

BEFORE THE

CITY COUNCIL OF JONESBORO, ARKANSAS

MCCORMICK RE-ZONING PETITION

February 21, 2006, 6:30 p.m.

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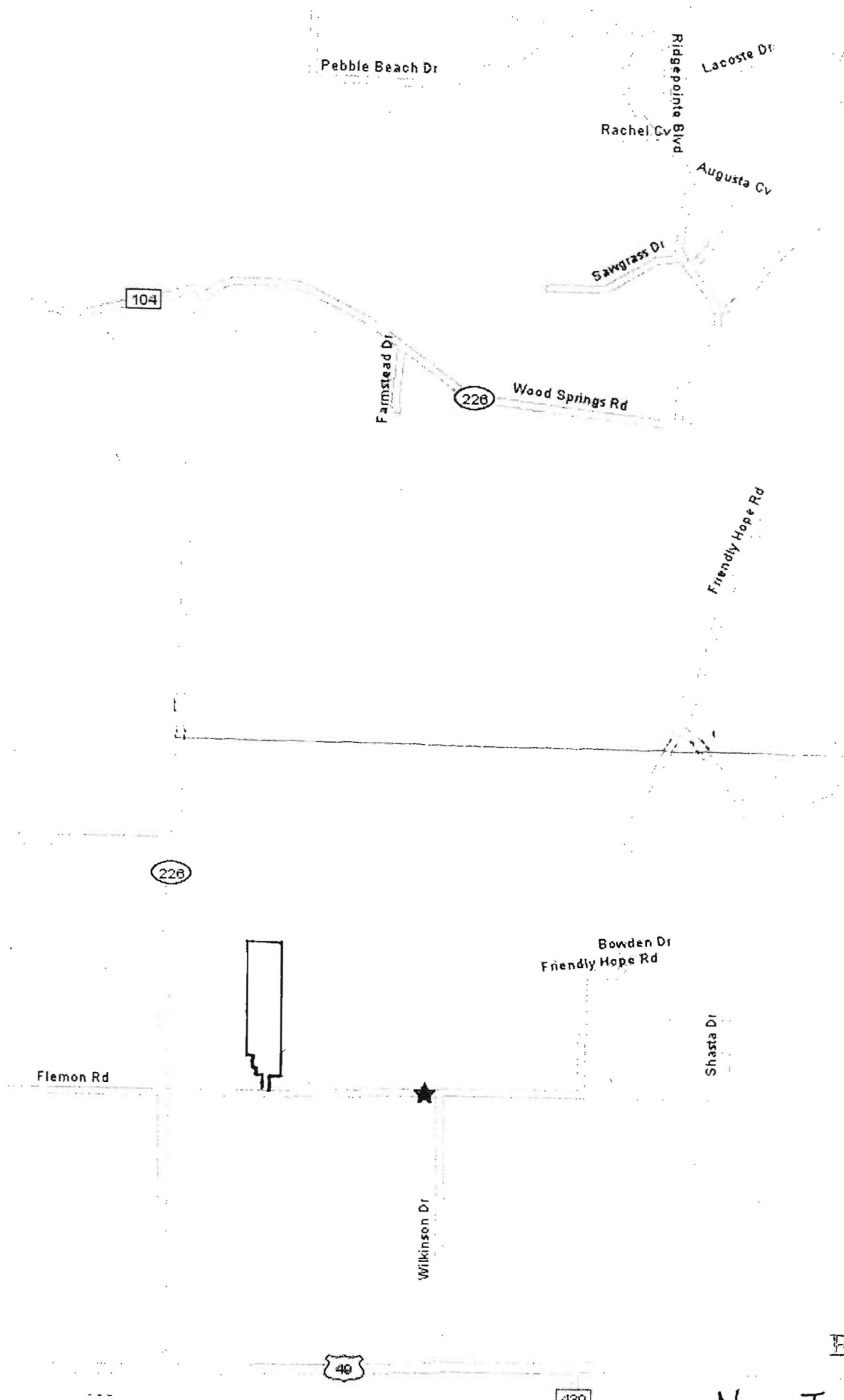


