PLANNING & ZONING WORKSHOP
AGENDA

Tuesday April 21, 2015

8:30 a.m. – 9:00 a.m.	**Registration**	
9:00 a.m. – 9:15 a.m.	**Welcome and Opening Remarks**	Mark Stodola, Mayor, Little Rock President, Arkansas Municipal League
	Planning is Important	Ken Wasson, Director of Operations Arkansas Municipal League
9:15 a.m. – 10:15 a.m.	**Recent Legislative Action and Your Authority to Grow**	Don Zimmerman, Executive Director Arkansas Municipal League
10:15 a.m. – 10:30 a.m.	**BREAK**	
10:30 a.m. – Noon	**Getting Started and Going Forward How It's Supposed to Work**	Jim vonTungeln, AICP Planning/Zoning Consultant Arkansas Municipal League

- The History, Purpose and Importance of Planning
- Establishing a Planning Commission
- Defining the Role of Your Planning Commission
- The Role of the Mayor & City Council

Noon – 12:45 p.m.	**LUNCH**	
12:45 p.m. – 1:15 p.m.	**How the State Geographic Information Office Can Assist**	Shelby Johnson, Director Arkansas Geographic Information Office

1:15 p.m. – 1:45 p.m.	**Importance of a Comprehensive Plan** • Establishing Your Community Vision • Future Land Use Challenges	Jim vonTungeln, AICP Planning/Zoning Consultant Arkansas Municipal League
1:45 p.m. – 2:15 p.m.	**Implementing Your Plan vs. Regulating Your Plan** • Zoning • Subdivision Regulations • Building Codes	Jim vonTungeln, AICP Planning/Zoning Consultant Arkansas Municipal League
2:15 p.m. – 2:45 p.m.	**Old Buildings: What is Your Responsibility?**	Patricia Blick, Assistant Director Arkansas Historic Preservation Program
2:45 p.m. – 3:15 p.m.	**New Concepts in Planning & Zoning**	Jim vonTungeln, AICP Planning/Zoning Consultant Arkansas Municipal League
3:15 p.m.	**Concluding Remarks**	Mark Stodola, Mayor, Little Rock President, Arkansas Municipal League

Recent Legislative Actions and Your Authority to Grow

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

SENATE BILL 138

By: Senator Files
By: Representative Boyd

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING ANNEXATION AND ENCLAVES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING ANNEXATION AND ENCLAVES.

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

SECTION 1. Arkansas Code § 14-40-501(a)(1)(A), concerning exceptions to annexation, is amended to read as follows:

(a)(1)(A)(i) Whenever the incorporated limits of a municipality have completely surrounded an unincorporated area, the governing body of the municipality may propose an ordinance calling for the annexation of the land surrounded by the municipality.

(ii) Subdivision (a)(1)(A)(i) of this section ~~shall include~~ includes situations in which the incorporated limits of a municipality have surrounded an unincorporated area on only three (3) sides because the fourth side is a boundary line with another state, a military base, a state park, ~~or~~ a national forest, a lake, or a river.

APPROVED: 02/18/2015

State of Arkansas *As Engrossed: H3/10/15*
90th General Assembly **A Bill**
Regular Session, 2015 HOUSE BILL 1710

By: Representative Neal
By: Senator Hester

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING A MUNICIPAL BOUNDARY LINE AND ANNEXATION; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING A MUNICIPAL BOUNDARY LINE AND ANNEXATION; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code Title 14, Chapter 40, Subchapter 2, is amended to add an additional section to read as follows:

14-40-207. Building situated or to be situated upon municipal boundary line — Option to choose municipal location.

(a)(1) A property owner who has a building that is currently situated upon the boundary line between two (2) municipalities may choose either one (1) of the municipalities as the legal location of the building.

(2) When the expansion of a building will result in the expansion's being situated upon the boundary line between two (2) municipalities, the property owner of the building may choose either one (1) of the municipalities as the legal location of the building if the property owner has first obtained the necessary authorizations or permits for expansion of the building from the municipality upon which the building is located before the expansion or the municipality upon which the building expansion will be located.

(b)(1) The property owner shall provide written notice to the

governing body of both municipalities as to which municipality is chosen under subsection (a) of this section.

(2) The written notice to the chosen municipality shall include a request for annexation into the chosen municipality.

(c) The property upon which the building is situated or will be situated after expansion and up to two (2) acres of the property owner's property surrounding the building and expansion shall be annexed into the municipality chosen by the owner under subsection (a) of this section.

(d) Within sixty (60) days of receipt of the written notice under subsection (b) of this section, the municipality chosen by the owner under subsection (a) of this section shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant area.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there are some property owners in Arkansas with property that crosses the boundary of two (2) municipalities; that the physical location of a building on the property is sometimes on the boundary line, causing sales tax and other issues for the property owners; and that this act is immediately necessary to ensure that there is clarity to the property owner and to the municipalities as to which municipality is the legal location of the property. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Neal

APPROVED: 03/29/2015

State of Arkansas *As Engrossed: H3/16/15*
90th General Assembly **A Bill**
Regular Session, 2015 HOUSE BILL 1680

By: Representative Gates

For An Act To Be Entitled

AN ACT CONCERNING THE ANNEXATION OF TERRITORY UNDER MUNICIPAL TERRITORIAL JURISDICTION; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE ANNEXATION OF TERRITORY UNDER MUNICIPAL TERRITORIAL JURISDICTION.

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

SECTION 1. Arkansas Code Title 14, Chapter 40, Subchapter 2, is amended to add an additional section to read as follows:

14-40-207. Annexation of territory under municipal territorial jurisdiction.

(a) If a municipality states its intent by resolution or ordinance to annex a specifically defined territory, or portion of the territory, over which it is exercising territorial jurisdiction under § 14-56-413, the municipality shall initiate annexation proceedings within *five (5) years* of the stated intent.

(b)(1) During the *five (5) years* under subsection (a) of this section, *the municipality may continue to exercise its territorial jurisdiction under § 14-56-413, including the defined territory specified within its intent to annex.*

(2) If the municipality does not initiate annexation proceedings *of the territory specified within its intent to annex within five (5) years of the effective date of the resolution or ordinance under subsection (a) of this section, the municipality is prohibited from again exercising*

territorial jurisdiction over the territory specified within its intent to annex for the next five (5) years.

/s/Gates

APPROVED: 03/31/2015

State of Arkansas *As Engrossed: H3/13/15*
90th General Assembly **A Bill**
Regular Session, 2015 HOUSE BILL 1886

By: Representative Lemons

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING ANNEXATION AND MUNICIPAL SERVICES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING ANNEXATION AND MUNICIPAL SERVICES.

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

SECTION 1. Arkansas Code Title 14, Chapter 40, Subchapter 20, is amended to add an additional section to read as follows:

14-40-2006. Provision of municipal services.

In a municipal services matter under this subchapter, if a city or incorporated town from which the inhabitants detached determines that the scheduled services are available or became available to the detaching inhabitants by the city or incorporated town to which the inhabitants were annexed into, the inhabitants shall automatically be detached and annexed back into the original city or incorporated town after the expiration of one hundred eighty (180) days following the date the schedule of services became available to the inhabitants and the inhabitants have not used the services.

/s/Lemons

APPROVED: 04/01/2015

State of Arkansas *As Engrossed: H3/20/15*
90th General Assembly **A Bill**
Regular Session, 2015 SENATE BILL 837

By: Senators Irvin, S. Flowers
By: Representative Bentley

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE FILING OF MAPS UPON ANNEXATION, CONSOLIDATION, DETACHMENT, INCORPORATION, OR UNINCORPORATION PROCEEDINGS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE FILING OF MAPS UPON ANNEXATION, CONSOLIDATION, DETACHMENT, INCORPORATION, OR UNINCORPORATION PROCEEDINGS.

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

SECTION 1. Arkansas Code Title 14, Chapter 38, Subchapter 1, is amended to add an additional section to read as follows:

14-38-116. Map required with Arkansas Geographic Information Systems Office upon incorporation or unincorporation.

Before an entity undertakes an incorporation or unincorporation proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant incorporated or unincorporated areas.

SECTION 2. Arkansas Code Title 14, Chapter 40, Subchapter 1, is amended to add an additional section to read as follows:

14-40-101. Map required with Arkansas Geographic Information Systems Office upon annexation, consolidation, or detachment.

Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

SECTION 3. Arkansas Code § 15-21-504, concerning the duties, responsibilities, and authority of the Arkansas Geographic Information Systems Board, is amended to add an additional subsection to read as follows:

(n)(1) The board shall provide mapping services to an entity undertaking an:

(A) Annexation, consolidation, or detachment proceeding under § 14-40-101; or

(B) Incorporation or unincorporation proceeding under § 14-38-116.

(2) The Arkansas Geographic Information Systems Office shall submit a consolidated report of changes in legal boundaries because of an annexation, consolidation, detachment, incorporation, or unincorporation proceeding on an annual basis to the United States Census Bureau's Boundary and Annexation Survey.

/s/Irvin

APPROVED: 04/01/2015

State of Arkansas *As Engrossed: S3/17/15*
90th General Assembly **A Bill**
Regular Session, 2015 SENATE BILL 305

By: Senators J. Cooper, Burnett
By: Representatives Wallace, B. Smith

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING ANNEXATIONS BY ONE HUNDRED PERCENT (100%) PETITION; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING ANNEXATIONS BY ONE HUNDRED PERCENT (100%) PETITION.

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

SECTION 1. Arkansas Code Title 14, Chapter 40, Subchapter 6, is amended to add an additional section to read as follows:

14-40-609. Annexation by one hundred percent (100%) petition.

(a) As used in this section, "city or town" means:

(1) A city of the first class;

(2) A city of the second class; and

(3) An incorporated town.

(b)(1) An individual who owns property in a county that is contiguous to a city or town may petition the governing body of the city or town to annex the property that is contiguous to the city or town.

(2) The petition under subdivision (b)(1) of this section:

(A) Shall be in writing, attested by the property *owner or owners;*

(B) Shall contain an accurate description of the relevant property or properties; and

(C) Shall include a schedule of services of the annexing

city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

(3) The petition shall be filed with the county assessor and the county clerk, and within fifteen (15) days of the filing, the county assessor and the county clerk shall:

(A) Verify the identity of the petitioner or petitioners;

(B) Verify that there are no property owners included in the petition that do not wish to have their property annexed;

(C) Verify that the property or properties are contiguous with the city or town; and

(D) Verify that no enclaves will be created if the petition is accepted by the city or town.

(c)(1) Upon completion of the verifications of the petition by the county assessor and the county clerk, the county assessor and the county clerk shall present the petition and verifications to the county judge who shall review the petition and verifications for accuracy.

(2) Within fifteen (15) days of the receipt of the petition and verifications, the county judge shall:

(A) Review the petition and verifications for completeness and accuracy;

(B) Determine that no enclaves will be created by the annexation;

(C) Confirm that the petition contains a schedule of services; and

(D) Issue an order articulating these findings and forward the petition and order to the contiguous city or town.

(d)(1)(A) By ordinance or resolution, the city or town *may grant the petition and accept* the property for annexation to the city or town.

(B) The city or town is not required *to grant the petition and accept* the property petitioned to be annexed.

(2) The ordinance or resolution shall contain an accurate description of the property to be annexed.

(3) If the governing body of the city or town accepts the contiguous property, the clerk or recorder of the city or town shall certify and send one (1) copy of the plat of the annexed property and one (1) copy of the ordinance or resolution of the governing body of the city or town to the

county clerk.

(e) The county clerk shall forward a copy of each document received under subdivision *(d)*(3) of this section to the:

(1) Secretary of State, who shall file and preserve each copy; and

(2) Director of the Tax Division of the Arkansas Public Service Commission, who shall file and preserve each copy and notify all utility companies having property in the city or town of the annexation proceedings.

(f)(1) Notwithstanding any other provisions in this chapter, *thirty (30) days after* passage of the ordinance or resolution by the governing body of the city or town under this section, the annexation shall be final and the property shall be within the corporate limits of the city or town.

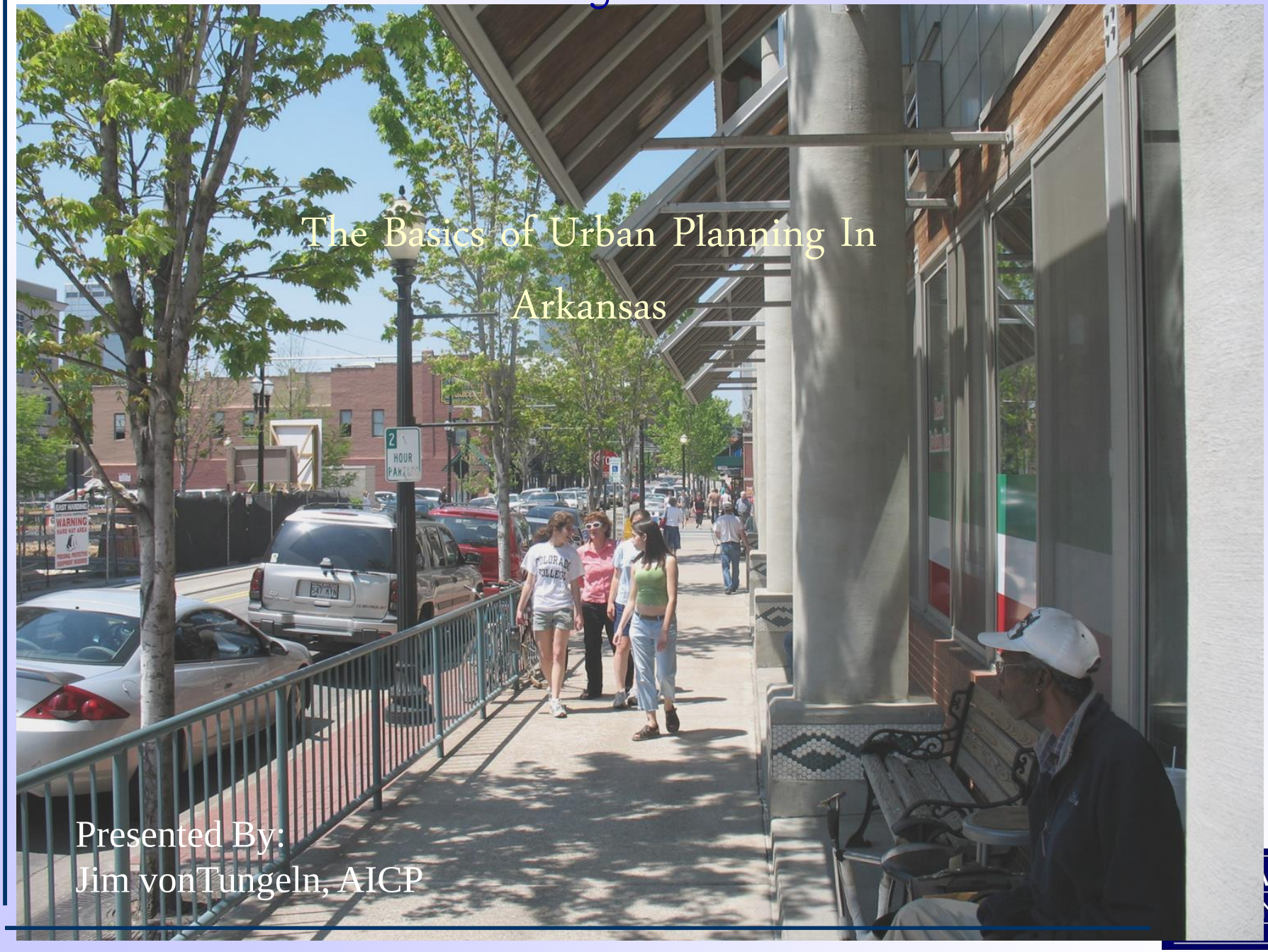
(2) The inhabitants residing in the newly annexed property shall have and enjoy all the rights and privileges of the inhabitants within the *original limits of the city or town.*

(g)(1) During the thirty-day period under subdivision (f)(1) of this section, a cause of action may be filed in the circuit court of the county of the annexation by a person asserting and having an ownership right in the property objecting to the petition or by any person asserting a failure to comply with this section.

(2) After the thirty-day period, an action under subdivision (g)(1) of this section is not timely.

/s/J. Cooper

APPROVED: 04/02/2015



The Basics of Urban Planning In Arkansas

Presented By:
Jim vonTungeln, AICP

Planning In Arkansas

URBAN PLANNING ASSOCIATES, INC.

Planning In Arkansas

URBAN PLANNING ASSOCIATES, INC.

