

# CITY OF CONWAY, ARKANSAS

## CONDITIONAL USE PERMIT GUIDELINES AND PROCEDURES

Effective on and after November 26, 1994

This handout is available as a Word and PDF document at the Conway Planning & Development Department's website: [www.conwayplanning.org](http://www.conwayplanning.org)

### 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 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 Zoning Ordinance and parking lot ordinance requirements.
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 Zoning Ordinance.

### Procedures

1. The Petitioner must pay a filing fee of \$325.00, no part of which shall be refundable.
2. The application for a Conditional Use Permit must be submitted to the Planning & Development Department no later than **17 days prior to the public hearing**. (See attached Planning Commission schedule.)
3. The application will show the location and 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**. (See enclosed sample.) The notice must include:
  - (a) The conditional use being sought.
  - (b) The location including legal description and address. If no address is available, a description that is clear to the average person will suffice.
  - (c) The date, time, and place of the public hearing. (See attached copy of the scheduled Planning Commission meeting dates. Meetings are usually held in the District Court Building at 810 Parkway.)

The public notice must be headed "Public Notice" and include the name of the current chairman of the Planning Commission.

5. The petitioner must post one or more public hearing signs on the proposed property. The sign(s) should be clearly visible and unobstructed to the passing general public. The sign(s) should be posted on or near the front property line **no later than 15 days prior to the public hearing**. The disposable sign(s) is obtained from the Planning & Development Department for a cost of \$7.50. The sign(s) should remain on the property until the public hearing before the Planning Commission.

6. The petitioner for a Conditional Use Permit must notify by certified letter and / or petition, **no less than 15 days prior to the public hearing**, all property owners within 200 feet of the petitioner's property of the intention to seek a Conditional Use Permit. The petitioner must state the date and time of the public hearing in the certified letter and / or petition. The postmarked certified receipts and / or return receipts and / or petition must be submitted to the Planning & Development Department staff **no later 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 those property owners must also be submitted at that time. This map is used to verify that all property owners have been notified. The City Planning Commission shall hold one (1) or more public hearings regarding the petition.
7. Within 70 days of the public hearing, the Planning Commission will send its recommendation to the City Council. 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.
8. The City Council may authorize or deny the issuance of a Conditional Use Permit for the use of land or buildings as requested.
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. 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 Zoning Ordinance relating to height, area, setbacks, parking or landscaping.

\*\*It should be noted that this is not an exhaustive guideline regarding conditional use permits and applications. Additional information is available in the Conway Zoning Ordinance with particular emphasis on Article 601.

## Checklist of Items for a Conditional Use Permit

- ❑ **Application for Conditional Use** – 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.
- ❑ **Sign** – A disposable sign is obtained at the Planning & Development Department. The cost of the sign is \$7.50. The sign must be posted no later than 15 days prior to the public hearing.
- ❑ **Proof of Publication** – Obtained from the Log Cabin Democrat after the placement of the public notice. The ad must appear at least once no later than 15 days prior to the public hearing. A copy of the **published** Public Notice must be filed with the Planning & Development Department.
- ❑ **Certified Letters and / or Petitions to All Owners within 200 Feet** – After notification, the postmarked certified receipts and / or return receipts and / or petition are filed with the Planning & Development Department not later than 10 days prior to the public hearing. Notification must be made no later than 15 days prior to the public hearing.
- ❑ **Map showing Property Owners within 200 Feet** – A map including the names of property owners. Filed at the Planning & Development Department along with the certified receipts-returns and / or petitions not later than 10 days prior to the public hearing.
- ❑ **Planning commission bylaws require a representative be present at the planning commission meeting for each request. If no representative is present, the request will be held in committee.**

Application for Conditional Use  
**Conway Planning Commission**  
**City of Conway, Arkansas**

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

**Proposed Location:**

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

Subdivision Name: \_\_\_\_\_

Block Number: \_\_\_\_\_ Lot Number: \_\_\_\_\_

Property description if not in subdivision: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

**Description of Conditional Use Sought:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Applicant Information**

Name: \_\_\_\_\_

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

Phone Number: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

**(Attach all necessary maps and drawings)**

# Notice of Public Hearing and Certified Letter Format

The information below is to be included in the newspaper notification and certified letters.

Notice is hereby given that (name) \_\_\_\_\_

has filed an application for a Conditional Use Permit with the City Planning Commission

requesting that (list the conditional use being sought) \_\_\_\_\_

be allowed at a site (address and legal description) \_\_\_\_\_

A public hearing will be held on said application (date) \_\_\_\_\_

At 7:00 p.m. in the District Court Building, 810 Parkway Street, Conway. All persons are called upon to show cause for or against the granting of said permit.

Craig Cloud  
Chairman 2012  
City Planning Commission  
Conway, Arkansas

*NOTE: Please remember to replace the signature block in your certified letters with your own name and information. The letters are from you the applicant. The Legal Notice for the paper requires the Planning Commission chair's info.*

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

## Deadline for Legal Notices

The deadline for the legal notices is 2 pm two business days before publication (*see note below if you are in doubt about the deadline for a particular edition*). Legals that are longer than two typewritten pages of 8 1/2" x 14" double-spaced material will require an extra day for preparation. Legals may be e-mailed to [legals@thecabin.net](mailto:legals@thecabin.net) or faxed to 501-327-6787 or dropped off at the office at 1058 Front Street. Questions concerning the Log Cabin Democrat's procedures should be directed to:

Legals  
Log Cabin Democrat  
1058 Front Street  
PO Box 969  
Conway, AR 72032  
501-327-2727

### Log Cabin Democrat Deadlines

<u>Edition</u>	<u>Deadline</u>
Sunday	2 p.m. Thursday
Monday	2 p.m. Thursday
Tuesday	2 p.m. Friday
Wednesday	2 p.m. Monday
Thursday	2 p.m. Tuesday
Friday	2 p.m. Wednesday
Saturday	2 p.m. Thursday



# 2012

## CONWAY PLANNING COMMISSION SCHEDULED MEETING DATES

MONTH	MEETING DATE	SUBMISSIONS DUE
January	<u>Tuesday</u> , January 17	<u>Friday</u> , December 30
February	<u>Tuesday</u> , February 21	Friday, February 3
March	Monday, March 12	Friday, February 24
April	Monday, April 16	Friday, March 30
May	Monday, May 21	Friday, May 4
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

Planning Commission meetings begin at 7:00 p.m. in the Russell L. “Jack” Roberts District Court Building located at 810 Parkway, Conway, Arkansas. The agenda with supporting information for each meeting is posted at [www.conwayplanning.org](http://www.conwayplanning.org).