

ALDERMAN AGENDA REQUEST FORM

FOR: COUNCIL MEETING OF January 21, 2014


FROM: Rhonda Adams

ORDINANCE TITLE AND SUBJECT:

Planned Zoning District Notification Process


An ordinance to amend §157.04 Planned Zoning District, to add a notification requirement for applicants that bring forward amendments to existing PZDs.

APPROVED FOR AGENDA:


Council Member **Rhonda Adams**

1-15-14
Date

Approved as to form:


Kit Williams
City Attorney

12-30-2013
Date

Packet Prepared by:


Jeremy Pate
Director of Development Services

12-26-2013
Date

CITY COUNCIL AGENDA MEMO

To: Mayor Jordan, City Council

Thru: Don Marr, Chief of Staff

From: Jeremy Pate, Development Services Director 

Date: January 07, 2014

Subject: Planned Zoning District Notification Process

RECOMMENDATION

City staff recommends in favor of the proposal by City Council member Rhonda Adams to add a notification requirement for all applicants that bring forward amendments to a Planned Zoning District.

PROPOSAL

Council Member Adams is sponsoring an ordinance to add a requirement for applicants to provide notification of a Planning Commission meeting when an amendment to a Planned Zoning District is proposed. Currently, most – but not all - applicants are required to notify neighbors of upcoming Planning Commission meetings at which a PZD amendment is set to be discussed. Depending upon the type of amendment, at times the final decision is made by the Planning Commission and other times by the City Council. This amendment would result in neighbors most affected by a proposed PZD amendment and others that are interested to be consistently notified of any upcoming changes.

DISCUSSION

Staff has discussed the proposal with Council Member Adams and agrees that the change would be beneficial and meets with the City's overall policy of open communication.

BUDGET IMPACT

None.

ORDINANCE NO.

AN ORDINANCE TO AMEND §157.04 OF THE UNIFIED DEVELOPMENT CODE TO REQUIRE NOTIFICATION FOR PLANNED ZONING DISTRICT AMENDMENTS.

WHEREAS, Planned Zoning Districts are considered legislative zoning actions by the City Council and amendments thereto should be adequately published; and

WHEREAS, currently notification requirements for amendments to Planned Zoning Districts are only required in certain situations for Planning Commission meetings; and

WHEREAS, adjoining and nearby neighbors most affected by rezoning actions and amendments thereof should be adequately notified;

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

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby amends §157.04 *Planned Zoning District* of the Unified Development Code to add the following subsection "D":

“(D) *Amendments.* Amendments to a Planned Zoning District or portion of a Planned Zoning District that require Planning Commission and/or City Council approval shall follow the notification requirements as set forth above.”

PASSED and **APPROVED** this day of , 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

157.04 Planned Zoning District

Notification of public hearings for planned zoning district applications shall occur as follows:

- (A) Public hearing required. A public hearing shall be held at the meeting of the Subdivision Committee and the Planning Commission at which the Planned Zoning District is to be considered, or as set forth in the procedures of the Planned Zoning District ordinance.
- (B) Notice of public hearing. The applicant shall provide the following notice:
 - (1) Who gets notice. Notice of the proposed PZD shall be given by the applicant to all landowners within 100 feet of the perimeter of a PZD.
 - (2) Methods of notice. Notice shall be provided by the following methods, as required by this chapter:
 - (a) Written notice. Written notice shall be provided at least seven (7) days prior to Subdivision Committee and at least fifteen (15) days prior to Planning Commission. Proof of notice shall be provided as required by this chapter.
 - (b) Posted Notice. The applicant shall post notice at least seven (7) days prior to Subdivision Committee and at least fifteen (15) days prior to Planning Commission. Proof of notice shall be provided as required by this chapter.
 - (c) Published Notice. Notice of public hearing shall be given by the city by publishing a notice in a newspaper of general circulation in the city, at least one time, at least fifteen (15) days prior to Planning Commission.
- (C) Planned Zoning District applications that are not considered at the Subdivision Committee are not required to provide notice for that meeting.
- (D) Amendments. Amendments to a Planned Zoning District or portion of a Planned Zoning District that require Planning Commission and/or City Council approval shall follow the notification requirements as set forth above.