TODAY'S OUTLINE

I keep six honest serving-men
(They taught me all I knew);
Their names are What and Why and When
And How and Where and Who.
I send them over land and sea,
I send them east and west;
But after they have worked for me,
I give them all a rest.
- Rudyard Kipling

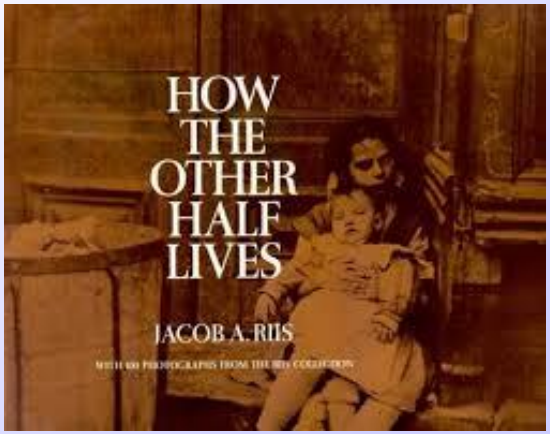
From "I Keep Six Honest Serving Men"

THE HOW

THE COMMON LAW

URBAN PLANNING ASSOCIATES, INC.

Truth is: our cities weren't always beloved



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Urban Planning – Our Heritage

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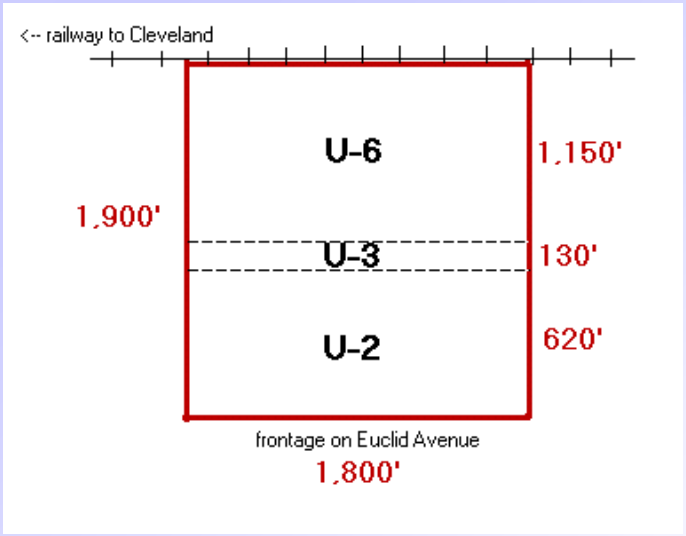
Urban Planning – Our Heritage

Village of Euclid, Ohio vs Ambler Realty Co.

▼Cleveland▼



▲Euclid▲

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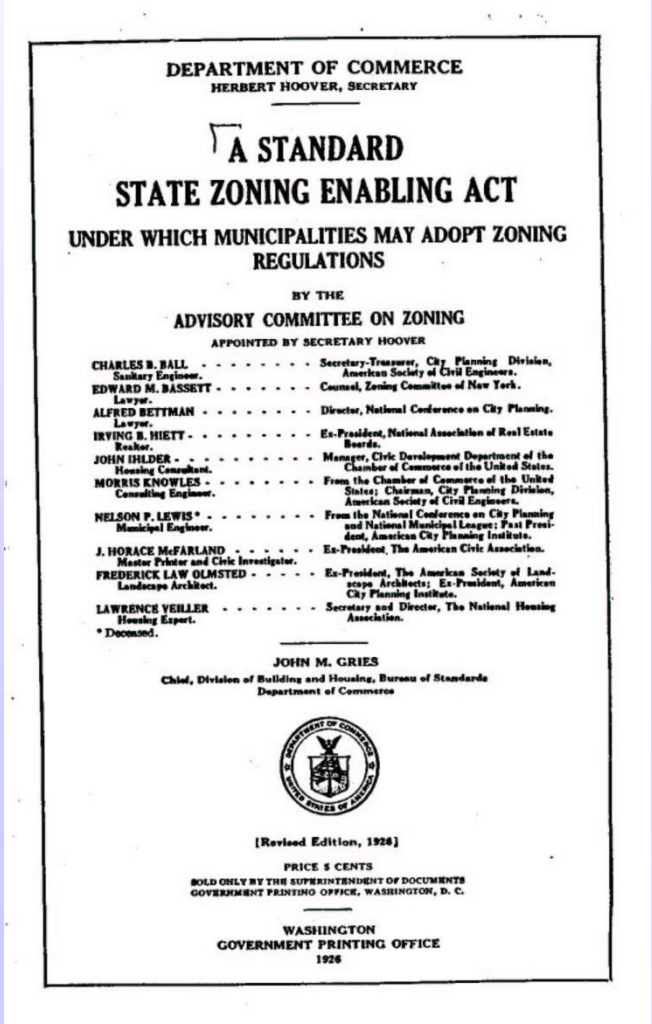
Urban Planning – Legal Basis



DEPARTMENT OF COMMERCE
HERBERT HOOVER, SECRETARY

A STANDARD
STATE ZONING ENABLING ACT

UNDER WHICH MUNICIPALITIES MAY ADOPT ZONING REGULATIONS

BY THE

ADVISORY COMMITTEE ON ZONING

APPOINTED BY SECRETARY HOOVER

CHARLES B. BALL, Sanitary Engineer. — Secretary-Treasurer, City Planning Division, American Society of Civil Engineers.
EDWARD M. BASSETT, Lawyer. — Counsel, Zoning Committee of New York.
ALFRED BETTMAN, Lawyer. — Director, National Conference on City Planning.
IRVING B. HIETT, Realtor. — Ex-President, National Association of Real Estate Boards.
JOHN IHLDER, Housing Consultant. — Manager, Civic Development Department of the Chamber of Commerce of the United States.
MORRIS KNOWLES, Consulting Engineer. — From the Chamber of Commerce of the United States; Chairman, City Planning Division, American Society of Civil Engineers.
NELSON P. LEWIS*, Municipal Engineer. — From the National Conference on City Planning and National Municipal League; Past President, American City Planning Institute.
J. HORACE McFARLAND, Master Printer and Civic Investigator. — Ex-President, The American Civic Association.
FREDERICK LAW OLMSTED, Landscape Architect. — Ex-President, The American Society of Landscape Architects; Ex-President, American City Planning Institute.
LAWRENCE VEILLER, Housing Expert. — Secretary and Director, The National Housing Association.

* Deceased.

JOHN M. GRIES
Chief, Division of Building and Housing, Bureau of Standards
Department of Commerce

[Revised Edition, 1926]

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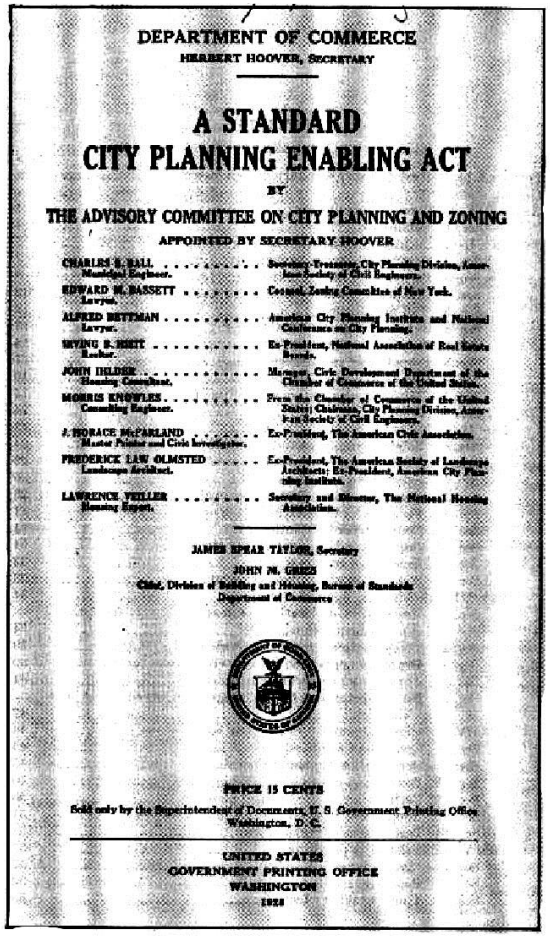

DEPARTMENT OF COMMERCE
HERBERT HOOVER, SECRETARY

A STANDARD
CITY PLANNING ENABLING ACT

BY

THE ADVISORY COMMITTEE ON CITY PLANNING AND ZONING

APPOINTED BY SECRETARY HOOVER

CHARLES B. BALL, Municipal Engineer. — Secretary-Treasurer, City Planning Division, American Society of Civil Engineers.
EDWARD M. BASSETT, Lawyer. — Counsel, Zoning Committee of New York.
ALFRED BETTMAN, Lawyer. — American City Planning Institute and National Conference on City Planning.
IRVING B. HIETT, Realtor. — Ex-President, National Association of Real Estate Boards.
JOHN IHLDER, Housing Consultant. — Manager, Civic Development Department of the Chamber of Commerce of the United States.
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LAWRENCE VEILLER, Housing Expert. — Secretary and Director, The National Housing Association.

