

City of Van Buren Planned Zoning District Information

- I. The filing deadline will be _____, 20____, before 5:00 p.m. Please submit this application to the City of Van Buren Planning Department, 111 North 12th Street.
- II. The Planning Commission meeting will be Tuesday, _____, 20____, at 5:30 p.m. at the Municipal Complex, 1003 Broadway Street. The Planning Commission may need information that is not included on the application. Therefore, the Planning Commission urges all applicants to attend the meeting to represent their application.
- III. A processing fee of \$275.00 shall accompany this application to cover the administrative costs of advertising the public notice and notifying neighboring property owners. **This fee is Non-Refundable.**
- IV. A public notice sign will be posted on the property for 15 days prior to the planning commission meeting.

Checklist For Planned Zoning District Application

Please use this checklist to verify that your application is complete.

- Pre-Application Conference
- Completed Application including all information required by the PZD Ordinance including maps, narratives, PZD booklet etc.
- Legal Description of Subject Property
- Street Address
- Existing Zoning Classification
- PZD Certification
- Signatures of Owner or Agent Authorized by Owner
- A copy of restrictive covenants if applicable
- List of property owners within 300 feet (available from the County Assessor)
- List of all property owners to be rezoned
- Authorization of Agent-Owners Names and signatures
- Vicinity Map of Subject Property
- Processing Fee of \$275.00

City of Van Buren Planned Zoning District Application

<i>FOR STAFF USE ONLY</i>	<i>FEE:</i> <i>\$275</i>
<i>Date Application Submitted:</i>	<i>Zone:</i>
<i>Date Accepted as Complete:</i>	
<i>Project Number:</i>	
<i>Public Hearing Date:</i>	

Application:

Indicate one contact person for this request: Applicant Agent

Applicant (person making request): *Agent (engineer, surveyor, realtor, etc.):*

Name: _____ Name: _____

E-mail: _____ E-mail: _____

Address: _____ Address: _____

Phone: _____ Phone: _____

Site Address / Location: _____

Current Zoning District: _____

Requested Zoning District: _____

Assessor's Parcel Number(s) for property: _____

Total Acreage: _____

Legal Description of property: **Provide legal description electronically in a word document.**

Legal Description of property (attach hard copy to application if more space is necessary):

Restrictive Covenants Apply (attach to application)

Describe Proposed Zoning Request, including the development of any construction on the property: (If this information is attached in the PZD booklet please indicate where the information can be found.)

PROPERTY OWNER(S) / AUTHORIZED AGENT: The undersigned, as owner(s) or agent for the owner(s) of the herein described property, makes application for a change in the zoning map of the City of Van Buren Arkansas. Once deemed completed, no modification may be made unless requested or agreed upon by the Planning Department. Should modification to the application be requested after advertising, it shall be at the discretion of the Planning Commission to review or continue. Re-advertising fee may apply.

I, the undersigned applicant, hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief. I grant the appropriate City personnel permission to enter the subject property during reasonable hours so that they may investigate and review this application.

Name and Signature	Date

CITY OF VAN BUREN PLANNED ZONING DISTRICT
CERTIFICATION STATEMENT

_____, applicant for the property located at _____, does hereby certify that the Project Booklet for a Planned Zoning District complies with the City of Van Buren's Planned Zoning District Regulations as defined in the Van Buren Zoning Ordinance, as amended. We hereby agree to the terms and conditions with the Project Booklet and request the City of Van Buren to approve the zoning.

Signature: _____

Name: _____

Date: _____

LIST OF ALL PROPERTY OWNERS WITHIN 300 FEET

This information shall be obtained at the County Assessor's Office.

The Planning Department is required to give notice (in writing) of this application to all property owners within a 300-foot radius of the subject property. List the name and address of the owner of every piece of property within 300 feet of any part of the property. This information may be obtained at the County Assessor's Office located in the Crawford County Courthouse. The Planning Department will mail the notices for you. Include map and property owners list from the County Tax Assessor's Office as an attachment to the application packet.