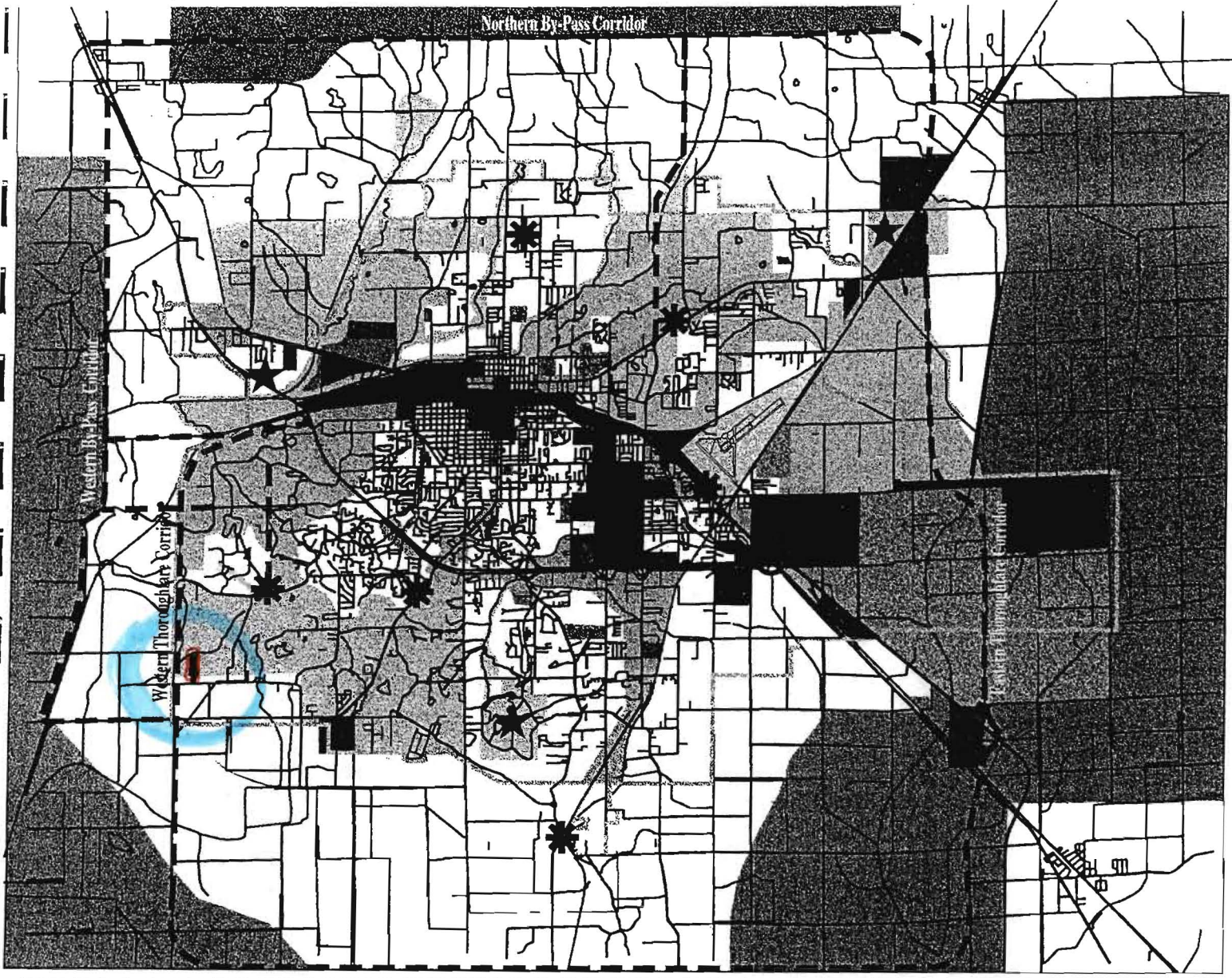
EXHIBIT 1

NOT TO SCALE

APPROVAL CRITERIA
Section 14.44.05(b)(5)
ZONING ORDINANCE CITY OF JONESBORO, ARKANSAS

(5) Approval Criteria. The criteria for approval of a rezoning are set out in this section. Not all of the criteria must be given equal consideration by the planning commission or city council in reaching a decision. The criteria to be considered shall include but not be limited to the following:

- (a) Consistency of the proposal with the Comprehensive Plan.
- (b) Consistency of the proposal with the purpose of this ordinance.
- (c) Compatibility of the proposal with the zoning, uses and character of the surrounding area;
- (d) Suitability of the subject property for the uses to which it has been restricted without the proposed zoning map amendment;
- (e) Extent to which approval of the proposed rezoning will detrimentally affect nearby property including, but not limited to, any impact on property value, traffic, drainage, visual, odor, noise, light, vibration, hours of use/operation and any restriction to the normal and customary use of the affected property;
- (f) Length of time the subject property has remained vacant as zone, as well as its zoning at the time of purchase by the applicant; and
- (g) Impact of the proposed development on community facilities and services, including those related to utilities, streets drainage, parks, open space, fire, police, and emergency medical services.



