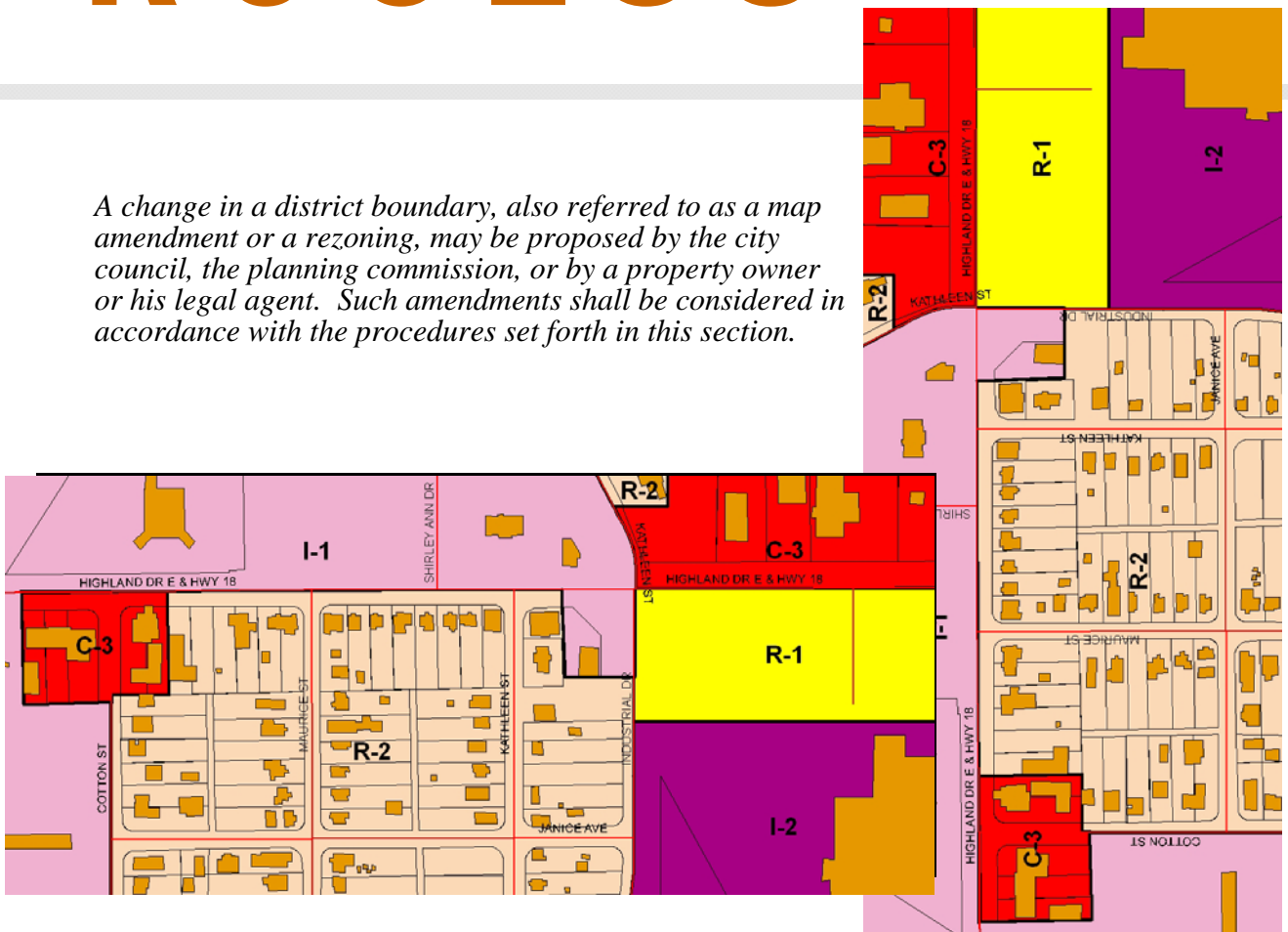


REZONING PROCESS

A change in a district boundary, also referred to as a map amendment or a rezoning, may be proposed by the city council, the planning commission, or by a property owner or his legal agent. Such amendments shall be considered in accordance with the procedures set forth in this section.



Amendments & Rezonings

14.44.05 Amendments. Two (2) types of amendments to this zoning ordinance are recognized; one being a revision in the textual provisions of the ordinance, and the other being a change of boundary in a zoning district.

