

City Council of Jacksonville, Arkansas

A G E N D A

Regular City Council Meeting

March 2, 2023 6:00 p.m.

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CITY COUNCIL A G E N D A continued:
March 2, 2023

PLANNING COMMISSION continued: c.

ORDINANCE 1722 (#06-2023)
Setting forth requirements for commercial
design standards; Amending Ordinance No.
213; creating JMC §§ 16.22.010-16.22.060
(Council Member Dietz)

16-20

14. COMMITTEE(S):

15. GENERAL:

DISCUSSION City-owned Sunnyside lots sale
(Council Member Dietz)

16. APPOINTMENTS:

17. UNFINISHED BUSINESS:

18. NEW BUSINESS:

ANNOUNCEMENTS:

Ward 4, Pos. 1 Council Member resumes
(Mayor Elmore)

ADJOURNMENT

**CITY OF JACKSONVILLE
REGULAR CITY COUNCIL MEETING
FEBRUARY 16, 2023
6:00 P.M. - 6:15 P.M.**

Assigned Calls	61		
Self-Initiated Calls	226		
Follow Up Inspections	189	Demolition by City	4
Complied after Notice	108	Demolition by Owner	0
Three Day Notice	72	Parking Violations	0
Seven Day Letter	183	Garbage Cans Tagged	2
Citation Letters Mailed	8	Basketball Goals	1
Citations Issued	5	Structures Inspected	0
Vehicles Tagged	43	Apartment Complexes Inspected	0
Vehicles Towed	13	Red Tags Issued	7
Unsafe Structures Tagged	7	Search Warrants	0
Structures Condemned	0	Grass Mowed	0
Structures Rehabbed	0		

REGULAR MONTHLY REPORT/ANIMAL CONTROL

Council Member Bolden moved, seconded by Council Member Ray to approve the regular monthly report for January 2023.

ADOPTION FEES	\$	0.00
SPAY/NEUTER FOR ADOPTED DOGS		1,870.00
Paid by the City of Jacksonville		-
Paid for by JFOTA		1,870.00
FINES		860.00
CONTRIBUTIONS		220.00
TOTAL	\$	4,820.00

Vet Bills paid by City not spay/neuter	\$	-
Vet Bills paid by JFOTA not spay/neuter		4,877.00

ROLL CALL: Council Member: Dietz, Bolden, Ray, Mashburn, Twitty, Kinman, and Rains voted AYE. MOTION CARRIED.

When Council Member Twitty requested an update regarding late garbage pickups, City Engineer Adam Whitlow explained they have twelve routes per week, done with three trucks, but have only had two recently since one burned and was a total loss. He related one is still running strong, but the other has had some normal maintenance issues resulting in having to use a backup truck that was due for some work itself, then it went down, forcing them to use a third backup, which was part of the original side loading fleet. He mentioned those were to be sold on govdeals.com, but they had to bring them back into service. He stated they were not up to running full-time so they then had to use the rear loader that usually sits at the Recycle Center for plastics. He added that they are hopeful a new truck will arrive at the end of the month, confirming they have searched for rentals, but there is not another side loader in the Country. He assured he has called everyone to try to find one but only found a rear loader available for rent in Houston and are going with it in order to have a backup to allow time for the mechanics to get the others up and running.

CITY OF JACKSONVILLE
REGULAR CITY COUNCIL MEETING
FEBRUARY 16, 2023
6:00 P.M. - 6:15 P.M.

Council Member Twitty appreciates the Sanitation Department for doing a great job with what they have to work with, assuring she just wanted to give the citizens an update.

Engineer Whitlow shared that they found a company to refurbish the burnt truck to give them a really good backup, but that is not a quick process. He mentioned they have shifted all reruns to Fridays in hopes they have enough time to get them done, assuring they try to keep citizens informed by posting to Facebook and utilizing the All Call system at times.

