



Legislation Details (With Text)

File #: RES-08:126 **Version:** 1 **Name:** Withdrawal policy for zoning and conditional use requests

Type: Resolution **Status:** Passed

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On agenda: 8/5/2008 **Final action:** 8/19/2008

Title: RESOLUTION SETTING FORTH THE POLICY FOR WITHDRAWALS OF ZONING AMENDMENT APPLICATIONS FOR THE CHANGE OF THE BOUNDARY OF A ZONING DISTRICT, ANNEXATIONS AND CONDITIONAL USES BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS

Sponsors: Planning

Indexes: Policy - creation/amendment, Rezoning

Code sections:

Attachments: 1. Resolution Cover Memo_ Withdrawal Policy

Date	Ver.	Action By	Action	Result
8/19/2008	1	City Council	Passed	Pass
8/5/2008	1	Public Works Council Committee	Recommended to Council	Pass

RESOLUTION SETTING FORTH THE POLICY FOR WITHDRAWALS OF ZONING AMENDMENT APPLICATIONS FOR THE CHANGE OF THE BOUNDARY OF A ZONING DISTRICT, ANNEXATIONS AND CONDITIONAL USES BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS

Whereas, the purpose of the public hearing process is to allow opportunity for fair testimony, comment, and the presentation of case facts so that a complete and informed decision can be made on Zoning matters; and

Whereas, the City of Jonesboro has continuously received public concern over multiple withdrawals of zoning cases and conditional use requests in the past and no policy has previously been created, and

Whereas, the Metropolitan Area Planning Commission on July 8, 2008 voted unanimously to recommend to the Public Works Council Committee and City Council that the following policy and procedure be adopted by the earliest time permitted by law for the processing of withdrawal requests of rezoning, annexations and conditional use applications.

Whereas, the City of Jonesboro Public Works Council Committee on August 5, 2008 voted to recommend to the City Council that the following policy and procedure be adopted by the earliest time permitted by law for the processing of withdrawal requests of rezoning, annexations and conditional use applications.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: Only one withdrawal shall be allowed as of right after the 24th day of the month following the application filing for a rezoning, annexation or conditional use; and,

Section 2: On or after the 2nd time withdrawal granted, the applicant must wait 90 days before resubmitting the same or similar petition involving the same land and use; and,

2a. Exception Clause: Under extenuating (emergency) circumstances, the Planning Commission or City Council may consider and grant a request to waive the 90-day restriction on the 2nd time request for withdrawals.

Section 3: Third-time withdrawal requests will default to the most current ordinance requirement for denied rezoning petitions.

PASSED AND ADOPTED this 19th day of August, 2008.