONAL USE PERMIT GUIDELINES & PROCEDURES

City of Conway, Arkansas - Planning & Development

1201 Oak Street • Conway, AR • 72032 • 501-450-6105 • www.cityofconway.org

Effective on and after November 26, 1994

Guidelines for decision making by the City Council

1. The proposed land use will be designated, located and operated so that the public health, safety, and welfare are protected.
2. The proposed land use must be compatible with the surrounding area.
3. The proposed land use will conform to all applicable provisions for the district as stated in the Conway Zoning Ordinance.
4. The use will facilitate public convenience at the location.
5. The proposed conditional use will conform to the all off-street parking and loading requirements. Egress and pedestrian ways shall be adequate.
6. Safeguards limiting noxious or offensive emissions, including lighting, noise, glare, dust, and odor will be addressed in the proposed use application.
7. Landscaping and screening of the proposed use will conform to the Conway Zoning Ordinance.
8. Proposed sign usage will conform to the provisions of the Conway Sign Ordinance.
9. Open space located on the proposed use will be maintained by the owner/developer.
10. The site size and shape, along with the proposed structure(s) size, shape and arrangement, will conform to the intent of the Conway Zoning Ordinance.

Procedure

1. The petitioner must pay a non-refundable, filing fee of \$325 for any conditional use permit request.
2. The Application for Conditional Use Permit must be submitted to the Planning & Development department **no less than 17 days prior to the public hearing**. (See attached Planning Commission schedule).
3. The application must show the location of the intended use of the site. A general graphic representation should be submitted as well.
4. The petitioner must place a notice of public hearing in the *Log Cabin Democrat* appearing **at least once, 15 days prior to the public hearing** (Please confirm copy deadlines directly with the *Log Cabin Democrat*). The notice must include:
 - a. The conditional use permit being sought,
 - b. The location (including legal description and physical address. If no physical address is available, a description that is clear to the average person will suffice),
 - c. The time, date, and location of the public hearing (see attached Planning Commission schedule. Meetings are held at 7:00 pm in the District Court Building, 810 Parkway Street,
 - d. Contact information (City of Conway website address, Planning & Development telephone number, etc.) where the average person can find further information regarding the rezoning item,
 - e. The public notice must be headed "Public Notice" and include the name of the current chairperson of the Planning Commission.
5. The petitioner must post one or more public hearing signs at or near the front property line of the property to be rezoned **no less than 15 days prior to the public hearing**. The sign should be clearly visible/unobstructed to the passing general public and must remain on the property until the public hearing before the Planning Commission. The disposable public hearing sign may be obtained from the Planning & Development department for \$7.50.
6. The petitioner must notify all property owners within 200 feet of the petitioner's property of the intention to rezone, via USPS First Class mail and provide completed **Certificates of Mailing** (issued by the USPS) as evidence to the Planning & Development department **no less than 10 days prior to the public hearing**. A map showing the location of the property and a letter from the petitioner certifying that the map shows a complete list of property owners within 200

feet should be submitted OR a list of property owners within 200 feet may be obtained from the Planning & Development department. The map/list is used to verify that all required parties have been notified.

7. Following the public hearing, the request may be approved as presented, or in modified form, by a majority vote of the Planning Commission. If approved, the recommendation is forwarded to the City Council for action within seventy (70) days. The recommendation will report on the effect of the proposed conditional use and/or proposed buildings upon the character of the surrounding neighborhood, traffic conditions, public utilities, and other matters pertaining to the general public welfare. **Planning Commission bylaws require a representative for each request to be present at the public hearing. If no representative is present the request will be held in committee.**
8. The City Council then acts on the Planning Commission's recommendation. A petitioner may withdraw a request until noon on the Thursday preceding the City Council meeting at which the request will be heard. After this time, the petitioner must appear in person at the City Council meeting to request a withdrawal of the request.
9. The City Council may impose conditions and restrictions to the Conditional Use Permit as may be necessary to reduce or minimize any detrimental effects of the conditional use permit. Such conditions may be necessary to ensure that the conditional use is compatible with the surrounding property.
10. The Planning Commission and the City Council shall in no case authorize less than the minimum requirements of the Conway Zoning Ordinance relating to height, area, setbacks, parking, or landscaping.

Note: This is not an exhaustive guideline regarding conditional use permits/application. Additional information is available in the City of Conway Zoning Ordinance, Article 601.

Checklist of Items for Conditional Use Permit Application

- Application for conditional use permit**- filed with the Planning & Development Department no later than 17 days prior to the public hearing.
- Statement and diagram explaining intended use** - filed with the Planning & Development department no later than 17 days prior to the public hearing.
- Filing fee of \$325** - paid at the Planning & Development department no later than 17 days prior to the public hearing. Make checks payable to City of Conway.
- Sign** - the disposable sign can be obtained at the Planning & Development department for \$7.50 and must be posted no later than 15 days prior to the public hearing.
- Proof of Publication** - The notice must appear at least once no later than 15 days prior to the public hearing. The proof of publication, obtained from the *Log Cabin Democrat* after publication of public notice, is filed with the Planning & Development department no later than 10 days prior to the public hearing.
- Certificates of Mailing [PS Form 3817] and/or petitions to all property owners within 200 feet** - notifications to all property owners within 200 feet must be postmarked no later than 15 days prior to the public hearing. Completed certificates of mailings (issued by the USPS) and/or petition are filed with the Planning & Development department no later than 10 days prior to the public hearing.
- Map/List showing all property owners within 200 feet** - a map/list (may be obtained from the Planning & Development department) including all names of property owners within 200 feet must be filed with the Planning & Development department no later than 10 days prior to the public hearing.