WATER DEPARTMENT:
WASTEWATER DEPARTMENT:
FIRE DEPARTMENT:
POLICE DEPARTMENT:
STREET DEPARTMENT:
SANITATION DEPARTMENT:
PARKS & RECREATION:
PLANNING COMMISSION:
COMMITTEE (S) :

GENERAL: PRESENTATION Black History Month

Council Member Bolden stated that every year he tries to recognize people who have made an impact on Jacksonville for Black History Month. He explained the celebration of Black History Month started in 1976, noting that it identifies African Americans who are doing great things in the community. He presented a plaque to Jeffrey Tillman in honor of his father, the late Ivory Tillman, Founder of the Jacksonville chapter of the NAACP, and to Ronald McDaniel, Jacksonville North Pulaski School Board Vice President, in appreciation of them making an impact in many areas of the City and State, and for their many years of dedicated service.

ADDITION TO AGENDA: Council Member Bolden moved, seconded by Council Member Twitty to SUSPEND THE RULES and place an appointment on the agenda. MOTION CARRIED.

APPOINTMENTS: A & P COMMISSION

Council Member Twitty moved, seconded by Council Member Ray to appoint Council Member Kinman to the A & P Commission. MOTION CARRIED.

RESUME AGENDA:

UNFINISHED BUSINESS:

ANNOUNCEMENTS: Code Changes

Council Member Dietz stated the Planning Commission is working on some Code changes that will be brought before City Council next month.

Sunnyside Lots Sale

Council Member Dietz hopes to have some information to bring to next month's meeting regarding the possible sale of City-owned lots in Sunnyside.

CITY OF JACKSONVILLE
REGULAR CITY COUNCIL MEETING
FEBRUARY 16, 2023
6:00 P.M. - 6:15 P.M.

Former Police Chief Larry Hibbs

Council Member Bolden offered his condolences for the passing of Former Jacksonville Police Chief Larry Hibbs.

Mayor Elmore confirmed the visitation will be Monday at 1:00 p.m. and the service at 2:00 p.m. at Francis Farms off of Military Road.

Sertoma Father Daughter Banquet

Council Member Twitty stated the Sertoma Father Daughter Banquet will be this Saturday night at 5:00 p.m., noting this is their 11th year to raise scholarship money for the local school children.

ADJOURNMENT: Without objection, Mayor Elmore adjourned the meeting at approximately 6:15 p.m. MOTION CARRIED.

Respectfully,

Susan L. Davitt
City Clerk-Treasurer

MAYOR JEFF ELMORE

ORDINANCE NO. 1723 (#7-2023)

AN ORDINANCE DECLARING THE EXERCISE OF EMINENT DOMAIN ON CERTAIN REAL PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF JACKSONVILLE, ARKANSAS FOR ACQUISITION OF PUBLIC EASEMENTS AND RIGHTS OF WAY FOR THE CONSTRUCTION AND DEVELOPMENT OF IMPROVED PUBLIC WATER LINES FOR THE CONSTRUCTION PROJECTS ON BEHALF OF JACKSONVILLE WATER WORKS; AND, FOR OTHER PURPOSES.

WHEREAS, despite extensive efforts on behalf of Jacksonville Water Works to acquire certain utility easements and rights of way across and through real properties owned by McDonalds Corporation for construction and improvement of public water lines and the necessary ingress and egress, efforts to amicably resolve the parties' differences and secure the required property easements and rights of way have failed. Immediate access to said real properties as described below is required to construction, development, and relocation of public water lines and the necessary ingress and egress for such construction projects on behalf of the Jacksonville Water Works; and

WHEREAS, the need for immediate access to said easements and rights of way across and through the real properties described below is required for the public purpose of construction and development of said water and waste water line improvements and utility locations. Under authority granted in ACA § 18-15-201 et. seq., the City Council of Jacksonville exercises its right of eminent domain to obtain and condemn utility easements and rights of way across and through the real properties described herein to provide adequate and required relocation of public water lines and the necessary ingress and egress to such for the construction projects of Jacksonville Water Works.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF JACKSONVILLE, ARKANSAS:

SECTION ONE: Access to the real properties described herein is hereby required by the City of Jacksonville, Arkansas, by and through the Jacksonville Water Works, for public purposes of providing adequate land for the relocation of public water lines and the necessary ingress and egress to such for the purpose of construction projects of the Jacksonville Water Works.

