

**CITY OF JACKSONVILLE, ARKANSAS  
REGULAR PLANNING COMMISSION MEETING  
FEBRUARY 13, 2023  
6:45 P.M. - 7:01 P.M.**

**OPENING REMARKS:**

The Planning Commission of the City of Jacksonville, Arkansas met in a regular session on February 13, 2023. Chairman Moore opened the meeting at approximately 6:45 p.m. expressing appreciation to those in attendance.

**ROLL CALL:** Commissioners Mike Dietz, Billy Hall, Vivian Brittenum, Jeff Twitty, and Chairman Jim Moore were present and answered ROLL CALL. Chairman Moore declared a quorum. PRESENT (5) with Chair, ABSENT (4).

**CORRECTION AND/OR APPROVAL OF MINUTES:** Council Member Dietz moved, seconded by Commissioner Twitty to approve the minutes of January 9, 2023 as presented. MOTION CARRIED.

**PUBLIC HEARING(S):**

**REQUEST TO APPROVE PLAT(S):**

**BUILDING PERMIT(S):** a. **SITE PLAN Lot 6 West Industrial Subdivision**

Chairman Moore announced that the item is being deferred to the next regularly scheduled Planning Commission meeting in March.

**b. SITE PLAN Unit 2 Rebsamen Medical Subdivision**

Mr. Thomas Pownall of Thomas Engineering presented the site plan for review, relating plans to construct the Harris & Renshaw Physical Therapy Clinic on Unit 2. He noted that utilities are available on site and the site plan shows a total of 38 parking spaces, adding that he believes the square footage calls for 42, according to Code.

City Engineer Adam Whitlow confirmed the property is properly subdivided.

Discussion ensued where it was determined that given the storage areas within the clinic, Staff felt 38 parking spaces would be more than sufficient. It was noted that the building would have front access from Marshall Road as well as rear access from Braden Street and clarified that sidewalk improvements would only be required on Marshall Road.

City Engineer Whitlow and City Engineering Tech Mylissa Griggs offered the City's support being contingent on approval of the drainage design and submittal of drainage calculations, requiring ½ street improvements and a 5' sidewalk along Marshall Road or payment in lieu of, approval from the Jacksonville Water Works, and the scheduling of a preconstruction conference.

When Chairman Moore brought up his concern regarding dumpster screening, Engineering Tech Griggs confirmed there was screening on the more detailed set of plans she has.

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Mr. Pownall clarified what is meant by screening and assured Chairman Moore the dumpster would be appropriately screened.

Commissioner Brittenum moved, seconded by Commissioner Dietz to approve the site plan for Unit 2, Rebsamen Medical Subdivision, #2 as presented with contingencies regarding approval of the drainage design and submittal of drainage calculations, requiring ½ street improvements and a 5' sidewalk along Marshall Road or payment in lieu of, approval from the Jacksonville Water Works and the scheduling of a preconstruction conference. MOTION CARRIED.

**GENERAL: DISCUSSION Engineering Department proposed Code updates**

City Engineer Whitlow outlined three sample ordinances prepared by Engineering staff regarding accessory buildings, plat submission time requirement, and commercial design standards.

He highlighted that under item (a) the square foot requirements are suggested to be 850 square feet versus the previous maximum square footage of 650 on lots one-half (0.5) acre or less with all accessory buildings not to be more than half that of the principal building. On lots larger than one-half (0.5) acre, the combined square footage of all accessory building shall not be greater than five percent (5%) of the total lot area, up to a maximum of three thousand five hundred (3,500) square feet. In no instance shall the accessory building(s) occupy more than thirty percent (30%) of the existing rear yard.

He continued saying that Jacksonville Municipal Code 18.86.040 Design Limitations would be created and added to 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.