(a) Amendment to Text. Amendments to the text may be initiated by the planning commission, the city council, or by the mayor. Proposed amendments shall be processed in accordance with the procedures set forth in this section.

(1) Notice. The City Planner shall be responsible for scheduling a public hearing before the planning commission. He shall prepare the content of a public notice, and ensure that the notice is published in a newspaper of general circulation with the city at least fifteen (15) days before the public hearing.

(2) Hearing and Recommendation by the Planning Commission. The planning commission shall conduct a public hearing on the proposed amendment, hearing both the proponents and opponents, if any. Following the public hearing, the commission shall determine its recommendation(s) regarding the proposed amendment, and make such known to the city council.

(3) Action by the City Council. After receiving the recommendation of the planning commission, the city council may approve the amendment as submitted; may approved a revised version they deem appropriate; refer it back to the planning commission for further study and consideration; table it; or deny it. If the city council action does not take place with six (6) months after the planning commissions public hearing, the amendment process must begin anew.

(b) Change in District Boundary. A change in a district boundary, also referred to as a map amendment or a rezoning, may be proposed by the city council, the planning commission, or by a property owner or his legal agent. Such amendments shall be considered in accordance with the procedures set forth in this section.

(1) Application Submittal. A complete application for change in district boundary or map amendment, hereafter referred to as a rezoning, shall be submitted to the city planner in a form established by him, along with the non-refundable processing fee (see attached fee schedule). Applications shall be filed by the 17th of the month in order to be placed on the planning commission agenda for the subsequent months meeting, which is held on the second Tuesday thereof. No application shall be processed until the city planner determines that the application is complete and the required fee has been paid.

(2) Notice. Promptly upon determining that the application if complete, the city planner shall schedule a public hearing date before the planning commission, notify the applicant of the hearing date, and provide at least



fifteen (15) days notice of the hearing in a newspaper of general circulation in the city. The notice shall indicate the time and place of the public hearing; give the general location and description of the property, such as the street address and acreage involved; describe the nature, scope and purpose of the application; and indicate where additional information about the application can be obtained.

The applicant shall (1) post notice on weatherproof signs provided by the City; (2) place the signs on the property that is the subject of the application at least ten (10) days before the public hearing; and (3) ensure that the signs remain continuously posted until a final decision is made by the city council. At least one (1) sign shall be posted by the applicant for each one hundred and fifty feet (150') of street frontage, up to a maximum of five (5) signs. Signs shall be placed along each abutting street in a manner that makes them clearly visible to neighboring residents, and passers-by. There shall be a minimum of one (1) sign along each abutting street.

(3) Hearing and Recommendation by the Planning Commission. The planning commission shall hold a public hearing on the proposed rezoning. At the conclusion of the hearing, and after deliberation, the commission shall recommend approval as submitted; may recommend approval of less area and/or of a lesser intense, but like classification than what was applied for; table with cause, not to exceed one time for consideration at the next meeting; or deny the application, and submit an accurate written summary of the proceedings to the city council.

(4) Hearing and Action by the City Council. After the planning commission recommends approval of an application, the applicant shall be responsible for preparing the appropriate ordinance and requesting that the City Clerk place it on the city council's agenda. Agenda item requests and all documentation shall be submitted in a form established by the City Clerk, and be accompanied by a publication fee prescribed by law.

If the planning commission does not recommend approval of an application, the city council may consider the matter after an appeal is filed by the property owner with the City Clerk, and a special public hearing is set and subsequently held. Applicant responsibility with regard filing documents with the City Clerk and paying said fee as described above is also applicable.

In considering an application for approval, whether on appeal or not, the city council may reduce the amount of land area included in the application, but not increase it; and may change the requested classification in whole or in part, to a less intense zoning district classification than was indicated in the planning commissions required public notice.

(5) Approval Criteria. The criteria for approval of a rezoning are set out in this section. Not all of the criteria must be given equal consideration by the planning commission or city council in reaching a decision. The criteria to be considered shall include but not be limited to the following:



- (a) Consistency of the proposal with the Comprehensive Plan.
- (b) Consistency of the proposal with the purpose of this ordinance.
- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
- (e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property;
- (f) Length of time the subject property has remained vacant as zone, as well as its zoning at the time of purchase by the applicant; and
- (g) Impact of the proposed development on community facilities and services, including those related to utilities, streets drainage, parks, open space, fire, police, and emergency medical services.