Future Land Use

City of Jonesboro and
Planning Area
1995-2020

- Legend
- Low-Density Residential
 - Medium-Density Residential
 - High-Density Residential
 - Village Residential
 - Downtown Service Center
 - Thoroughfare Commercial
 - * Community Commercial Node
 - Regional Commercial
 - Light Industrial
 - Planned Industrial
 - Airport
 - University
 - Government & Utilities
 - Greenway, Park and Open Space
 - ★ Future Park Zones
 - Agricultural
 - Proposed Corridor

Jonesboro, Arkansas • Comprehensive Plan • August 15, 1996
RM Plan Group • Nashville

Future Land Use Classification. In order to facilitate planning changes, a new classification system is recommended for future land use. Identification and definition of future land use classifications are included in the following.

Residential. Residential uses include four designations - Low-Density Residential, Medium-Density Residential, High-Density Residential and Village Residential. The four residential uses are defined as follows:

- **Low-Density Residential:** Includes all existing and future single-family residential uses that are three or less units net per acre; Future manufactured housing may be included as a conditional use subject to limitations in location, number and site application; (This classification generally corresponds to the current AG-1 Agricultural District and the R-1 Residential District);
- **Medium-Density Residential:** Includes all existing and future residential uses that are more than three and a maximum of ten units net per acre; (This classification generally corresponds to the current R-2 Residential District for residential uses other than single-family);
- **High-Density Residential:** Includes all existing and future multi-family residential uses that are eleven or more and a maximum of twenty units net per acre; (This classification generally corresponds to the current R-3 Residential District); and,
- **Village Residential:** Includes all future single-family residential, two-family residential, multi-family residential and manufacturing housing residential uses that are four or more units net per acre and that are in specifically designated areas. Supporting commercial uses of a neighborhood type and scale may be included on a selective basis subject to limitations in location, numbers, site application and appearance.

Within designated residential areas that are unserved by the public wastewater system and have no near-term potential, future

developments should be guided toward Low-Density Residential classification. Densities in these areas should not exceed three units net per acre; however, subject to a minimum area, lot size should be established by percolation capability and public approval procedures.

Within designated residential areas that can be served by the public wastewater system, future development should be guided toward Village Residential classification. Densities in these areas should be a minimum of four units net per acre. Densities may increase based on the type of residential and conditions for creating a "village".

Commercial. Commercial uses include five designations - Convenience/Neighborhood Commercial, Community Commercial Nodes, Thoroughfare Commercial, Regional Commercial and Downtown Services Center. The other five commercial uses are defined as follows:

- **Convenience/Neighborhood Commercial:** Jonesboro does not have a true convenience/neighborhood-scale commercial district currently. The current C-4 Transitional Zone approximates the use intent of convenience/neighborhood-scale commercial, but not the lower intensity. Future convenience/neighborhood-scale commercial in new areas should be guided toward inclusion with Village Residential uses. Future Convenience/Neighborhood Commercial uses are not identified on the Future Land Use Map because of their potential location in Village Residential.
- **Community Commercial Nodes:** Includes new and existing clusters of a community type and scale. Placement on site involves clustering of uses (as opposed to stripping) with shared parking and design features; Floor area ratios (FAR) are between 0.25 and 0.5; (This classification has no corresponding zone currently);
- **Thoroughfare Commercial:** Includes new and existing major thoroughfare strips of a neighborhood or community type and scale; Floor area ratios are between 0.25 and 0.75 depending on

NEW LAND DEVELOPMENT POLICIES

Provision of Additional Land. The additional 7,000 to 8,000 acres to be provided for projected growth by the year 2020 will likely involve new land sources. These new land sources include the following:

- Conversion of existing agricultural and other undeveloped lands within the current incorporated area; and,
- Expansion into the existing agricultural and other undeveloped lands within the unincorporated portion of the Planning Area.