A tract of land for a Permanent Easement in the Southwest 1/4 of the Southwest 1/4 and in the Northwest 1/4 of the Southwest 1/4 Section 17, Township 3 North, Range 10 West, Pulaski County, Arkansas, more particularly described as follows:

Commencing at the Northwest corner of said Southwest 1/4 of the Southwest 1/4 of Section 17, thence along the section line S 89°43'29" E for a distance of 581.70 feet to a point; thence leaving said north line S 00°00'00" E for a distance of 102.33 feet to a point on the right of way of North 1st Street; thence South 65°11'06" East a distance of 5.91 feet to the Point of Beginning; thence North 30°52'39" East a

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distance of 154.77 feet to the north line of the property; thence along said north line South 63°45'12" East a distance of 18.23 feet; thence leaving said north line South 30°41'26" West a distance of 147.26 feet; thence North 59°18'34" West a distance of 10.80 feet; thence South 30°41'26" West a distance of 8.04 feet; thence North 65°19'24" West a distance of 7.92 feet to the Point of Beginning; containing 0.06 Acres (2,764.41 S.F.) more or less.

EASEMENT LENGTH: 159 LINEAR FEET

SECTION TWO: The City Council hereby authorizes the Mayor and City Attorney to file the appropriate documents and pleadings necessary, together with posting of the appraised value of the real property in question with the Circuit Court of Pulaski County, Arkansas, so as to obtain immediate accessibility and privilege described herein for the purposes to provide adequate land for the improved ingress and egress of public water lines for the purpose of construction projects of the Jacksonville Water Works.

SECTION THREE: Should any of the part(s) of this Ordinance be declared invalid for any reason, no other part(s) of the Ordinance shall be affected thereby.

SECTION FOUR: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

*APPROVED AND ADOPTED THIS _____ DAY
OF _____ 2023.*

CITY OF JACKSONVILLE, ARKANSAS

JEFF ELMORE, MAYOR

**ATTEST:
AS TO FORM:**

APPROVED

**SUSAN M. DAVITT, CITY CLERK
FRIEDMAN, CITY ATTORNEY**

STEPHANIE

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ORDINANCE NO. 1719 (#03 - 2023)

AN ORDINANCE WAIVING COMPETITIVE BIDDING TO REBUILD A JACKSONVILLE PUBLIC WORKS VEHICLE; FOR APPROPRIATE IMPLEMENTATION AND ACCESS FOR DEPARTMENT AND CITY OF JACKSONVILLE REPRESENTATIVES; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.

WHEREAS, the City has determined that a Jacksonville Public Works vehicle used for garbage pick-up can be rebuilt by Terrific Trucks and Equipment Sales, LLC.

WHEREAS, the Jacksonville Public Works Department asks City Council to waive competitive bidding and request they be allowed to contract with Terrific Trucks and Equipment Sales, LLC to rebuild a City of Jacksonville garbage truck.

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

SECTION ONE: Competitive bidding for rebuilding or refurbishing the vehicle for Jacksonville Public Works Department would be costly, untimely, and non-productive, making said competitive bidding unfeasible and impractical.

SECTION TWO: Competitive bidding is hereby waived, pursuant to ACA §14-47-183, to authorize contracting for rebuilding the vehicle for Jacksonville Public Works Department Authorization is hereby given to the Mayor and/or his authorized representative(s) to enter into contract with Terrific Trucks and Equipment Sales, LLC, at a cost of One Hundred Seventy-One Thousand Nine Hundred Seventy-Four Dollars (\$171,974.00), plus any applicable taxes.

SECTION THREE: All Ordinances, parts of Ordinances, or previous actions taken by said Council in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FOUR: This Ordinance, necessary for the continued efficient delivery of public services and for the benefit, health, safety, and welfare of the citizens of Jacksonville, should be implemented immediately. Therefore, an emergency is hereby declared, and this Ordinance shall be in force and effect from and after its date of passage.

APPROVED AND ADOPTED THIS ____ DAY OF _____ 2023.

