

**AGENDA REQUEST FORM**

**FOR: Council Meeting of May 18, 2021**

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**FROM: Council Member Teresa Turk**

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**ORDINANCE OR RESOLUTION TITLE AND SUBJECT:**

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AN ORDINANCE TO AMEND §155.04 **COUNCIL MEMBER APPEAL ON BEHALF OF RESIDENT** TO PROVIDE FOR AN APPEAL OF EVERY PLANNING COMMISSION DETERMINATION OR DECISION INVOLVING DEVELOPMENT OR OTHER PROVISION WITHIN THE *UNIFIED DEVELOPMENT CODE*

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**APPROVED FOR AGENDA:**

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**Council Member Teresa Turk**

4/13/21

Date



**City Attorney Kit Williams**

Approved as to form

4/13/21

Date

TO: Mayor Jordan and City of Fayetteville City Council  
FROM: Teresa Turk, Ward 4 Position 1 City Council Member  
DATE: April 13, 2021  
SUBJECT: Amendments to the Section 155.04 of the Unified Development Code

I am submitting an ordinance to expand the “Appeals” Section 155.04 of the City of Fayetteville’s Unified Development Code (UDC) code to allow city council members on behalf of citizens to appeal any decision not already identified as an appealable action to the City Council for consideration.

This amendment to the Appeals section will allow a city council member on behalf of a citizen to appeal any Planning Commission decisions or recommendations that are not already provided for in Section 155.04. Providing the ability of citizens appeal is a cornerstone of our democracy and transparent governance in the City of Fayetteville.

Planning Commission members are not elected officials but are appointed by the City Council to provide recommendation and guidance to citizens and the City Council when making critical decisions ranging from rezoning to conditional use permits to accepting parkland donation. As such all decisions should be appealable to the City Council who are elected officials and accountable to the Fayetteville voters.