JAMES SPEAR TAYLOR, Secretary

JOHN M. GRIES
Chief, Division of Building and Housing, Bureau of Standards
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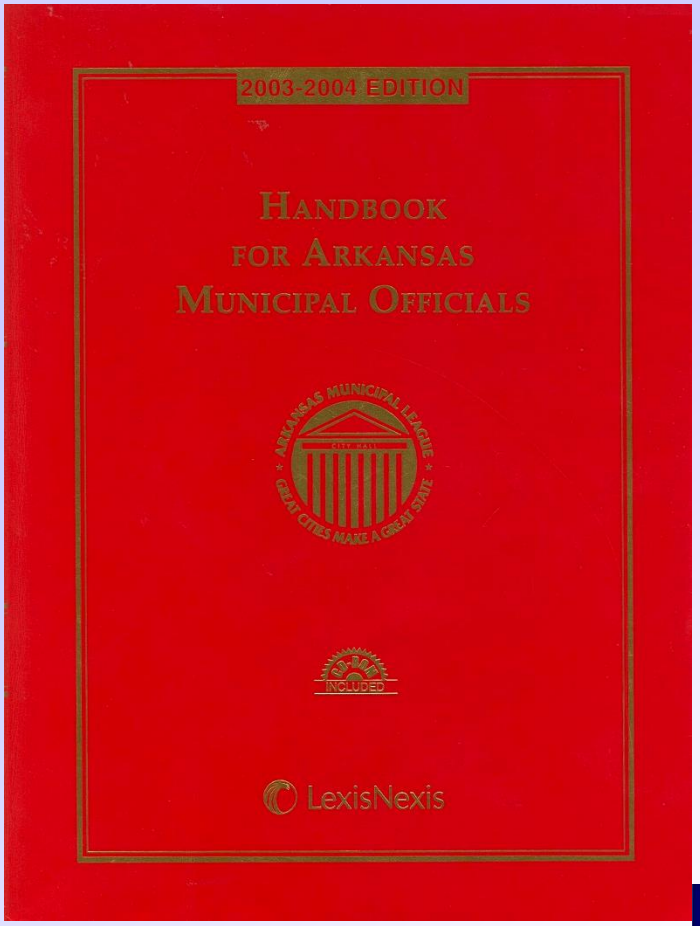
Urban Planning – Legal Basis

Act 186 of 1957

Arkansas Code Annotated 14-56-401-426



URBAN PLANNING ASSOCIATES, INC.

Act 1187 of 2011

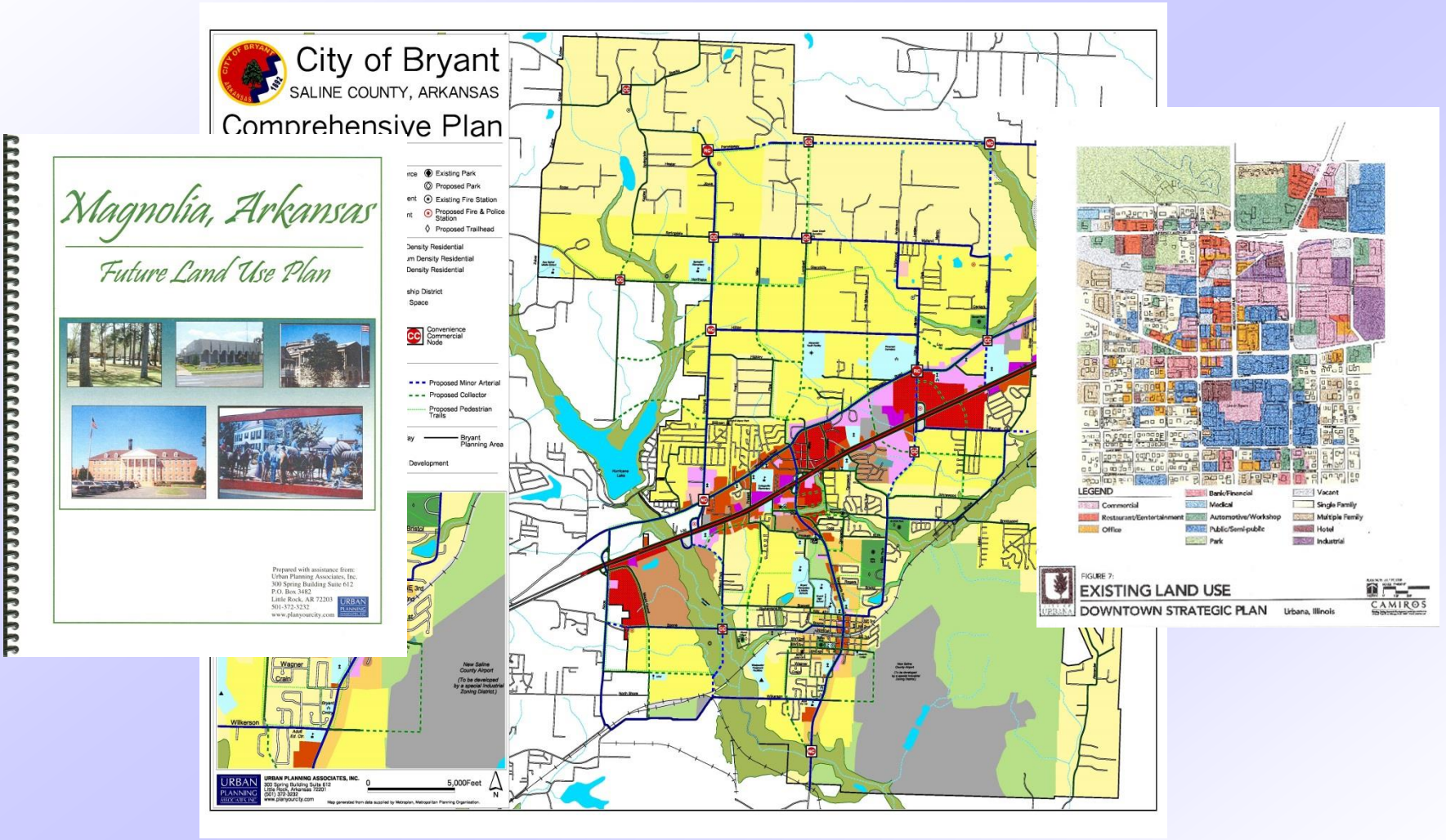
SECTION 2. Arkansas Code § 14-43-602 is amended to read as follows:

14-43-602. Authority generally.

Any city of the first class (a) A municipality is authorized to perform any function and exercise full legislative power in any and all matters of whatsoever nature pertaining to its municipal affairs including, but not limited to, the power to tax.

(b) The rule of decision known as Dillon's Rule is inapplicable to the municipal affairs of municipalities.

