



# REZONING GUIDELINES & PROCEDURES

## City of Conway, Arkansas - Planning & Development

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

Effective on and after March 28, 1995

**NOTE:** This document does not include all requirements for Planned Unit Development (PUD). Please refer to the [Conway Zoning Ordinance](#).

### Guidelines for decision making by the City Council

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1. The City Council may consider various recommendations and planning documents from several sources, such as the Planning Commission, Planning & Development department staff, and the Comprehensive Plan in determining if a rezoning is appropriate.
2. Any denial of a rezoning request by the City Council shall be final for one year. The same application may not be reinitiated until the expiration of that deadline.
3. No petition for rezoning shall be reviewed by the City Council without a report from the Planning Commission.

### Procedure

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1. The petitioner must pay a non-refundable filing fee of \$325 for any rezoning request other than a PUD. If the requested rezoning is a PUD, Petitioner must pay \$1,125 for non-residential; for residential, up to 10 units the fee is \$525, up to 25 units the fee is \$725, or for 26 units or more the fee is \$1,125.
2. The Application for Rezoning 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 include a statement and diagram explaining why the proposed rezoning will not conflict with surrounding land use.
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 current zoning and the rezoning 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 at the next available meeting. If the Planning Commission does not approve the request, the reasons for denial will be provided, in writing,

to the petitioner within 30 days from the date of the public hearing. **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. If the request is approved by the City Council, the City Clerk is required to publish the ordinance in the *Log Cabin Democrat*. The City Clerk will bill the petitioner for the publication fee.

*Note: This is not an exhaustive guideline regarding rezoning/application for rezoning. Additional information is available in the City of Conway Zoning Ordinance.*

## **Checklist of Items for Rezoning Application**

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- Application for rezoning** - filed with the Planning & Development Department no later than 17 days\* prior to the public hearing.
- Statement and diagram explaining why changes will not conflict with surrounding uses** - filed with the Planning & Development department no later than 17 days\* prior to the public hearing.
- Filing fee of \$325** or as applicable for PUD (see Procedure Item no. 1) - 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. If a property is on a corner or has multiple street frontages, more than one sign may be required.
- Proof of Publication** - The notice of public hearing must appear at least one time no less than 15 days prior to the public hearing. The notarized proof of publication, obtained from the *Log Cabin Democrat* after publication, 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** - first class mail 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) with the Planning & Development department no later than 10 days prior to the public hearing. If all property owners within 200 feet cannot be notified by first class mail, the applicant may provide a completed petition (pg. 6) signed by all property owners in lieu of letter notifications, also due no later than 15 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 15 days\* prior to the public hearing.

*\*Deadline to submit application and fees to the Planning & Development Department may be earlier than stated due to holidays or City Hall closings. Please refer to the Conway Planning Commission meeting and submission deadline calendar included in the packet.*

# APPLICATION FOR ZONING CHANGE

Conway Planning Commission

City of Conway, Arkansas

Present Zoning Classification: \_\_\_\_\_ Desired Zoning Classification: \_\_\_\_\_

Location of property to be rezoned (**legal description**):

Physical address of property: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Signature of Owner/Applicant: \_\_\_\_\_

Home Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Daytime Telephone: \_\_\_\_\_

Date: \_\_\_\_\_

# 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 Planning Commission requesting to rezone from \_\_\_\_\_ to \_\_\_\_\_ the following described property:

name of petitioner  
present zoning                      desired zoning

**[legal description]**

**[physical address/if no address is available, provide a description that is clear to the average person]**

A public hearing on said request will be held at 7:00 pm on \_\_\_\_\_ in the District Court Building, 810 Parkway Street. All persons are called upon to show cause for or against the requested rezoning.

meeting date

For further information regarding this item please visit [www.cityofconway.org](http://www.cityofconway.org) or contact the Planning & Development department at 501-450-6105.

Jerry Rye  
Chairman, 2018  
Conway Planning Commission

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**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](mailto:legals@thecabin.net).

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



**PETITION OF WRITTEN CONSENT FOR THE REZONING OF PROPERTY**

*(only required if in lieu of notification letters)*

Name of party requesting rezoning: \_\_\_\_\_

Present zoning: \_\_\_\_\_ Desired zoning: \_\_\_\_\_

Physical address of property to be rezoned: \_\_\_\_\_

Legal description of property to be rezoned: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A public hearing on said request will be held at 7:00 pm on \_\_\_\_\_ in the District Court  
Building, 810 Parkway Street. date of Planning Commission meeting

Signatures of ALL property owners within 200' of subject property:

Name

Address

\_\_\_\_\_

\_\_\_\_\_

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# 2018

## CONWAY PLANNING COMMISSION SCHEDULED MEETING DATES

<u>MONTH</u>	<u>MEETING DATE</u>	<u>SUBMISSION DEADLINE</u>
January	Tuesday, January 16 <sup>1</sup>	Friday, December 29
February	Tuesday, February 20 <sup>2</sup>	Friday, February 2
March	Monday, March 12 <sup>3</sup>	Friday, February 23
April	Monday, April 16	Friday, March 30
May	Monday, May 21	Thursday, May 3
June	Monday, June 18	Friday, June 1
July	Monday, July 16	Friday, June 29
August	Monday, August 20	Friday, August 3
September	Monday, September 17	Friday, August 31
October	Monday, October 15	Friday, September 28
November	Monday, November 19	Friday, November 2
December	Monday, December 17	Friday, November 30

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/>

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<sup>1</sup> Meeting moved due to Martin Luther King, Jr. Day Observance

<sup>2</sup> Meeting moved due to Presidents’ Day Observance

<sup>3</sup> Meeting moved due to Spring Break



## City of Conway – Office of the Mayor 2018 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 documents & information should be submitted electronically, including ordinances, resolutions, letters, etc. to Felicia Rogers @ [felicia.rogers@cityofconway.org](mailto:felicia.rogers@cityofconway.org).

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

*\*December 25 – Date will be change due to the Christmas holiday.*

*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](mailto:felicia.rogers@cityofconway.org) or by phone @ 450-6110

[www.cityofconway.org](http://www.cityofconway.org)