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CITY OF JACKSONVILLE, ARKANSAS

JEFF ELMORE, MAYOR

ATTEST:

SUSAN DAVITT, CITY CLERK

APPROVED AS TO FORM:

STEPHANIE FRIEDMAN, CITY ATTORNEY

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Terrific Trucks And Equipment Sales LLC
 "The Refurb Kings"
 2601 W Jackson
 Phoenix, AZ 85009

Quote

Customer

Name City of Jacksonville -Arkansas

Address 1 Municipal Drive

City Jacksonville State AR 72706

Name Randy Watkins Phone 501-982-0686

Date 2/13/2023

Order No. _____

FOB _____

Qty		Unit Price	TOTAL
1	Chassis: Refurb : (2006-2007) Peterbilt Conv. 357 Cummins ISL with Allison 4500 trans 20K Fro	\$ 159,999.00	\$ 159,999.00
1	Body: Refurbished (Customer Supplied) La Brie ASL Automizer Body and Arm		
	Chassis Refurb includes:		
	Aftermarket Engine Rebuild Kit, New Pistons, New Liners, New Upper/Lower Gaskets,		
	New Main Bearings, New Cam bearings, Reman Head, Reman Radiator, Rebuilt Transmission		
	Reman Turbo (as necessary), New Filter (Oil, Fuel, coolant) New Fluids		
	Block Heater, Heated Mirrors, New Steer Tires, Recap Rears, New Brakes-Drums, Shoes,		
	and Scams(as necessary), Suspension-King Pins, Springs, Slack Adjusters (as necessary)		
	Refurbished Body & Arm:		
	New Steel-(AR & Mild) Walls, Floors, Tracks, Packer, Tailgate (as needed)		
	Cylinders-New/Rebuild- Packer, Tailgate, Raise, Dump, Reach, Body Raise		
	New Front Mount Pump/Rebuild Valve Body/New Belts Grabbers Arm		
	New Hydraulic Hoses & Fittings, New Hardlines (as necessary)		
	Non PLC Control Box with Joy Stick, 2 Camera System & Monitor, New LED Lighting		
	Paint: Chassis & Body: (Customer Spec)		
	35% Down required to begin builds. 45-80 Day Build Time		

Subtotal	159,999.00
Tag & Title	175.00
Shipping	11,800.00
TOTAL	171,974.00

TTE _____

Signature _____

Customer _____

Signature _____

Date _____

Tax Rate(s)

Notes: 2X Shipping Phoenix to Jacksonville, Ark. 1303 mi.

Please call 602-513-8580 or 833-628-7495



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ORDINANCE NO. 1720 (#04 - 2023)

AN ORDINANCE AMENDING ORDINANCE NOS. 213 AND 854, MODIFYING JACKSONVILLE MUNICIPAL CODES §§ 18.86.010, 18.86.020, 18.86.030 AND CREATING JACKSONVILLE MUNICIPAL CODE 18.86.040; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.

WHEREAS, there is a need in the City of Jacksonville, Arkansas, to define the specific requirements for an accessory building in residential neighborhoods throughout the City of Jacksonville; and,

WHEREAS, the Jacksonville Planning Commission has made certain recommendations to amend the existing Zoning Ordinance to reflect specific requirements for accessory buildings;

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

SECTION ONE: JMC §18.86.010 *Definition of an Accessory Building* shall be amended as follows:

Accessory Building - Any subordinate building or portion of a main building of which the use is clearly incidental to that of the principal structure.

SECTION TWO: JMC §18.86.020 *Square Foot Limitations* shall be amended as to read as follows:

The maximum combined area allowed for any and/or all detached accessory building shall be:

- A. Lots one-half (0.5) acre or less, the combined square footage of all accessory buildings shall be not more than half that of the principal building, with a maximum of eight hundred fifty (850) square feet.
- B. On lots larger than one-half (0.5) acre, the combined square footage of all accessory building shall not be greater than five (5) percent of the total lot area, up to a maximum of three thousand five hundred (3,500) square feet.

In no instance shall accessory building(s) occupy more than thirty percent (30%) of the existing rear yard.

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SECTION THREE: JMC §18.86.040 *Design Limitations* shall be created as read as follows:

- A. The building may be a pre-fabricated design, arriving as a fully assembled structure. If built on site, must adhere to any and all applicable building standards.
- B. The building may not be used for rental or commercial purposes.
- C. No building shall be erected, placed, or altered until the plot plan showing the location of such building with respect to lot lines, easements, and building setbacks has been approved by the City.

SECTION FOUR: All Ordinances, parts of Ordinances, or previous actions taken by said Council in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FIVE: This Ordinance, necessary for the continued efficient delivery of public services and for the benefit, health, safety, and welfare of the citizens of Jacksonville, should be implemented immediately. Therefore, an emergency is hereby declared, and this Ordinance shall be in force and effect from and after its date of passage.