The Future Land Use Map identifies additional residential, commercial and industrial uses in these new lands. Public parks and open space, linking with a greenway system, and other amenities/services are also identified for these new lands. In order to guide development within these new lands, specific development policies are recommended. Future residential uses should be guided toward Village Residential. Future community-scale commercial should be guided toward Community Commercial Nodes. Future regional-scale commercial should be guided toward a new Regional Commercial center. Future large-scale industrial uses should be guided toward Planned Industrial. And, the entire community should be served by a connecting system of greenways, parks and open space, plus an integrated transportation system.

Village Residential. The goal for future residential developments is for them to involve more integration of use and design with greater potential for social and physical interaction in creating a “village” concept. These villages would be adapted to the emerging suburban landscape in creating living areas with more pedestrian scale, self-sufficiency and land utilization efficiency.

The village is described generally as a relatively compact and discrete area with the following characteristics:

- Mixed use (single-family, two-family, multi-family and manufactured housing residential, plus supporting commercial of a convenience/neighborhood type and scale on a selective and limited basis;
- Pedestrian scale and attraction;
- Integrated and unified design in use and appearance;
- Inclusion of or convenient connection with amenities such as school, park, open space, cultural facilities, etc; and,
- Plan Certain approval involving delineation of a detailed master plan (site, covenants, appearance guidelines, etc.) and adherence to the master plan as a condition of approval.

Applicability. Village Residential is an overlay zone that may be applied to undeveloped and partially developed areas that are being directed toward residential uses it should not be used for in-fill and redevelopment areas. For interim purposes, the underlying zoning should be agricultural or the lowest density single-family district in the case of pre-existing residential zoning. At their option, developments, especially smaller ones, may utilize the lowest density single-family district. In such cases the then current district regulations and approval procedures would apply.

The minimum density to be achieved within Village Residential is a net four dwelling units per acre. The minimum acreage to which Village Residential can be applied is 75. The density and acreage is based on achieving a threshold population of 1,000 persons which is calculated in dwelling units by the following manner:

- Single-family detached = 3.2 persons per dwelling unit;
- Single-family attached (townhome, condominium, etc.) = 2.5 persons per dwelling unit;
- Two-family = 2.5 persons per dwelling unit;
- Multi-family = 2.0 persons per dwelling unit; and,
- Manufactured housing = 2.0 persons per dwelling unit.

Chapter 14.04

Preamble

Sections:

- 14.04.01 Title
- 14.04.02 Authority
- 14.04.03 Purpose
- 14.04.04 Jurisdiction
- 14.04.05 Nature and Application

14.04.01 Title. This ordinance shall be entitled: "Zoning Ordinance of the City of Jonesboro, Arkansas." It may be cited as the "Zoning Ordinance," and consists of the text, which follows; as well as the zoning district boundary map, entitled "Official Zoning Map of the City of Jonesboro, Arkansas," which is on file in the Office of the City Clerk. The provisions hereof shall be codified as Title 14 of the Jonesboro Municipal Code.

14.04.02 Authority. These regulations are adopted pursuant to authority granted by the Arkansas General Assembly in Title 14, Chapter 56, Subchapter 4 of the Arkansas Code of 1987 Annotated.

All membership in the various Boards and Commissions having authority hereunder, acting prior to the effective date of the Ordinance, shall remain in office and serve the remainder of their respective terms.

14.04.03 Purpose. The zoning regulations set forth herein are enacted to aid in the implementation of the land use portion of the comprehensive plan for the City of Jonesboro, and to promote, in accordance with present and future needs, the safety, order, convenience, prosperity, and general welfare of the citizens of Jonesboro. The regulations are intended to provide for orderly growth and development; for protection of the character and stability of residential, commercial, industrial, recreational, and environmentally sensitive areas of the city; for protection of property from blight and undue depreciation; for efficiency and economy in the process of development for the appropriate and best use of land; for the use and occupancy of buildings; for healthful and convenient distribution of population; for good civic design and arrangement; and for adequate public utilities and facilities.

14.04.04 Jurisdiction. The provisions of the Ordinance shall apply to all land, buildings and structures within the corporate limits of Jonesboro as they now, or may hereafter exist.

14.04.05 Nature and Application.

- (a) For the purposes stated above, the city has been divided into zoning

districts in which the regulations contained herein will govern lot coverage; the height, area, bulk, location, and size of buildings; open space; and the uses of land, buildings, and structures. In their interpretation and application, the provisions of the Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, order, convenience, prosperity, and general welfare. Whenever these requirements are at variance with the requirements of any other lawfully adopted rules or regulations, the most restrictive, or that imposing the higher standards, shall govern; provided however, that the City shall not be responsible for enforcing deed restrictions or covenants.