APPLICATION FOR CONDITIONAL USE PERMIT

Conway Planning Commission

City of Conway, Arkansas

Proposed Location

Address: _____

Subdivision Name: _____

Block Number: _____

Lot Number: _____

Legal description, if not in a subdivision: _____

Present zoning classification: _____

Description of Conditional Use Permit being sought: _____

Name of Applicant: _____

Signature of Owner/Applicant: _____

Home Address: _____

Email Address: _____ Daytime Telephone: _____

Date: _____

(Attach all necessary maps and drawings)

NOTICE OF PUBLIC HEARING AND NOTIFICATION LETTER FORMAT

The following information is to be included in the newspaper publication and notification letters.

Notice is hereby given that _____ has filed an application with the Conway
name of petitioner
Planning Commission requesting that _____ be allowed at a site
conditional use being sought
[insert physical address or a description clear to the average person if no physical address is available]

more particularly described as [insert legal description]

A public hearing on said request will be held at 7:00 pm on _____ in the
meeting date
District Court Building, 810 Parkway Street. All persons are called upon to show cause for or against the granting of said permit.

For further information regarding this item please visit www.cityofconway.org or contact the Planning & Development department at 501-450-6105.

Anne Tucker
Chairman, 2017
Conway Planning Commission

This notice must be run in the legal notices section of the Log Cabin Democrat no less than 15 days prior to the public hearing.

The deadline for legal notices is noon, 2 days prior to publication.

The deadline for Sunday and Monday publications is noon Friday.

Legal notices must be submitted in a copy/paste format (Microsoft Word doc., RTF file, etc.)

by email only to legals@thecabin.net.

For further information regarding publication requirements please contact the *Log Cabin Democrat* at 501-327-6621.

LETTER OF AUTHORIZATION

I/We, the undersigned property owner(s), do hereby name and authorize _____
authorized representative
to act as agent of owner in my/our behalf in the matter of the application filed for conditional use permit before the
Planning Commission and City Council of Conway, Arkansas.

Executed this _____ of _____, 2017.
day of the month month

Owner Name (please print)

Owner Name (please print)

Owner Signature

Owner Signature

2017

CONWAY PLANNING COMMISSION SCHEDULED MEETING DATES

<u>MONTH</u>	<u>MEETING DATE</u>	<u>SUBMISSION DEADLINE</u>
January	Tuesday, January 17 ¹	Friday, December 30
February	Tuesday, February 21 ²	Friday, February 3
March	Monday, March 13 ³	Friday, February 24
April	Monday, April 17	Friday, March 31
May	Monday, May 15	Friday, April 28
June	Monday, June 19	Friday, June 2
July	Monday, July 17	Friday, June 30
August	Monday, August 21	Friday, August 4
September	Monday, September 18	Friday, September 1
October	Monday, October 16	Friday, September 29
November	Monday, November 20	Friday, November 3
December	Monday, December 18	Friday, December 1

Conway Planning Commission meetings begin at 7:00 pm in the Russell L. “Jack” Roberts District Court Building located at 810 Parkway Avenue, Conway, Arkansas. The agenda with supporting information for each meeting is available at <http://www.cityofconway.org/pages/planning-minutes-reports/>

¹ Meeting moved due to Martin Luther King, Jr. Day Observance

² Meeting moved due to Presidents’ Day Observance

³ Meeting moved due to Spring Break



City of Conway – Mayor’s Office 2017 City Council Meeting & Deadline Dates

All requests for placement on the Conway City Council Agenda, **along with all written backup materials, must be in the Mayor’s Office no later than 12:00pm** (noon) seven (7) days prior to the meeting.

All information should be submitted electronically, including ordinances, resolutions, letters, etc. to Felicia Rogers @ felicia.rogers@cityofconway.org.

Meeting Date	Deadline	Meeting Date	Deadline
January 10	Noon, January 3	July 11	Noon, July 5
January 24	Noon, January 17	July 25	Noon, July 18
February 14	Noon, February 7	August 8	Noon, August 1
February 28	Noon, February 21	August 22	Noon, August 15
March 14	Noon, March 7	September 12	Noon, September 5
March 28	Noon, March 21	September 26	Noon, September 19
April 11	Noon, April 4	October 10	Noon, October 3
April 25	Noon, April 18	October 24	Noon, October 17
May 9	Noon, May 2	November 14	Noon, November 7
May 23	Noon, May 16	November 28	Noon, November 21
June 13	Noon, June 6	December 12	Noon, December 5
June 27	Noon, June 20	December 26*	Noon, December 19

**Date is subject to changed due to the holidays*

*City Council Committee meetings start at 5:30pm / City Council Meetings start at 6:30pm
District Court, 810 Parkway Street, Conway, AR 72032
All dates are subject to change*

If you have any questions, please contact Felicia Rogers @ felicia.rogers@cityofconway.org or by phone @ 450-6110

www.cityofconway.org