First – We Plan



Then – We regulate

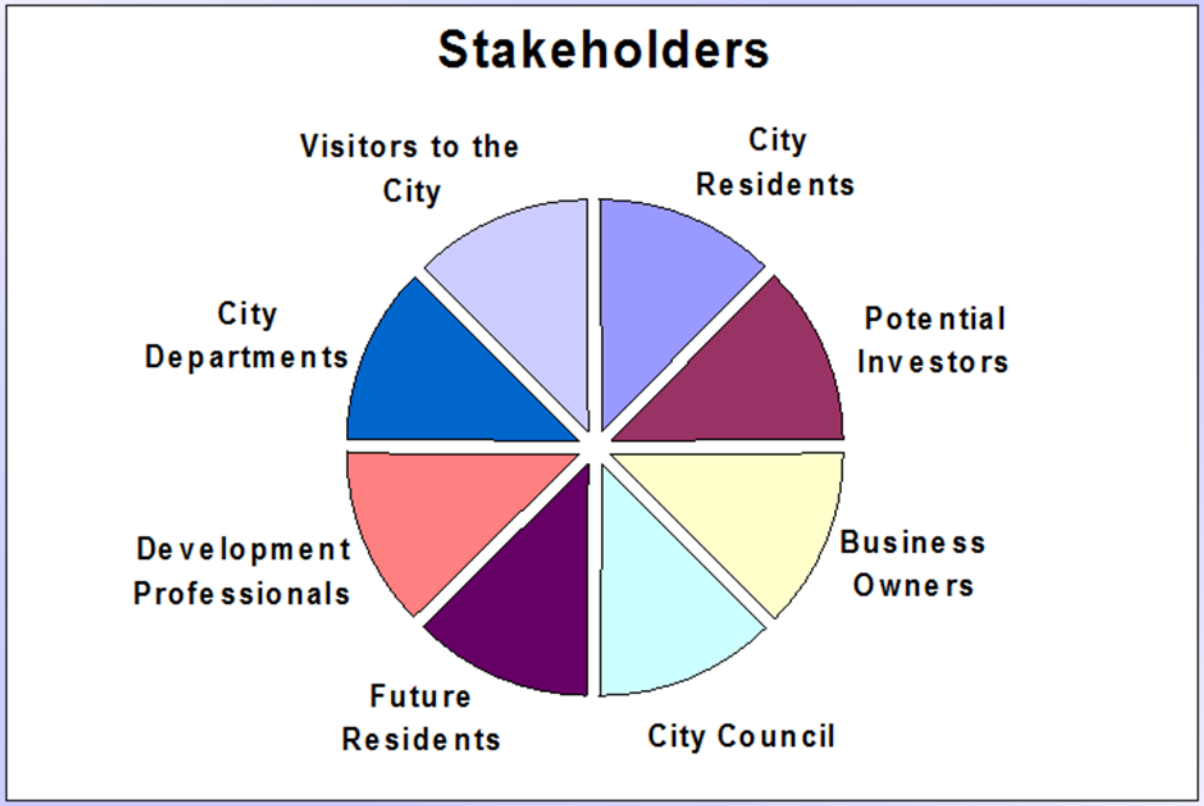
URBAN PLANNING ASSOCIATES, INC.

The Planning Process

- Develop a community vision
- Identify issues
- Set goals and policies
- Prepare plans
- Draft programs to implement plan
- Evaluate potential impacts
- Review and adopt plan
- Adopt methods to implement plan
- Administer programs
- Review and revise

THE WHO

THE WHO


Stakeholders
Visitors to the City
City Residents
City Departments
Potential Investors
Development Professionals
Business Owners
Future Residents
City Council

Standard of Review – One

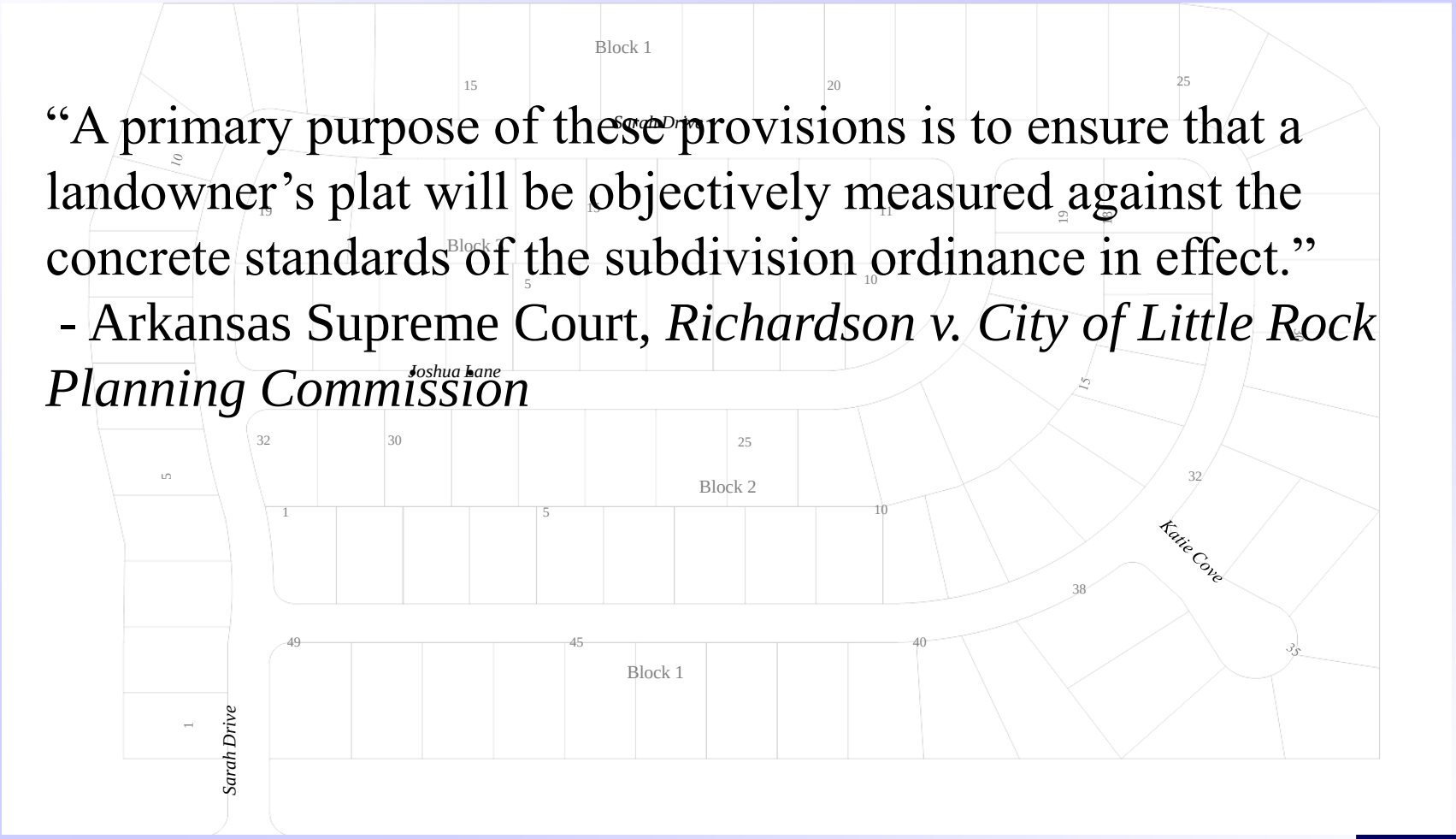
Legislative

URBAN PLANNING ASSOCIATES, INC.

Standard of Review – Two

Administrative

The Subdivision Code



"A primary purpose of these provisions is to ensure that a landowner's plat will be objectively measured against the concrete standards of the subdivision ordinance in effect."
- Arkansas Supreme Court, *Richardson v. City of Little Rock Planning Commission*

URBAN PLANNING ASSOCIATES, INC.

Standard of Review – Three

Judicial

THE SCARY THING ABOUT VARIANCES

AT LEAST 99.9999 PERCENT ARE GRANTED FOR INCONVENIENCE

THE WHERE

Act 1053:

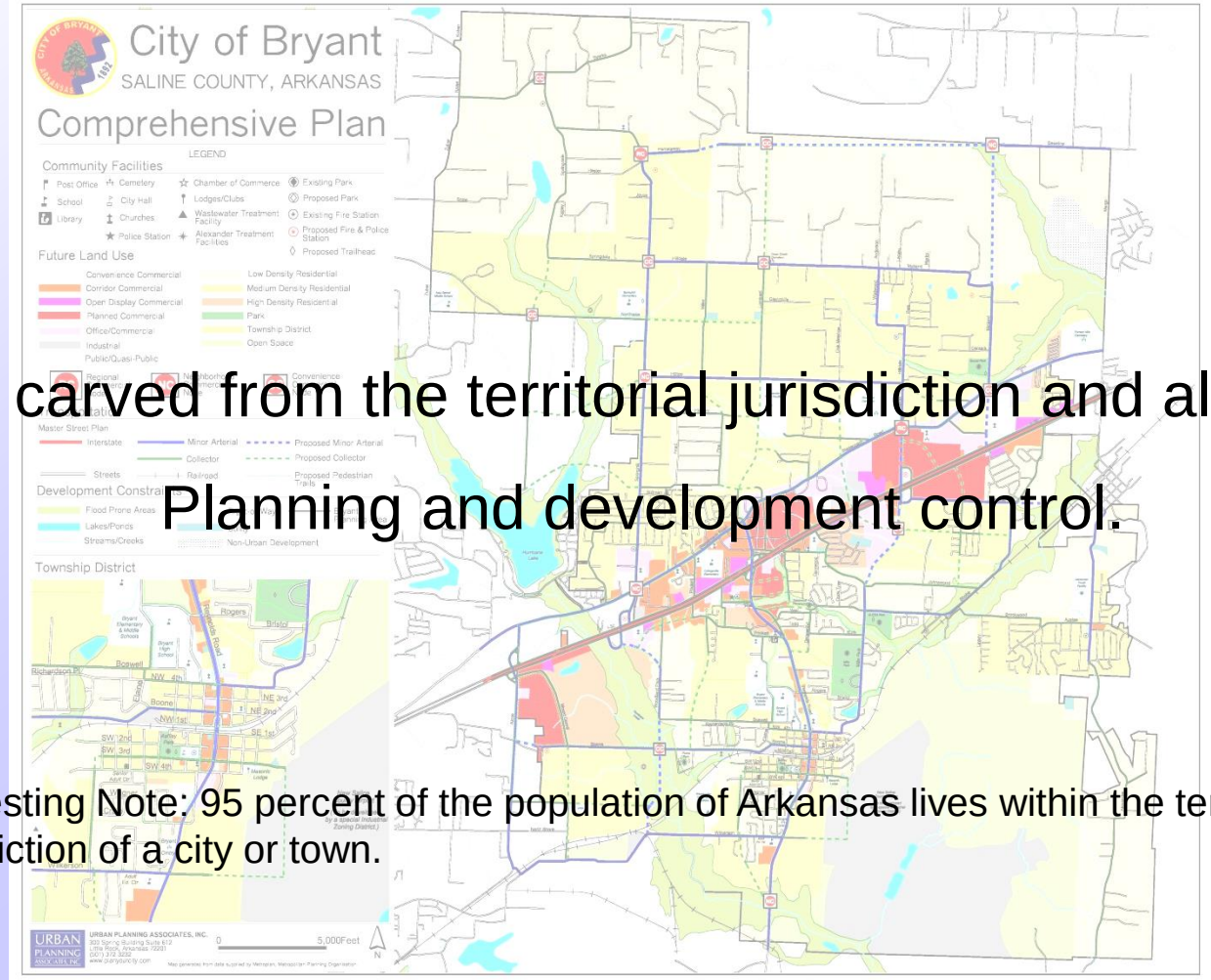
Reduces the Territorial Jurisdiction for Municipalities from the current five miles to:

- One Mile for cities up to 60,000
- Two miles for cities between 60,000 and 150,000
- Three miles for cities over 150,000

Allows zoning outside the city within the territorial jurisdiction for cities above 8,000 on navigable streams.

And: Removes the word “exclusive” from the authority of a municipality within the territorial jurisdiction

The Planning Area



Is carved from the territorial jurisdiction and allows

Planning and development control.

Interesting Note: 95 percent of the population of Arkansas lives within the territorial jurisdiction of a city or town.

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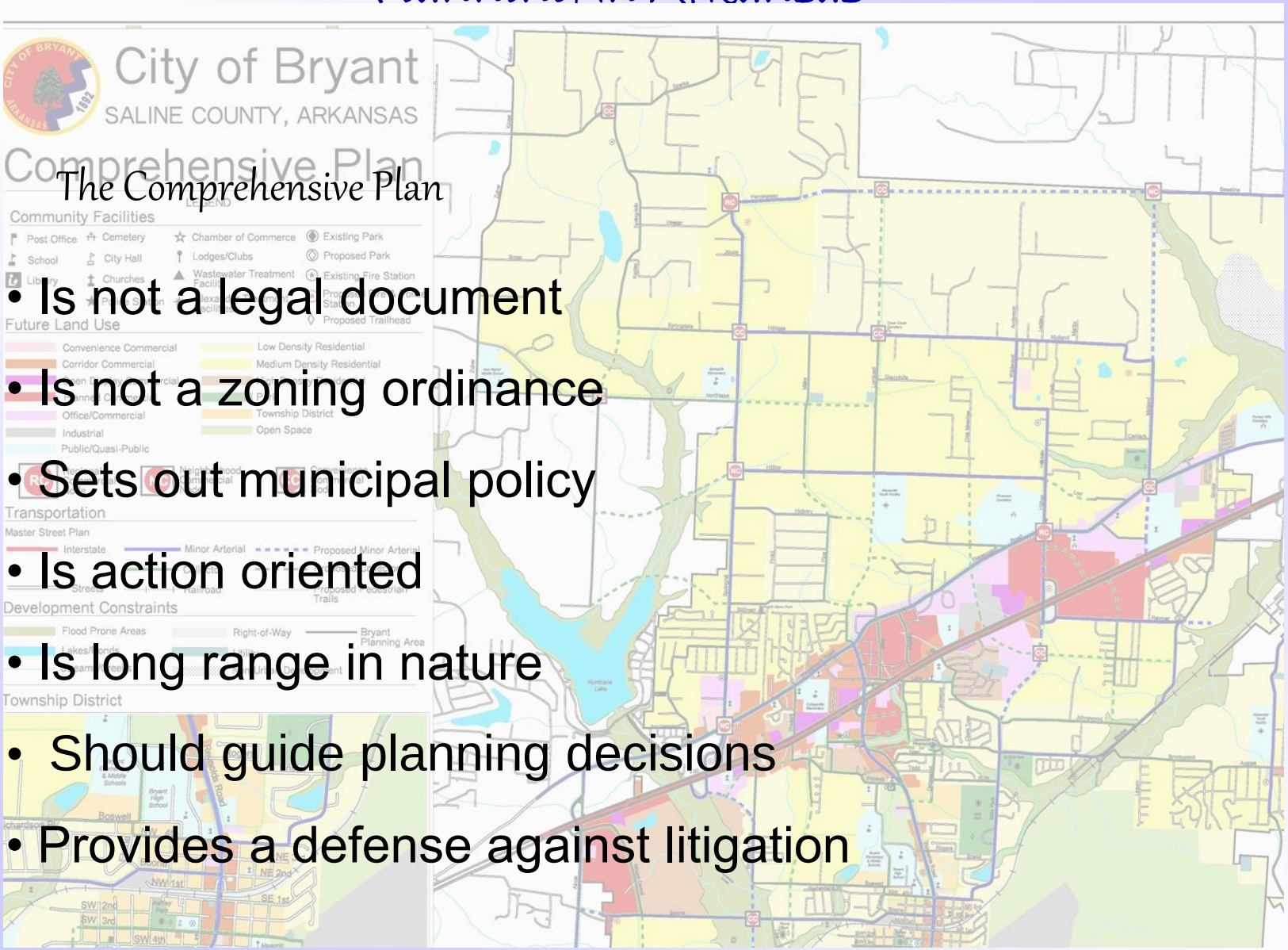

The Comprehensive Plan

- Is not a legal document
- Is not a zoning ordinance
- Sets out municipal policy
- Is action oriented
- Is long range in nature
- Should guide planning decisions
- Provides a defense against litigation

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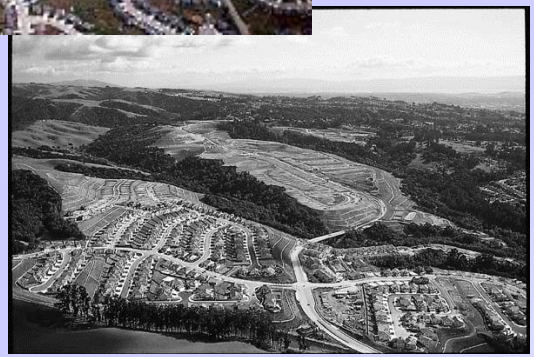
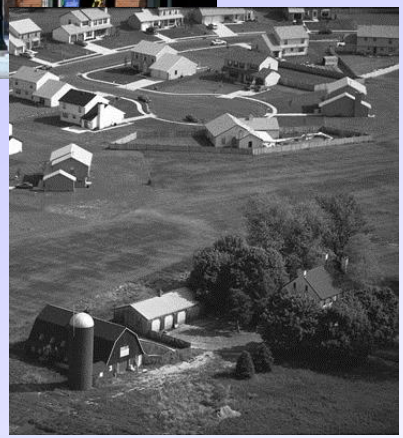
THE WHAT