City Engineer Whitlow noted that item (b) is an administrative item, explaining that currently there is only a 10-day review window before the item is submitted to the Planning Commission, which according to surrounding cities and their review times, 10 days is an outdated time limit. He noted that most cities now require a month or more for the review window before it be submitted to the Planning Commission. This allows for a review and time to submit and receive comments back from the petitioner and would cut down on the number of contingencies that have to be observed because they were not able to get comments back in time for the Planning Commission meeting. He added that he did not feel this would be a hardship for anyone submitting plats. He stated that they are proposing to amend Jacksonville Municipal Code 17.12.020

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Sketch Plat, 17.12.030 Preliminary Plat, and 17.12.110 Final Plat to 28 days instead of 10 days before the regularly scheduled Planning Commission meeting.

He reviewed item (c), the creation of **Chapter 16.22 Commercial Design Standards**, saying that it creates façade requirements, which would be valuable given the construction along the frontage roads. He noted this would be keeping with the trends for development with surrounding cities. He pointed out that this would contribute to the design aesthetic control issues since it offers architectural design instead of a plain front without adding a lot of cost or burden.

He stated he would like to ask that these proposed changes be submitted to the City Council for adoption by Ordinance.

He then reviewed item (d); regarding short-term rentals, stating he would like to start the discussion for how they would be regulated in the City.

Discussion ensued regarding the need to regulate short-term rentals since this is considered a type of business, as well as the opportunity to create revenue for the City.

Chairman Moore stated he feels they should have to pay a privilege tax since they are operating as a business, noting that some rentals have as much as four or five families. He feels this is a violation of the State Health Department rules.

Engineering Tech Griggs noted that would be a part of the regulations regarding their responsibility to post the requirements. She stated that currently the City does not have any regulations to enforce.

City Engineer Whitlow stated licensing is the bigger issue, which allows the building inspector and the Fire Marshal to inspect and make sure there are adequate accommodations for fire protection, building, and swimming pool Codes. He related this would allow the City to know who the local property representative is and who should be available to respond within 24 hours. He shared that this is a national issue and currently there is State legislation being proposed, noting this will be a topic for the next few years. It was confirmed that these regulations would help with out of town/state owners.

The Commission was asked to review the sample provided and be ready to provide any additional input they feel is necessary to contribute to the formation of the ordinance.

Engineering Tech Griggs offered that it might be beneficial to have a committee of the Planning Commission, Staff, and City Council to look at the issues being proposed. City Engineer Whitlow concurred that this would be an item open for longer discussion time.

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**Small and Large Scale Development Packet**

City Engineer Whitlow stated he did not feel that the current fee structure is appropriate given the resources of the City to review and research each phase of development. He suggested that the rezoning fee be revised from \$50.00 to \$200.00 and \$100.00 for a conditional use request. He then added that currently there is no charge for a commercial site plan review, suggesting a fee of \$100.00 for any structure up to 15,000 square feet and \$200.00 for any structure over 15,000. He emphasized the need to have this evaluated and a proper format placement in the Jacksonville Municipal Code determined.

He then addressed issues regarding commercial site plan reviews, noting that the Codes lack authority, saying that there are no good design requirements for large or small scale, offering that this would also be tied to the fees. He stated that there needs to be a cohesive set of requirements for site plan reviews. He noted that most cities have threshold before taking items to the Planning Commission, in Cabot it is 10,000 sq. feet and in Searcy it is 20,000. He stated that initially he feels 15,000 would be a good compromise for staff level items for site plans along with the building permit. He prompted that this would be an item for discussion contingent on the level of complexity, noting staff would always have the option to forward any item regarding additional waivers or variances to the Planning Commission.

**Council Member Dietz moved, seconded by Commissioner Twitty to recommend items a, b, and c in ordinance form for adoption by the City Council at the earliest convenience. MOTION CARRIED.**

**ANNOUNCEMENT(S):**

**ADJOURNMENT: Chairman Moore without objection, adjourned the meeting at approximately 7:01 p.m.**

Respectfully submitted,

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Susan L. Davitt