(6) Successive Applications. In the event that the city council denies an application for a rezoning, a similar application shall not be considered by the planning commission for six (6) months from the date of the denial by the city council, unless the planning commission, upon recommendation by the city planner, determines that there is a significant change in the size or scope of the project, or that conditions have changed in the area affected by the proposed rezoning.

14.44.06 Fees. Before any action shall be taken as provided in this ordinance, the applicant shall submit a fee with the application in accordance with the schedule below. Under no condition shall said sum or any part thereof be refunded for failure of said action to be approved by the city. See the attached and most current fee schedule in the appendix section.





Application for a Zoning Ordinance Map Amendment

METROPOLITAN AREA
PLANNING COMMISSION
Jonesboro, Arkansas

Date Received: _____
Case Number: _____

LOCATION:

Site Address: _____

Side of Street: _____ between _____ and _____

Quarter: _____ Section: _____ Township: _____ Range: _____

Attach a survey plat and legal description of the property proposed for rezoning. A Registered Land Surveyor must prepare this plat.

SITE INFORMATION:

Existing Zoning: _____ Proposed Zoning: _____

Size of site (square feet and acres): _____ Street frontage (feet): _____

Existing Use of the Site: _____

Character and adequacy of adjoining streets: _____

Does public water serve the site? _____

If not, how would water service be provided? _____

Does public sanitary sewer serve the site? _____

If not, how would sewer service be provided? _____

Use of adjoining properties:

North _____

South _____

East _____

West _____

Physical characteristics of the site: _____

Characteristics of the neighborhood: _____

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is the 17th of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

REZONING INFORMATION:

The applicant is responsible for explaining and justifying the proposed rezoning. *Please prepare an attachment to this application answering each of the following questions in detail:*

- (1). How was the property zoned when the current owner purchased it?
- (2). What is the purpose of the proposed rezoning? Why is the rezoning necessary?
- (3). If rezoned, how would the property be developed and used?
- (4). What would be the density or intensity of development (e.g. number of residential units; square footage of commercial, institutional, or industrial buildings)?
- (5). Is the proposed rezoning consistent with the *Jonesboro Comprehensive Plan* and the *Future Land Use Plan*?
- (6). How would the proposed rezoning be the public interest and benefit the community?
- (7). How would the proposed rezoning be compatible with the zoning, uses, and character of the surrounding area?
- (8). Are there substantial reasons why the property cannot be used in accordance with existing zoning?
- (9). How would the proposed rezoning affect nearby property including impact on property value, traffic, drainage, visual appearance, odor, noise, light, vibration, hours of use or operation and any restriction to the normal and customary use of the affected property.
- (10). How long has the property remained vacant?
- (11). What impact would the proposed rezoning and resulting development have on utilities, streets, drainage, parks, open space, fire, police, and emergency medical services?
- (12). If the rezoning is approved, when would development or redevelopment begin?
- (13). How do neighbors feel about the proposed rezoning? Please attach minutes of the neighborhood meeting held to discuss the proposed rezoning or notes from individual discussions. *If the proposal has not been discussed with neighbors, please attach a statement explaining the reason. Failure to consult with neighbors may result in delay in hearing the application.*
- (14). If this application is for a Limited Use Overlay (LUO), the applicant must specify all uses desired to be permitted.

OWNERSHIP INFORMATION:

All parties to this application understand that the burden of proof in justifying and demonstrating the need for the proposed rezoning rests with the applicant named below.

Owner of Record:

I certify that I am the owner of the property that is the subject of this rezoning application and that I represent all owners, including spouses, of the property to be rezoned. I further certify that all information in this application is true and correct to the best of my knowledge.

Applicant:

If you are not the Owner of Record, please describe your relationship to the rezoning proposal:

Name: _____

Name: _____

Address: _____

Address: _____

City, State: _____ ZIP _____

City, State: _____ ZIP _____

Telephone: _____

Telephone: _____

Facsimile: _____

Facsimile: _____

Signature: _____

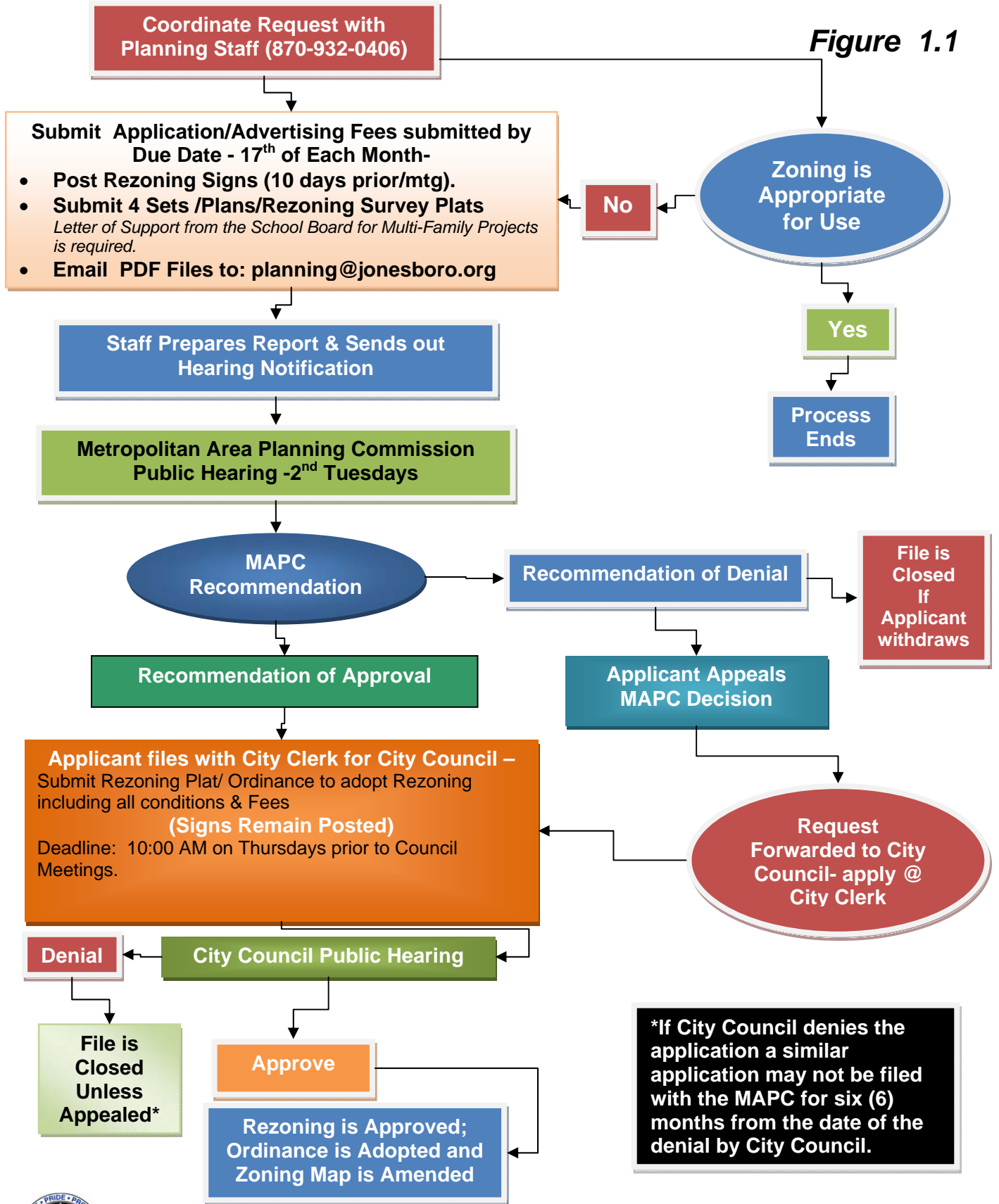
Signature: _____

Deed: *Please attach a copy of the deed for the subject property.*

Applications will not be considered complete until all items have been supplied. Incomplete applications will not be placed on the Metropolitan Area Planning Commission agenda and will be returned to the applicant. The deadline for submittal of an application is the 17th of each month. The Planning staff must determine that the application is complete and adequate before it will be placed on the MAPC agenda.

