

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: S3/31/25

A Bill

SENATE BILL 505

By: Senator J. Bryant
By: Representative B. McKenzie

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING MUNICIPAL PLANNING; TO REQUIRE AN ADMINISTRATIVE PROCEDURE FOR CHANGES TO THE ZONING OR DISTRICT DESIGNATION OF PROPERTY IN CERTAIN INSTANCES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING MUNICIPAL PLANNING; AND TO REQUIRE AN ADMINISTRATIVE PROCEDURE FOR CHANGES TO THE ZONING OR DISTRICT DESIGNATION OF PROPERTY IN CERTAIN INSTANCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 14-56-416 is amended to add an additional subsection to read as follows:

(d)(1) The ordinance may establish an administrative procedure for changing the zone or district designation of a property when the request is:

(A) Made by the property owner; and

(B) Consistent with the adopted land use plan.

(2) An administrative change of a zone or district designation under subdivision (d)(1) of this section is not subject to the requirements under § 14-56-422 or § 14-56-423.

(3) Decisions rendered on administrative changes of a zone or district designation under subdivision (d)(1) of this section may be appealed to the planning commission of the municipality.



SECTION 2. Arkansas Code § 14-56-422 is amended to read as follows:
14-56-422. Adoption of plans, ordinances, and regulations.

~~All~~ Except as otherwise provided in § 14-56-416(d), all plans, recommended ordinances, and regulations shall be adopted through the following procedure:

(1)(A) The planning commission shall hold a public hearing on the plans, ordinances, and regulations proposed under this subchapter.

(B) Notice of public hearing shall be published in a newspaper of general circulation in the city at least one (1) time fifteen (15) days prior to the hearing.

(C) Notice by first class mail to the boards of directors of all school districts affected by a proposed plan, ordinance, or regulation shall be provided sufficiently in advance to allow representatives of all affected school districts a reasonable opportunity to submit comments on any proposed plan, ordinance, or regulation;

(2) Following the public hearing, proposed plans may be adopted and proposed ordinances and regulations may be recommended as presented or in modified form by a majority vote of the entire commission;

(3) Following its adoption of plans and recommendation of ordinances and regulations, the commission shall certify adopted plans or recommended ordinances and regulations to the legislative body of the city for its adoption;

(4) The legislative body of the city may return the plans and recommended ordinances and regulations to the commission for further study or recertification or by a majority vote of the entire membership may adopt by ordinance or resolution the plans and recommended ordinances or regulations submitted by the commission. However, nothing in this subchapter shall be construed to limit the city council's authority to recall the ordinances and resolutions by a vote of a majority of the council; and

(5)(A) Following adoption by the legislative body, the adopted plans, ordinances, and regulations shall be filed in the office of the city clerk.

(B) The city clerk shall file the plans, ordinances, and regulations as pertain to the territory beyond the corporate limits with the county recorder of the counties in which territorial jurisdiction is being

exercised.

SECTION 3. Arkansas Code § 14-56-423 is amended to read as follows:
14-56-423. Change in plans, etc.

~~After~~ Except as otherwise provided in § 14-56-416(d), after adoption of plans, ordinances, and regulations and proper filing in the offices of city clerk and county recorder, no alteration, amendment, extension, abridgement, or discontinuance of the plans, ordinances, or regulations may be made except in conformance with the procedure prescribed in § 14-56-422, or by a majority vote of the city council.

/s/J. Bryant

APPROVED: 4/14/25