Efficiency and economy in the process of development



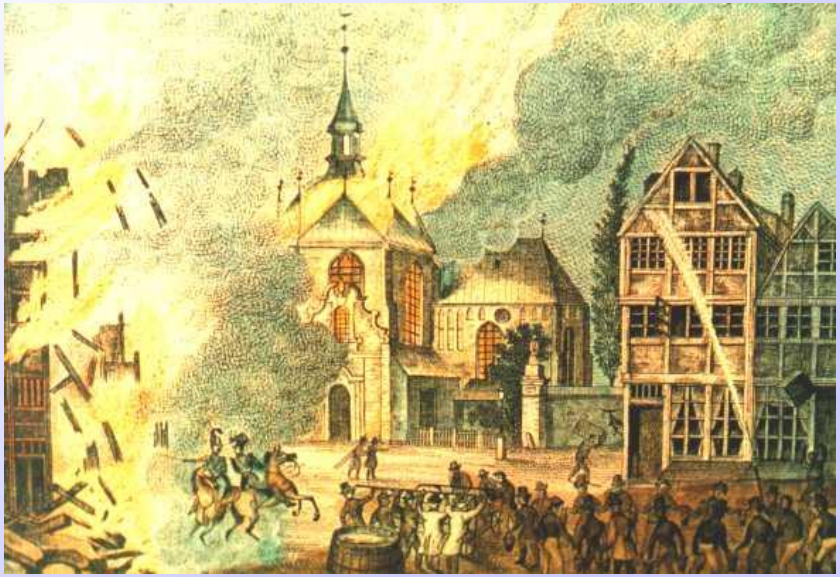


The appropriate and best use of land

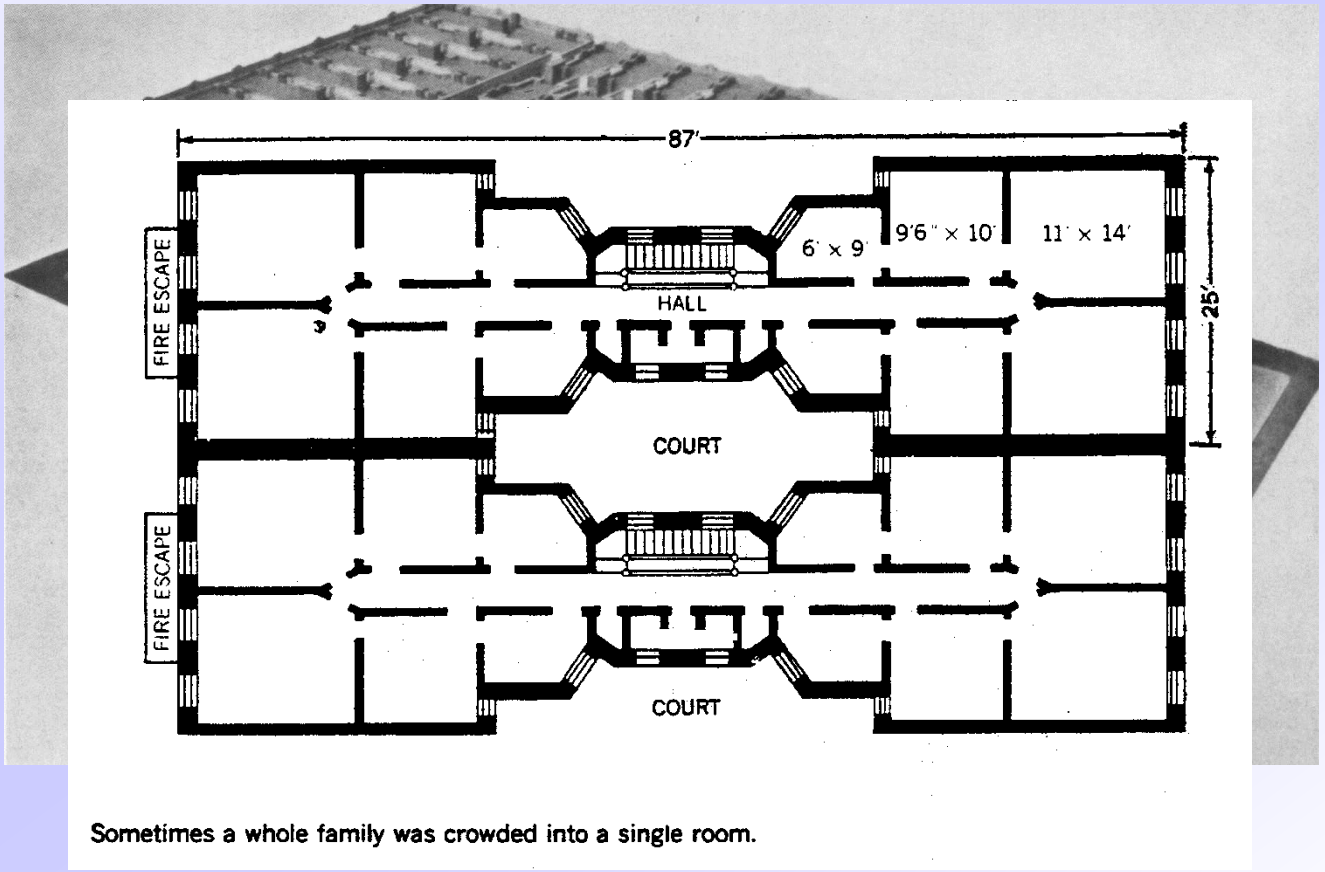
Convenience of traffic and circulation of people and goods

URBAN PLANNING ASSOCIATES, INC.

Safety from fire and other dangers



Adequate light and air in the use and occupancy of buildings

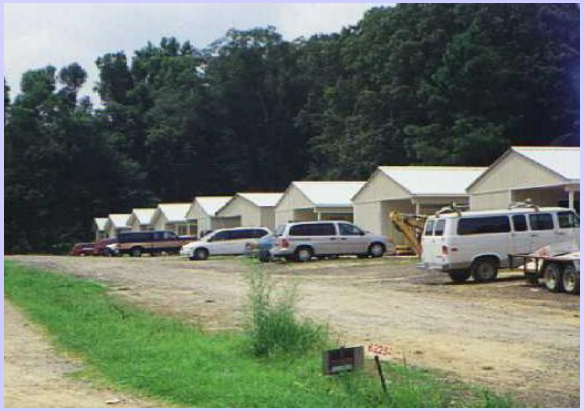


Sometimes a whole family was crowded into a single room.

URBAN PLANNING ASSOCIATES, INC.

Healthful and convenient distribution of population

Good civic design and arrangement



Adequate public utilities and facilities

Wise and efficient expenditure of funds

URBAN PLANNING ASSOCIATES, INC.

THE WHEN

Hint: Whenever you need to.

THE WHY

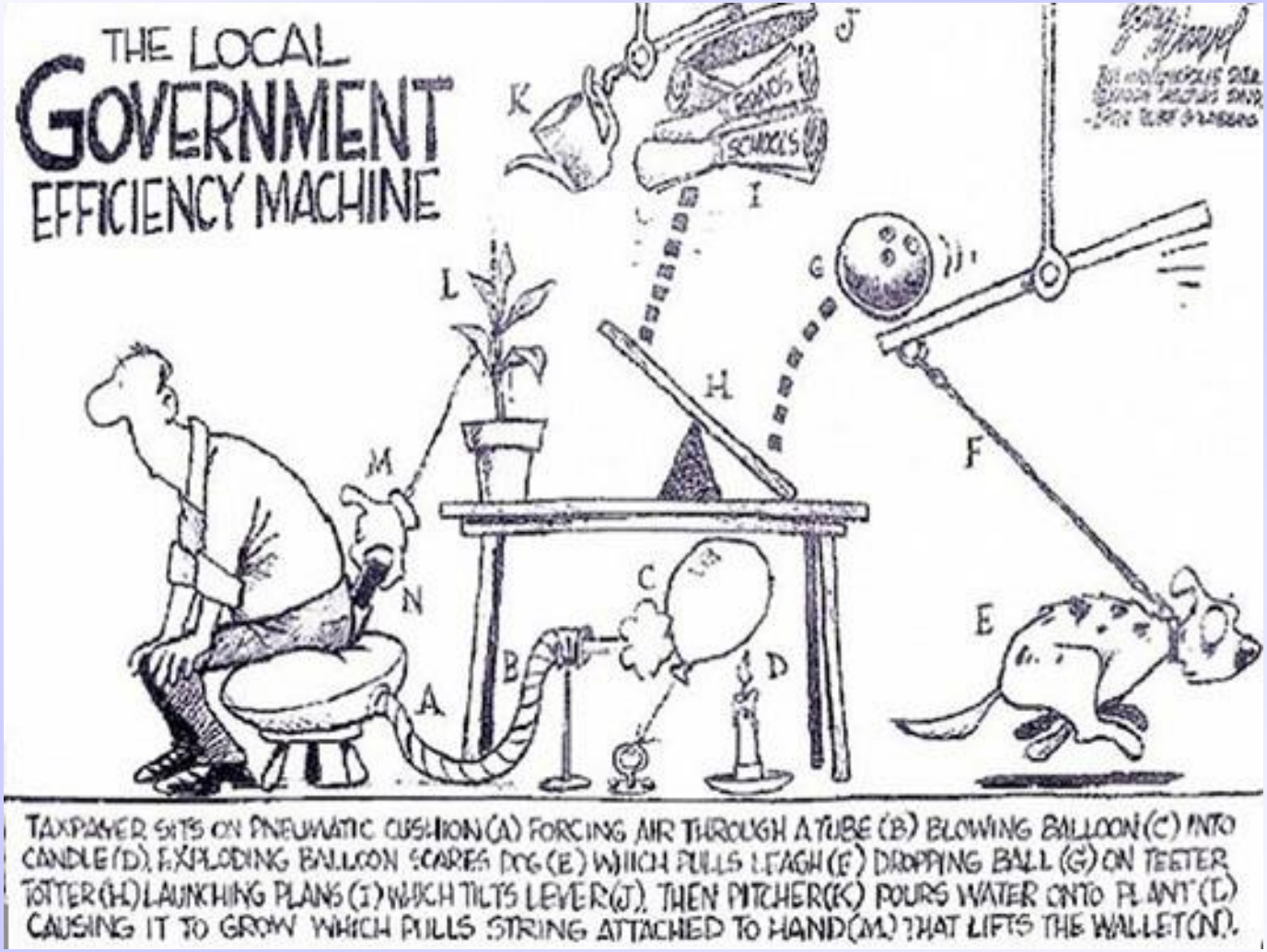
Have we considered “The Whyness” of it?