APPROVED AND ADOPTED THIS ____ DAY OF _____ 2023.

CITY OF JACKSONVILLE, ARKANSAS

JEFF ELMORE, MAYOR

ATTEST:

SUSAN DAVITT, CITY CLERK

APPROVED AS TO FORM:

STEPHANIE FRIEDMAN, CITY ATTORNEY

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ORDINANCE NO. 1721 (#05 - 2023)

AN ORDINANCE AMENDING JACKSONVILLE MUNICIPAL CODES §§ 17.12.020, 17.12.030, AND 17.12.110 REGARDING CERTAIN ZONING AND BUILDING PROVISIONS AND REQUIREMENTS; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.

WHEREAS, Certain provisions of the Jacksonville Municipal Code are in need of amendments, revisions, and updates regarding building and zoning requirements. The Jacksonville Planning Commission recommends the following amendments, changes, deletions, and modifications to the Jacksonville Municipal Code.

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

SECTION ONE: JMC § 17.12.020 *Sketch Plat* shall be amended as follows:

The Sketch Plat shall be presented to the City Engineer or the designated representative no less than Twenty-Eight (28) days prior to the Planning Commission meeting at which consideration is requested. The date of submission of the Plat shall be entered thereon by the City. The sketch plat shall include requirements for submission of the Jacksonville Water Commission and Jacksonville Wastewater Commission acceptance and approval of said plans and systems prior to submission of the Final Plat to the Jacksonville Planning Commission, completion of all sidewalks and other improvements as required and/or a satisfactory bond or cash posted with the City of an amount equal to the construction costs of said improvements not completed before Commission approval, appropriate Storm Water Controls implemented to the Best Management Practices possible, and all other such improvement requirements as provided in applicable Codes herein.

SECTION TWO: JMC § 17.12.030 *Preliminary Plat* shall be amended as follows:

After the Planning Commission has approved the sketch plat, the property owner may proceed with preparation of the preliminary plat. The preliminary plat, proposed Bill of Assurances (and/or other such covenants), all other materials and information required to be presented with the preliminary plat (as identified by the preliminary plat checklist in JMC §17.16.010 and 17.16.020), and a completed preliminary plat checklist shall be presented to the City Engineer or the designated representative no less than Twenty-Eight (28) days prior to the Planning Commission meeting at which consideration is requested. The date of submission of the Plat shall be entered thereon by the City. The preliminary plat shall include requirements for submission

of the Jacksonville Water Commission and Jacksonville Wastewater Commission acceptance and approval of said plans and systems prior to submission of the Final Plat to the Jacksonville Planning Commission, completion of all sidewalks and other improvements as required and/or a satisfactory bond or cash posted with the City of an amount equal to the construction costs of said improvements not completed before Commission approval, appropriate Storm Water Controls implemented to the Best Management Practices possible, and all other such improvement requirements as provided in applicable Codes herein.

SECTION THREE: JMC § 17.12.110 *Final Plat* shall be amended as follows:

The Final Plat shall be presented to the City Engineer or the designated representative no less than Twenty-Eight (28) days prior to the Planning Commission meeting at which consideration is requested. The date of submission of the Plat shall be entered thereon by the City.

1. As built specifications and as built prints in sufficient quantity of the sidewalks, streets, paving, curb and gutter, water, sanitary sewer, drainage plans, and any other such required improvements. The developer shall also submit letters of acceptance and approval of said plans and systems from the Jacksonville Water Department and Jacksonville Wastewater Department prior to submission of the Final Plat to the Jacksonville Planning Commission. The date of submission of the plat shall be entered thereon by the City. The City Engineer shall advise the Planning Commission of acceptable performance by the developer.
2. Improvements to the proposed final platted property including but not limited to, sidewalks, drainage, water sanitary sewer, roadways, landscaping and other improvements as required and/or a satisfactory bond, letter of credit, or cash posted with the City of an amount equal to the construction cost of said improvements not completed before Commission approval, appropriate storm water controls implemented to the best management practices possible, and all other such improvement requirements as provided in applicable Codes herein. Monies deposited shall be processed in the manner prescribed in JMC 17.12.125.
3. A set of Plans for all improvements required under specifications and these Regulations, with such plans to bear the written approval of the City Engineer; and,
4. Any proposed protective covenants (if applicable).