- (b) No land shall be used or occupied, no structure shall be erected, moved, converted, altered, enlarged, used or occupied, and no use shall be operated, unless it is in conformity with the regulations herein prescribed for the district in which such structure or land is located. This provision shall not be construed to affect any lawful uses of land or structures that exist, or for which a lawfully issued permit has been issued, at the effective date of the Ordinance.
- (c) No proposed plat of any new subdivision of land shall hereafter be considered for approval unless the lots within such plat equal or exceed the minimum size and area requirements specified in the applicable zoning district in which the land is located.
- (d) No open space required by these regulations for a particular structure or use shall be claimed at the same time as open space for another structure or use.
- (e) Dedication to public use of land shall not be a condition for any zoning or conditional use approval.
- (f) All structures constructed or occupied in conformance with this Ordinance shall also conform to all other codes and regulations of the City.
- (g) The provisions of these regulations are severable. If any section, paragraph, sentence, or clause shall be declared invalid, the remainder of the regulations shall not be affected.

Chapter 14.20

District Regulations

Sections:

- 14.20.01 Residential Districts
- 14.20.02 Commercial and Industrial Districts
- 14.20.03 Overlay and Special Purpose Districts

14.20.01 Residential Districts.

(a) General description. There are eight (8) residential districts designed to meet present and future housing needs; to protect the character of, and property values in, residential areas; to encourage a suitable environment for family life; and to provide choice in density, as well as in type of housing. More specific descriptions of these districts follows.

(1) AG, Agricultural District. The purpose of this district is to help preserve existing agricultural resources, and to guide the conversion of rural lands to suburban use when appropriate. Development standards are designed to implement long range development goals by preserving areas that have prime soils for agricultural use, and by protecting appropriate areas for development until they are well served by public facilities and services.

(2) RR, Rural Residential District. The purpose of this district is to accommodate single-family residential and complementary land uses on large rural lots or acreage. This zone is generally applied to fringe areas of the city, between the built-up areas of the city and those areas that are agricultural in nature. These areas may, over time, be converted to higher density residential areas.

(3) R-O, Single-Family Low Density District. Of the urban residential districts, this is the most restrictive and least intense. The district is characterized by single-family residential development and complimentary uses on large lots. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the low density, residential environment.

(4) R-1, Single-Family Medium Density District. The purpose of this district is to provide for a higher population density, but with basic restrictions similar to the R-O district. This zone is intended for application in areas of medium sized lots which are or will soon be served by municipal water and sanitary sewer service.

(5) R-1A, Single-Family High Density District. This district is to provide for a slightly higher density and a greater diversity of housing type, but with restrictions similar to the R-1 district. It is intended for application in areas in which municipal water and sanitary sewer services are available.

(6) R-2, Multi-Family Low Density District. The purpose of this zone is to accommodate higher density residential development and uses, with a wider variety of housing types. The principal use of land is for single-family, duplex, triplex, and four-plex residential structures, with all municipal services available.

(7) R-2A, Multi-Family Medium Density District. The purpose of this zone is to accommodate moderate density multi-family residential development and complementary land uses, and is intended for application in areas where all municipal services are available. The maximum density in this zone is twelve (12) dwelling units to the acre.

(8) R-3, Multi-Family High Density District. This district is to provide for high density, multi-family development, with restrictions similar to the R-2A district, and with all municipal services available. The maximum density in this zone is eighteen (18) dwelling units to the acre.

(b) Uses Permitted. Uses permitted in the residential districts are set forth in the following table. Where the letter "P" appears opposite a listed use and underneath a residential district, the use is permitted in that district "by right" subject to: (1) providing off-street parking and loading facilities as required by Chapter 14.36.01; (2) providing landscaping and screening as provided by Chapter 14.36.03; and (3), conformance with special conditions applying to certain uses as set forth in Chapter 14.32. Only one (1) principal structure per lot shall be permitted in R-O, R-1, R-1A and R-2 districts.

Where the letter "C" appears instead of "P", the use is permitted subject to acquiring a conditional use permit as set forth in Chapter 14.24. Where neither "P" nor "C" appears similarly within the table, the use is not permitted.