PZD SUBMISSION REQUIREMENTS ORDINANCE NO. 29-2022

Submission requirements. An application which specifies the information to be submitted in support of a planned zoning district is required. This shall include at a minimum:

- A. Pre-application conference with the Planning Director.
- B. Application fee.
- C. A project booklet, submitted graphically and in narrative form, addressing as many items as applicable. In no instance shall the design requirements and development standards be less than those found in the Van Buren codes, standards, and ordinances.
 - a. Reason (need) for requesting the zoning change and response to how the proposal fulfills the intent/purpose of the planned zoning district.
 - b. Current ownership information (landowner/applicant and representative of applicable) and any proposed or pending property sales.
 - c. Comprehensive description of the scope, nature, and intent of the proposal.
 - d. General project concept:
 - i. Street and lot layout.
 - ii. Site plan showing proposed improvements.
 - iii. Buffer areas, screening, and landscaping.
 - iv. Stormwater detention areas and drainage.
 - v. Undisturbed natural areas.
 - vi. Existing and proposed utility connections and extensions.
 - vii. Development and architectural design standards.
 - viii. Building elevations.
 - ix. Proposed signage (type and size).
 - e. Proposed development phasing and timeframe.

- f. Identify land use designations.
- g. Identify area and bulk regulations.
- h. A chart comparing the proposed planned zoning district to the current zoning district requirements (land uses, setbacks, density, height, intensity, bulk, and area regulations, etc.).
- i. A chart comparing the proposed land uses and the zoning district where such land uses are permitted.
- j. A chart articulating how the project exceeds the City's minimum requirements (e.g., increased landscaping, increased high quality materials on the facade, etc.).
- k. Statement of how the development will relate to existing and surrounding properties in terms of land use, traffic, appearance, height, and signage.
- l. A traffic study when required by the planning department or planning commission.
- m. Statement of availability of water and sewer (state size of lines).
- o. A statement and map showing how the development complies with the Master Land Use Plan map and the Master Street Plan.

AUTHORIZATION OF AGENT

If an agent (i.e., contractor) is acting on behalf of the owner(s), all owners must sign in the space provided. This form is necessary only when the person representing this request does not own all the property.

We the undersigned, being owners of real property, and requesting a PZD by application do hereby authorize _____
to act as our agent in this matter.

(Type or clearly print names)

NAMES OF ALL OWNERS.

SIGNATURE OF ALL OWNERS.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.

This form is necessary only when the person representing this request does not own all the property.

LETTER REGARDING RESTRICTIVE COVENANTS

Restricted covenants are regulations that are maintained and enforced by the property owners of the subject subdivision. These covenants may be found in your abstract or at the County Circuit Clerks Office. Restrictive covenants are often enforced in subdivisions with homeowner's associations and can always be more restrictive but never less restrictive than the City of Van Buren's Zoning Regulations.

TO: Planning Department

SUBJECT: Legal Description or Parcel

I have searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants running with the above-described land, except as follows:

(None; or Attach copy of Covenants in the application packet).

Signature of Owner / Agent

Date

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. 29 - 2022

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE TO AMEND ORDINANCE NO. 07-1963 (AS AMENDED) FOR THE PURPOSE OF INCLUDING PROVISIONS FOR PLANNED ZONING DISTRICTS IN THE VAN BUREN ZONING ORDINANCE

WHEREAS, the City adopted Ordinance 07-1963 relating to the zoning laws of the city of Van Buren, providing definitions, general provision; provisions governing zoning districts, exceptions and modifications, enforcement, and a Board of Adjustment, as allowed by A.C.A. 14-56-401 *et. seq.*; and

WHEREAS, it has been determined by the City Council that there is a need to add provisions for planned zoning district standards to allow for flexible zoning of property; and

WHEREAS, notice of a Public Hearing was duly published, and Public Hearings were conducted by the Van Buren Planning Commission on May 3, 2022, June 7, 2022, and July 5, 2022, to consider these proposed amendments; and

WHEREAS, the proposed changes herein were recommended by a majority vote of the entire Planning Commission; and

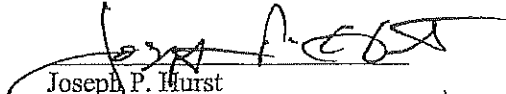
WHEREAS, three (3) copies of the July 2022 Zoning Ordinance Amendments for the addition of planned zoning district standards, have been on file in the Office of the City Clerk of Van Buren for inspection and review by the public prior to the passage of this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS THAT:


SECTION 1: The July 2022 Zoning Ordinance Amendments for the addition of planning zoning district standards, which are attached as exhibit "A", are hereby adopted.