Rezoning Process

Figure 1.1





City of Jonesboro Planning Department

Planning/Zoning Fee Schedule (Effective January 4, 2010)

Fee Description

Fees

Single Family Residential Approvals- Planning Review

New Single Family Dwelling (per structure)	\$50.00
New Multiple Family Dwellings (per plan submittal)	\$100.00
Additions To Residential Dwellings (increase in footprint)	\$25.00
Detached Buildings and Other Accessory or Temporary Structure	\$25.00
Alterations or Repairs of Residential Dwelling	\$25.00
Swimming pools (above or below ground)	\$25.00
Walls, fences, decks, antenna towers & satellite dishes,	\$25.00
Multi-family Additions	\$50.00
Multi-family Accessory Structures	\$50.00

Commercial Building Permits- Planning Review

(0) square feet to 10,000 square feet Commercial Building Area	\$250.00
10,001 square feet or more Commercial Building Area	\$500.00
Interior alterations or repairs of commercial or industrial structures	\$100.00
Awnings and Canopies	\$100.00
Accessory buildings,walls,fences,decks,antenna/cellular towers & satellite	\$100.00
Parking Lots	\$100.00
Landfill and Extraction (land use only)	\$500.00
Gravel Mining	\$500.00
Change of Use Certificate	\$35.00
Commercial Storage Tanks	\$100.00
Temporary Tents, Trailers & Structures	\$100.00

Residential Zoning Districts

Zoning Map Amendments - Single Family Districts	
Base Fee +	\$250.00
Per Acre Fee	\$100.00
Zoning Map Amendments - Multiple Family Districts	
Base Fee +	\$250.00
Per Acre Fee	\$100.00

Non-Residential Zoning Districts

Zoning Map Amendments	
Base Fee +	\$300.00
Per Acre Fee	\$100.00

Special District Applications

Village Residential Overlay	\$250.00
JMA-O, Jonesboro Municipal Overlay District	\$250.00
Planned Development District	
Fee per stage (Preliminary, Final, Modifications)	\$250.00

Board of Zoning Appeals Fees

Residential Appeal Fees	\$100.00
Commercial Appeal Fees	\$200.00
Conditional Use (MAPC)	\$200.00
Compatible Non-Comforming Use (BZA)	\$200.00

Subdivision Planning Fees

Minor Plats & Replats (Administrative Approvals):	
Base Fee	\$200.00
Reviews requiring MAPC Approval)	
Subdivisions: 0 to 20 acres	
Base Fee +	\$250.00
Per Lot Fee	\$4.00
Subdivisions: 0 to 20 acres Over 20 to 40 acres	
Base Fee +	\$500.00
Per Lot Fee	\$4.00
Subdivisions: 0 to 20 acres Over 40 acres	
Base Fee +	\$1,000.00
Per Lot Fee	\$4.00

Off-Site signs (Billboards)	\$500.00
High Rise Interstate Signs (per face)	\$250.00
Bulletin Board	
Base Fee	\$50.00
Square Foot Per Face Fee	\$1.00
Construction Sign	
Base Fee	\$50.00
Ground Sign New	
Base Fee	\$50.00
Square Foot Per Face Fee	\$1.00
Wall & Awning Signs	
Base Fee	\$50.00
Square Foot Per Face Fee	\$1.00
Directional Sign	
Base Fee	\$50.00
Square Foot Per Face Fee	\$1.00
Pole Sign	
Base Fee	\$50.00
Square Foot Per Face Fee	\$1.00
Marquee Sign	
Base Fee	\$50.00
Square Foot Per Face Fee	\$1.00
Corner or Interior Parcel Sign	
Base Fee	\$50.00
Square Foot Per Face Fee	\$1.00
Promotional Event Signs:	
a. Promotional Event	
Base Fee	\$50.00
b. Special Event Sign/banner	
	\$35.00
c. Grand Opening Sign	
	\$35.00

Mapping and Duplicating Services

8 1/2"x11" Copies (Blk/Wht):	
Fee Per Page	\$0.10
8 1/2"X11" Maps (Color Map) Fee Per Page	
Fee Per Page	\$0.50
Over size pages	
Fee Per Page	\$5.00
Zoning Resolution	
Fee Per Page	\$0.30
Zoning Resolution	
Plus Postage (if applicable)	\$10.00
Zoning Map (36"x50")	
Fee Per Page + Postage	\$25.00
Land Use Map (36"x44")	
Fee Per Page	\$20.00
11"x17" Maps	
Fee Per Page	\$1.00
Property Owner Search/Plat Map	
Fee Per Page	\$25.00
Zoning Certification/Verification Research Letter (Certifying Zoning on a parcel)	
Fee Per Page	\$36.00

*Applicants pay all charges for publications and recordings on Final Development Plans and Variations, Public Notices & Legal Ads
Please make all checks payable to: City of Jonesboro*

ORD-09:087; ORD:-09:088; RES-09:161: 11/17/09