**USE TABLE
RESIDENTIAL DISTRICTS**

ZONING DISTRICTS

AG RR R-O R-1 R-1A R-2 R-2A R-3

RESIDENTIAL USES

Single-family detached	P	P	P	P	P	P	P	P
Single-family attached				C	C	P	P	P
Duplex, triplex, 4-plex					P	P	P	P
Emergency housing unit	C	C	C	C	C	C		
Multi-family							P	P
Manufactured housing unit	P	P						P
Manuf. housing, residential design	P	P	C	C	P	P	P	P
Manufactured housing park	P	P						C
Group residential		C	C	C	C	C	P	P
Accessory dwelling unit	P	P	P	P	C	C	C	C

CIVIC AND COMMERCIAL USES

Airport or airstrip	C							
Animal care, general	C							
Animal care, limited	C							
Automated teller machine								C
Bed and breakfast				C	C	C	C	C
Cemetery	C	C	C	C	C	C	C	C
Church	P	P	C	C	C	P	P	P
College or university				P	P	P	P	P
Communication tower	C	C	C	C	C	C	C	C
Convenience store								C
Day care, limited (family home)	P	P	C	C	C	P	P	P
Day care, general							C	C

**USE TABLE (CONTINUED)
RESIDENTIAL DISTRICTS**

ZONING DISTRICTS

AG RR R-O R-1 R-1A R-2 R-2A R-3

CIVIC AND COMMERCIAL USES

Golf course	C	C	P	P	P	P	P	P
Government service	P	P	C	C	C	C	P	P
Hospital								C
Library	P	P	P	P	P	P	P	P
Medical services							C	C
Museum							C	C
Nursing home								C
Parks and recreation	P	P	P	P	P	P	P	P
Post office								C
Recreation/entertainment, indoor	C							
Recreation/entertainment, outdoor	C							
Safety services	C	C	C	C	C	C	C	P
School, elementary/middle & high	P	P	P	P	P	P	P	P
Utility, major	C	C	C	C	C	C	C	C
Utility, minor	P	P	P	P	P	P	P	P
Vocational school	C							

INDUSTRIAL, MANUFACTURING & EXTRACTIVE USES

Asphalt or concrete plant	C							
Landfill (private)	C							
Mining or quarrying	C							
Oil and gas drilling	C							

**USE TABLE (CONTINUED)
RESIDENTIAL DISTRICTS**

ZONING DISTRICTS

AG RR R-O R-1 R-1A R-2 R-2A R-3

AGRICULTURAL USES

Agriculture, animal	P	C	C	C	C	C	C	C
Agriculture, crop	P	P	P	C	C	C	C	C
Agriculture, product sales	P	P	C	C	C	C	C	C

ACCESSORY USES: PERMITTED SUBJECT TO PROVISIONS OF CHAPTER 14.28 .

(c) Lot, yard, and height regulations. Except as otherwise provided herein, no lot or yard shall be established or reduced in dimension or area in any residential district that does not meet the minimum requirements in the following table; nor shall any building or structure be erected or enlarged that will cause the maximum lot coverage or maximum height regulations to be exceeded for such district as set forth in said table. A listing of supplements and exceptions to these regulations follows the table.

