

## ORDINANCE NO. 2016 – 30

### AN ORDINANCE AMENDING PORTIONS OF THE ZONING CODE (ORDINANCE 683) RELATING TO DEADLINES FOR SUBMITTING VARIOUS REQUESTS; AND FOR OTHER PURPOSES

WHEREAS, it is vital to the health, safety, and welfare of the citizens of Searcy that the submittal of requests for actions involving the planning Commission be done in a timely manner to allow proper processing and analysis of said requests; and

WHEREAS, the city staff and the Planning Commission have made a thorough study of the proper processing of requests involving the city's zoning ordinance; and

WHEREAS, the Planning Commission, after holding a duly authorized public hearing has recommended new submittal schedules to the City Council.

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

**Section 1:** Chapter VI, Section A, be amended to include the following Sub-sections:

#### 5. Submittal requirements

a. Re-zoning requests by property owners: A Request for Planning Commission Action, in a form provided by the Code Enforcement Office shall be submitted no later than the end of the first business day of the month preceding the month in which Planning Commission Action is requested. The staff will provide a submittal packet when a Request for Planning Commission has been filed and the applicant shall submit all requested material the 10<sup>th</sup> of that month or the first business day following the 10<sup>th</sup> day of that month except for a proof of publication of the required public hearing notice and proof of certified mail deliveries. Those items must be filed with the code Enforcement Office no later than five business days before the Planning Commission meeting at which the request is to be heard.

b. Conditional Use request: The request for a Conditional Use shall be submitted in the same manner as the request for re-zoning.

c. Variance Request: Variance requests shall be submitted according the process currently administered by the Code Enforcement Office.

d. Planned Development Request: The zoning element of a Planned Development shall be submitted in the same manner as the request for re-zoning.

#### 6. Number of copies

Except for the proof of public hearing notification and the proof of certified mail distribution, the applicant shall provide 15 copies of all requested items for re-zoning, conditional use, and planned development submittals.

**Section 2:** Chapter XII, Planned Development (PD) Subsection II.B. shall be changed to read: “Development Plan Submittal: No less than the 10<sup>th</sup> of the month preceding the month in which Planning Commission action is requested, or the first business day following the 10<sup>th</sup> day of that month, the applicant shall submit fifteen (15) copies of the proposed development plan to city staff. The submittal shall include the following as a minimum: **(Remainder unchanged)**

**Section 3:** That appropriate sections of the Subdivision Ordinance be amended to reflect the said submittal processes.

**Section 4.** All portions of the Zoning Code and its amendments thereto not specifically amended or revised by this Ordinance are hereby reaffirmed, remain unaltered and remain in full force and effect.

**Section 5.** Severability. The provisions of this Ordinance are hereby declared to be separable and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of the Ordinance which can be given effect without the invalid provisions or portions.

**Section 6.** The regulation of land uses, the proper and efficient submittal of zoning requests, and the continued utilization of lands within the City of Searcy in accordance therewith being necessary for the preservation of the public peace, health, safety and welfare, an emergency is hereby declared, and this ordinance shall be in full force and effect from and after its passage.

Passed and adopted this 11<sup>th</sup> day of October, 2016

/s/ **David Morris**  
**Mayor of Searcy**

ATTEST:

/s/ **Jerry Morris**  
**City Clerk/Treasurer**