SECTION 2: The various provisions and parts of this Ordinance are hereby declared to be severable, and, if any section or part of a section, or any provision or part of a provision herein, is declared to be unconstitutional, inappropriate, or invalid by any court of competent jurisdiction, such holding shall not invalidate or affect the remainder of this Ordinance and to that extent the provisions hereto are declared to be severable.

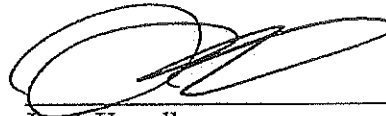
IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of 4 for and 0 against, the foregoing Ordinance at its regular meeting held on the 25th day of July 2022.


Joseph P. Hurst
Mayor

ATTESTED:


Phyllis Thomas
City Clerk/Treasurer

APPROVED AS TO FORM:


Jacob Howell
City Attorney

JULY 2022 ZONING ORDINANCE
AMENDMENTS

THE ADDITION OF PLANNED
ZONING DISTRICT STANDARDS TO
ORDINANCE 7-1963

ARTICLE V.

SECTION 11. Planned Zoning District

1. The process is deemed necessary to ensure control of certain development while providing the applicant a means of gaining commitment without undue financial risk. Specifically, the purposes of this article are to encourage:
 - A. Comprehensive and innovative planning and design of diversified yet harmonious development consistent with the City's master plans.
 - B. Better utilization of sites characterized by special features of geographic location, topography, size, or shape.
 - C. Flexible administration of general performance standards and development guidelines.
 - D. Primary emphasis shall be placed upon achieving compatibility between the proposed development and surrounding areas to preserve and enhance the neighborhood through the use of enhanced site design, architecture, landscaping, and signage.
 - E. Developments that utilize design standards greater than the minimum required by the Van Buren codes, ordinances, and standards.
2. Submission requirements. An application which specifies the information to be submitted in support of a planned zoning district is required. This shall include at a minimum:
 - A. Pre-application conference with the Planning Director.
 - B. Application fee.
 - C. A project booklet, submitted graphically and in narrative form, addressing as many items as applicable. In no instance shall the design requirements and development standards be less than those found in the Van Buren codes, standards, and ordinances.
 - a. Reason (need) for requesting the zoning change and response to how the proposal fulfills the intent/purpose of the planned zoning district.
 - b. Current ownership information (landowner/applicant and representative of applicable) and any proposed or pending property sales.
 - c. Comprehensive description of the scope, nature, and intent of the proposal.
 - d. General project concept:
 - i. Street and lot layout.
 - ii. Site plan showing proposed improvements.
 - iii. Buffer areas, screening, and landscaping.
 - iv. Stormwater detention areas and drainage.
 - v. Undisturbed natural areas.
 - vi. Existing and proposed utility connections and extensions.
 - vii. Development and architectural design standards.
 - viii. Building elevations.
 - ix. Proposed signage (type and size).
 - e. Proposed development phasing and timeframe.
 - f. Identify land use designations.
 - g. Identify area and bulk regulations.

- h. A chart comparing the proposed planned zoning district to the current zoning district requirements (land uses, setbacks, density, height, intensity, bulk, and area regulations, etc.).
- i. A chart comparing the proposed land uses and the zoning district where such land uses are permitted.
- j. A chart articulating how the project exceeds the City's minimum requirements (e.g. increased landscaping, increased high quality materials on the facade, etc.).
- k. Statement of how the development will relate to existing and surrounding properties in terms of land use, traffic, appearance, height, and signage.
- l. A traffic study when required by the planning department or planning commission.
- m. Statement of availability of water and sewer (state size of lines).
- o. A statement and map showing how the development complies with the Master Land Use Plan map and the Master Street Plan.