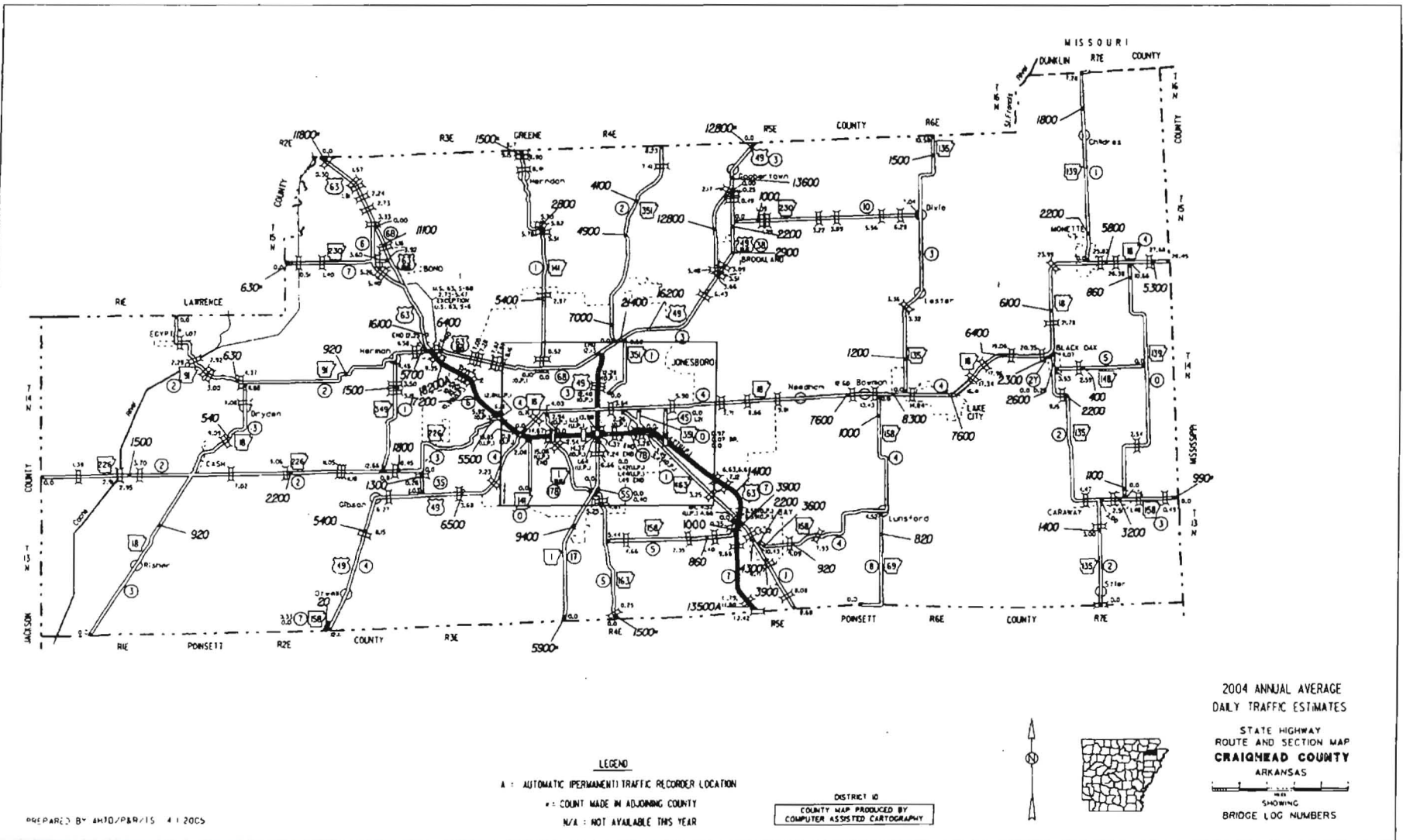
**MINIMUM DIMENSION REQUIREMENTS
RESIDENTIAL DISTRICTS**

DIMENSION	<u>ZONING DISTRICTS</u>							
	AG	RR	R-O	R-1	R-1A	R-2	R-2A	R-3
Lot size								
Single-family (sq. ft.)	5 ac	1 ac	15,000	8,000	6,000	6,000	6,000	6,000
Duplex (sq. ft.)	NP	NP	NP	NP	NP	7,200	7,200	7,200
Nonresidential uses (sq. ft.)	5 ac	1 ac	15,000	8,000	6,000	6,000	6,000	6,000
Multi-family (area/family)	NP	NP	NP	NP	NP	3,600	3,600	2,400
Lot width (all uses)	240'	120'	100'	60'	50'	50'	50'	50'
Lot depth (all uses)	400'	200'	100'	100'	100'	100'	100'	100'
Street setback (all uses)	30'	30'	30'	25'	25'	25'	25'	20'
Side setback (all uses)	10'	10'	10'	7.5'	7.5'	7.5'	7.5'	7.5'
Rear setback (all uses)	30'	30'	30'	25'	20'	20'	20'	20'
NP = "not permitted"								

(1) Maximum lot coverage (all buildings), shall not exceed thirty-five percent (35%) in AG, RR, R-O, and R-1 zones; and forty percent (40%) in all other residential zones.

(2) When an existing lot is reduced because of conveyance to a federal, state or local government for a public purpose, and the remaining area is at least seventy-five percent (75%) of the required minimum lot size for the district in which it is located, then that remaining lot shall be deemed to comply with minimum lot size requirements.

(3) Utility facilities, using land or an unoccupied building requiring less than one thousand (1,000) square feet of site area, are exempt from minimum lot size requirements of all districts.





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| A | A | A |

Area of Interest | Soil Map | Soil Data Explorer

Search bar with a question mark icon on the right.