SECTION FOUR: All Ordinances, parts of Ordinances, or previous actions taken by said Council in conflict herewith are hereby repealed to the extent of such conflict.

SECTION FIVE: This Ordinance, necessary for the continued efficient delivery of public services and for the benefit, health, safety, and welfare of the citizens of

Jacksonville, should be implemented immediately. Therefore, an emergency is hereby declared, and this Ordinance shall be in force and effect from and after its date of passage.

APPROVED AND ADOPTED THIS ____ DAY OF _____ 2023.

CITY OF JACKSONVILLE, ARKANSAS

JEFF ELMORE, MAYOR

ATTEST:

SUSAN DAVITT, CITY CLERK

APPROVED AS TO FORM:

STEPHANIE FRIEDMAN, CITY ATTORNEY

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ORDINANCE NO. 1722 (#06 - 2023)

AN ORDINANCE SETTING FORTH REQUIREMENTS FOR COMMERCIAL DESIGN STANDARDS; AMENDING ORDINANCE NO. 213; CREATING JACKSONVILLE MUNICIPAL CODES §§ 16.22.010-16.22.060; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.

WHEREAS, there is a need in the City of Jacksonville, Arkansas, to define the specific design standards for Commercial properties throughout the City of Jacksonville; and,

WHEREAS, the Jacksonville Planning Commission has made certain recommendations to amend the existing Zoning Ordinance to reflect specific requirements for commercial design standards.

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

SECTION ONE: Jacksonville Municipal Code 16.22 *Commercial Design Standards*, shall be created to include the following subsections:

16.22.010: Purpose

The purpose of this section is to create a framework for ensuring that the design of buildings will either meet minimum design standards adopted by the community or be subject to public review by the Planning Commission. This section further seeks to maintain good civic design and arrangement within the commercial corridors and neighborhoods of the City, thereby assuring a desired aesthetic environment and a stable economic environment. It is the intent of this section to promote the development of buildings that:

1. Are designed to maintain a visual aesthetic that meets a consistent standard and protects the general welfare of the community.
2. Express individual design and creativity without detracting from the visual environment to the point at which the values of adjoining properties will be negatively affected.
3. Are appropriate to the context in which they reside; and
4. Generally, do not detract from the aesthetics of the location, area, and community as a whole.

16.22.020: Application and Required Information

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1. The regulations of JMC 16.05.020 shall apply to all buildings excluding manufactured homes, one-unit dwellings, two-unit dwellings and small-scale multi-unit dwellings, residential accessory structures, and industrial structures.
2. Compliance with the standards shall be triggered by the following forms of construction activity:
 - A. Construction of a new building.
 - B. Modification to the exterior façade of an existing structure. (The Administrative Official shall have the authority to waive these requirements in situations where compliance would detract from the visual appearance of the building due to the planned modifications being limited to only small portions of the building.)
 - C. When a nonconforming structure is otherwise required to come into compliance with the provisions of this Zoning Code due to destruction or other reason.
3. The following information shall be provided by the applicant to determine compliance with these regulations:
 - A. Rendered drawings of the front and side façade elevations of the building.
 - B. Materials list for front and side facades, roof structures, and trim.
 - C. Other pertinent information as may be required by the Administrative Official to determine compliance.

16.22.030: Procedures

1. Administrative Approval: The Administrative Official shall have authority to review and approve or deny a building design when it meets all the following conditions:
 - A. The design of the building meets all the design standards contained in §16.22.050 of this section.
 - B. The building does not exceed two stories in height.
 - C. The building is part of a building permit application or site plan review which would not otherwise require approval by the planning commission. If the building requires site plan review, its design shall be reviewed as part of the site plan review process. If the building does not

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require site plan review, its design shall be reviewed as part of the building permit review process.

2. Planning Commission Approval: The Planning Commission shall review building design and approve or deny the design under the following situations:

A. The design of the building does not meet all the design standards contained in this section, as determined by the Administrative Official. Such designs shall be treated as a Non-Standard Building and reviewed as such.