3. Application and review procedures.

- A. Determination of completeness. Applications shall be submitted to the planning director for a determination of completeness. An application is complete when all the items required by this Ordinance and on the application, form are prepared and/or answered, and any required supplemental or additional applications are submitted with the appropriate fee to the planning department.
- B. Notice and public hearing. Following completion of staff review, the application shall be scheduled for a public hearing before the planning commission.
 - 1. Notice shall be provided, published, mailed, and posted pursuant to the requirements of Article IX of the Zoning Ordinance.
- C. Factors to be considered.
 - 1. Rezoning application. Approval, approval as amended, or denial of the rezoning application shall be based upon consideration of the following factors:
 - a. Compatibility with the master land use plan and master street plan.
 - b. Compatibility of the proposed development with the character of the neighborhood.
 - c. The zoning and uses of adjacent and nearby properties, and the compatibility of the proposed future uses with those existing uses.
 - d. The extent to which the proposed land use would increase or change traffic volume or parking demand in documented evidence or engineering data, road conditions, road safety, or create parking problems in combination with any improvements that would mitigate these adverse impacts.
 - e. The current availability of public utilities and services and the future capacity needed to adequately serve the proposed land use in combination with any improvements that would mitigate these adverse impacts.
 - f. That the application complies with all relevant Van Buren codes, ordinances, and standards.
 - 2. Project booklet. The following criteria shall be considered when reviewing the project booklet:
 - a. Is the site capable of accommodating the buildings, parking areas and drives with the appropriate open space provided?
 - b. Does the plan provide for safe and easy ingress, egress, and internal traffic circulation?

- c. Is the plan consistent with good land use planning and site engineering design principles, particularly with respect to safety?
 - d. Are the architectural designs consistent with the city policies and regulations and compatible with surrounding land use features?
 - e. Does the plan represent an overall development pattern that is consistent with the master street plan, master land use plan, and other adopted planning policies?
 - f. The required right-of-way dedication has been identified by the city engineering/planning department.
 - g. All easements and utilities shall meet the requirements of the approving departments and agencies.
 - h. Articulate how the plan minimizes or mitigates the impact of increased traffic both in volume and vehicle size.
 - i. Articulate how the plan exceeds the minimum City requirements (e.g., increased landscaping, increased high quality materials, etc.).
4. Planning commission action. Following the public hearing, the planning commission may recommend approval, approval as amended, or denial. The planning commission may also continue the application to a date certain.
- a. The planning commission shall certify recommendations of approval or approval as amended to the City Council for further procedure in conformity with A.C.A. title 14, ch. 56, subch. 4 (A.C.A. § 14-56-401 et seq.).
 - b. The planning commission may impose a time limit for the development as described in the project booklet.
5. Appeal. Appeals from the decisions of the planning commission shall be in accordance with Article IX of the Zoning Ordinance.
6. Re-application. A re-application must follow the requirements of Article IX of the Zoning Ordinance.
7. Amendments to the planned zoning district plans. Once a PZD has been approved, significant changes may be made only after approval of a revised PZD. This requires resubmittal of the application through the same procedural requirements of the original application. Changes that are not considered significant may be approved at the planning director's discretion. Disapproval of the changes may be appealed to the planning commission.
- a. Criteria. For the purposes of this section, significant changes shall be determined by the planning director. The term "significant changes" means any of the following, provided they are still within the approved standards of the applicable zoning district:
 1. Increases in density or intensity of residential uses by more than five percent.
 2. Increases in total floor area (entire plan) of all nonresidential buildings by more than five percent or 5,000 square feet, whichever is less.
 3. Increases of lot coverage by more than five percent.
 4. Changes to the architectural style that shall make the project inconsistent with previous approvals.
 5. Changes in ownership patterns or stages of construction that shall lead to a different development concept.
 6. Changes in ownership patterns or stages of construction that shall impose substantially greater volumes on streets and load capacities on public facilities.

7. Decrease of more than five percent in areas devoted to open space or the substantial relocation of such areas.
 8. Changes in traffic circulation patterns that will affect traffic outside of the project boundaries.
 9. Modification or removal of conditions and stipulations to the planned zoning district approval.
- b. Approval. Any changes that seek to vary the standards of the applicable district and cannot be approved through this subsection, must either be approved by the planning commission through a planned zoning district rezoning application or through a variance request to the board of zoning adjustment.
- c. Appeal. Appeal of the director's determination of whether changes are significant may be taken to the planning commission, whose decision shall be final. No further action shall be taken to process the application pending the planning commission's determination.