Area of Interest Selection Criteria

Select Criteria

Address

Address Flemon Road

City Jonesboro

State Arkansas

Zip Code 72401

View

County

Hydrologic Unit

Soil Survey Area

Area of Interest Interactive Map

View Extent Continental U.S.

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Area of Interest | Soil Map | **Soil Data Explorer**

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Intro to Soils | **Suitabilities and Limitations for Use** | Soil Properties and Qualities | Soil Reports | Soil Survey Publications

Suitabilities and Limitations Ratings

Open All Close All

Agricultural Disposal

Building Site Development

Dwellings With Basements

Dwellings Without Basements

View Description View Ratings

View Options

Map

Table

Component Breakdown and Rating Reasons

Description of Rating

Rating Options

Detailed Description

Advanced Options

View Description View Ratings

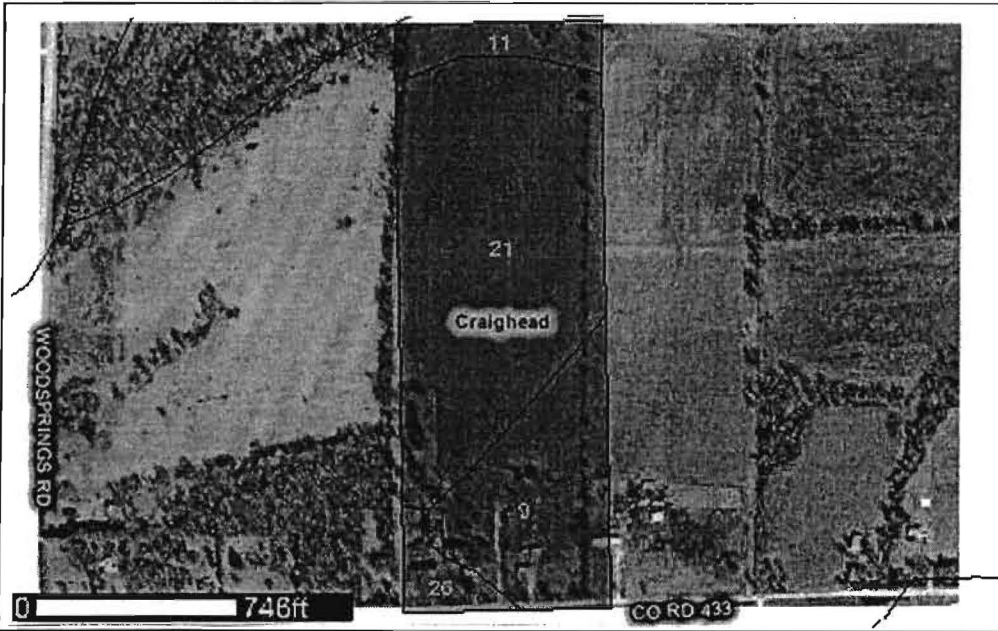
Lawn, Landscape, Golf Fairway

Local Roads and Streets

Map - Dwellings Without Basements















View Extent Continental U.S.



Tables - Dwellings Without Basements

Summary by Map Unit - Craighead County, Arkansas

Soil Survey Area Map Unit Symbol	Map Unit Name	Rating	Total Acres in AOI	Percent of AOI
9	Calloway silt loam, 0 to 1 percent slopes	Very limited	9.9	26.2
11	Collins silt loam, occasionally flooded	Very limited	2.6	7.0

Shallow Excavations	21	Falaya silt loam, occasionally flooded	Very limited	23.3	61.9
Small Commercial Buildings	26	Hillemann silt loam	Very limited	1.9	4.9
Construction Materials					
Cropland Productivity					
Forestland Management					
Forestland Productivity					
Land Classifications					
Rangeland Productivity					
Recreational Development					
Urban Disposal					
Water Management					
Summary by Rating Value 					
Rating		Total Acres in AOI		Percent of AOI	
Very limited		37.6		100.0	
Description - Dwellings Without Basements 					
<p>Dwellings are single-family houses of three stories or less. For dwellings without basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper.</p> <p>The ratings for dwellings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility. Compressibility is inferred from the Unified classification. The properties that affect the ease and amount of excavation include depth to a water table, ponding, flooding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.</p> <p>Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect building site development. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.</p>					
Rating Options - Dwellings Without Basements 					
Aggregation Method: Dominant Condition					
Component Percent Cutoff:					
Tie-break Rule: Higher					