B. The building exceeds two stories in height.

C. The building is part of a site plan review application which requires approval by the planning commission.

16.22.040: Review of Building Design for Non-Standard Buildings

When a building design does not meet the design standards it shall require review by the Planning Commission. After submission of the required information and a review period for the Administrative Official, the design shall be placed on the agenda for the next upcoming Planning Commission meeting. The submission deadlines and review period shall conform to the Planning Commission calendar established by the Administrative Official. To approve a design for a Non-Standard Building, the Planning Commission shall be required to find the following:

1. No discernible public benefit would be gained by requiring an alternative design;

2. The proposed design represents an innovative use of non-standard building materials to the extent that it is in harmony with the visual aspects of the location, area, and community as a whole;

3. The proposed construction meets the spirit and intent of this section of the Zoning Code.

16.22.050: Design Standards

The following standards must be met to qualify as a Standard Commercial Building:

1. The finished façade of the front or any visible side of the building shall be composed of architectural building materials. This shall include any façade that fully faces a public street or fire apparatus access lane that is also used for public access, including internal streets developed to serve a multiple building site. The visible side of the building shall mean the forward Eight (8) feet of any side perpendicular to a street and all of a side on an angle of less than Ninety (90) degrees as measured from the street or fire apparatus access lane to the side of the building. Architectural building materials shall include:

- A. Exterior Insulation Finish Systems (EIFS) of Dryvit
- B. Brick or Brick Panel Systems
- C. Architectural or split concrete blocks excluding precision/standard concrete blocks known as CMU
- D. Glass
- E. Pre-cast Concrete
- F. Native stone or mortar
- G. Wood
- H. Tile
- I. Stucco
- J. Aluminum Composite Panels (ACP)
- K. Hardiplank or Fiber Cement Siding
- L. Metal Paneling with concealed fasteners (May not exceed 30% of the total area of any on façade wall.)
- M. Metal Siding with a sine wave pattern (May not exceed 30% of the total area of any on façade wall.)

2. The building plans shall designate one façade of the building as the front façade of the building. This façade shall have windows and doors comprising no less than fifteen (15) percent of its total square footage.

3. The vertical plane of the façade designated as the front façade of the building shall not be completely flat but shall be broken vertically in a least one location by a minimum of an eight inch (8") differential in the vertical plane for each fifty feet (50') of horizontal surface or a minimum of one (1) time. This requirement may be met by a recessed or extended entrance.

4. The front entrance of the building shall be covered and well-articulated.

5. In general, the building shall not represent a simple box-like structure and shall not be a temporary or portable building.

6. Mechanical equipment, whether ground-mounted or roof-mounted on any portion of the building must be placed or screened in such a manner that it is not visible from any public street or fire apparatus lane that is used for public access.

16.22.060: Appeals

Appeal of Administrative Official Decision: Property owners or their agent may appeal decisions of the Administrative Official to the Jacksonville Planning Commission within thirty (30) days of the decision by submitting a written appeal to the Administrative Official. The Planning Commission shall hear the appeal at the next scheduled meeting. Decisions of the Planning Commission may be appealed to the Jacksonville City Council by submitting a written appeal within thirty (30) days of the date of the Planning Commission decision. The appeal will be placed on the

City Council agenda in accordance with its adopted rules, but no less than sixty (60) days following the Planning Commission decision.

Appeal of a Non-Standard Building: When the Planning Commission does not approve the design of a non-standard building, the applicant may appeal the decision to the Jacksonville City Council provided that the applicant submits a letter stating this intent to the Administrative Official within ten (10) days of the planning commission decision of denial.

SECTION TWO: All Ordinances, parts of Ordinances, or previous actions taken by said Council in conflict herewith are hereby repealed to the extent of such conflict.

SECTION THREE: This Ordinance, necessary for the continued efficient delivery of public services and for the benefit, health, safety, and welfare of the citizens of Jacksonville, should be implemented immediately. Therefore, an emergency is hereby declared, and this Ordinance shall be in force and effect from and after its date of passage.

APPROVED AND ADOPTED THIS ____ DAY OF _____ 2023.

CITY OF JACKSONVILLE, ARKANSAS

JEFF ELMORE, MAYOR

ATTEST:

SUSAN DAVITT, CITY CLERK

APPROVED AS TO FORM:

STEPHANIE FRIEDMAN, CITY ATTORNEY

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