Does it pass the "BankPresident's rule?

URBAN PLANNING ASSOCIATES, INC.

Is it the least restrictive alternative?

Is it efficient?



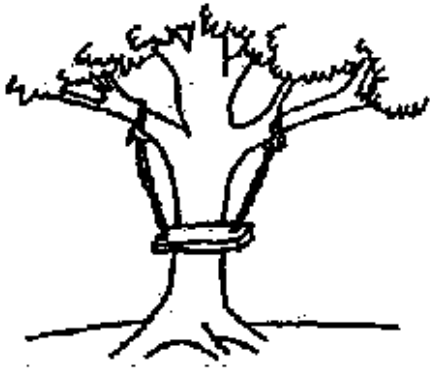
URBAN PLANNING ASSOCIATES, INC.

Can it be misinterpreted?

As proposed by the project sponsor.

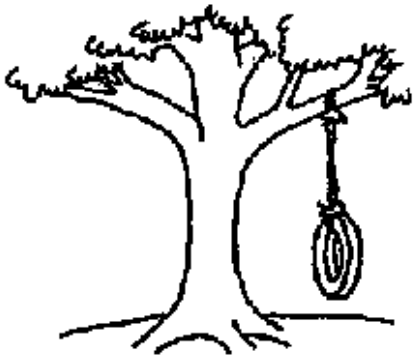
As specified in the project request.

As designed by the senior analyst.



As produced by the programmers.

As installed at the user's site.



What the user wanted.

Does it pass the smell test?

And finally ... Does it serve a legitimate planning purpose?

Remember... Your job is to protect the health, safety, welfare and morals of your community.

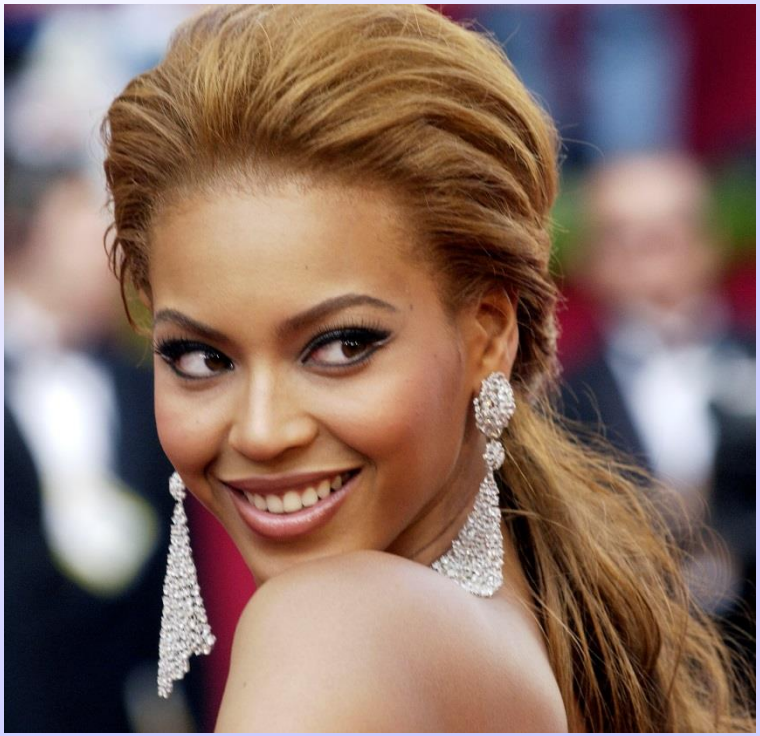
URBAN PLANNING ASSOCIATES, INC.

SOME CLOSING THOUGHTS

Remember Miles Law

Where you stand depends on where you sit.

New Urbanism: a prettier face on the same subject.



New Urbanism: beauty in the eyes of the beholder.

Planning as good government

URBAN PLANNING ASSOCIATES, INC.

Connecting the dots:

a complicated process

URBAN PLANNING ASSOCIATES, INC.

Questions?

Shelby Johnson

Shelby Johnson Shelby Johnson is a native Arkansan who serves as the State Geographic Information Officer. He received his B.A. in Geography from the University of Arkansas in Fayetteville. As the director of the Arkansas Geographic Information Office, he's required to report directly to the Governor of the state. He formerly worked as a Research Specialist at the Center for Advanced Spatial Technologies at the University of Arkansas. Overall, Shelby has been gathering education and experience in the GIS field for over 20 years. Shelby has held several leadership roles in Arkansas and was instrumental in organizing the State Land Information Board; which was later renamed the State GIS Board. He is responsible for assisting the State GIS Board in building a coordinated GIS system to meet the needs of the people of Arkansas. He is also currently serving as a Director at Large on the Executive Committee of the Mid-America GIS Consortium. Shelby served on the NSGIC Board of Directors from 2001 to 2005. In 2001, he was selected to participate in the prestigious "LeadAR" program that grooms outstanding adults in Arkansas for future leadership roles. He was also selected to serve on a research committee of the National Academy of Science in developing a national vision for a landownership database of the United States. In 2007, he was honored with a Life Time Achievement Award by the Arkansas GIS Users Forum for his contribution to the GIS community. Shelby, his lovely wife Belinda, and their son Luke live in Little Rock, Arkansas. In his spare time, Shelby's love for the outdoors takes over. This is when he enjoys riding his bike, racing his motorcycles, and kayaking.

Tax Parcels - the Foundation of Municipal Geography

ARKANSAS GIS OFFICE

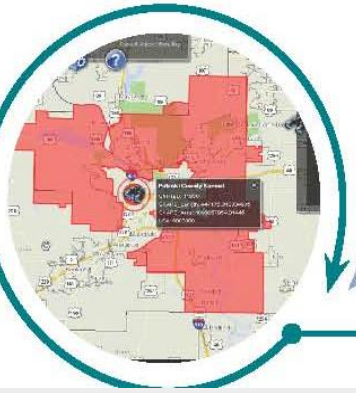
What are Framework Data?
The Things *everybody* needs…

INVESTING IN ARKANSAS' SPATIAL DATA INFRASTRUCTURE

Orthophoto investment: ~$1.2M/year
Provides a uniform base map "foundation" for state and counties.

Parcel investment: ~$7.5M over 5 years
Provides efficient property tax assessment and collection; enhanced revenue for education and a key tool for economic development.

Political/Administrative Boundary investment: $75K /year
Provides accurate school assignment, streamlined sales tax allocation, accurate municipal tax collection from utilities.



Road data investment: $200K /year
Provides reliable E911 operations, streamlined sales tax collection and a more efficient flow of goods and services across the state.

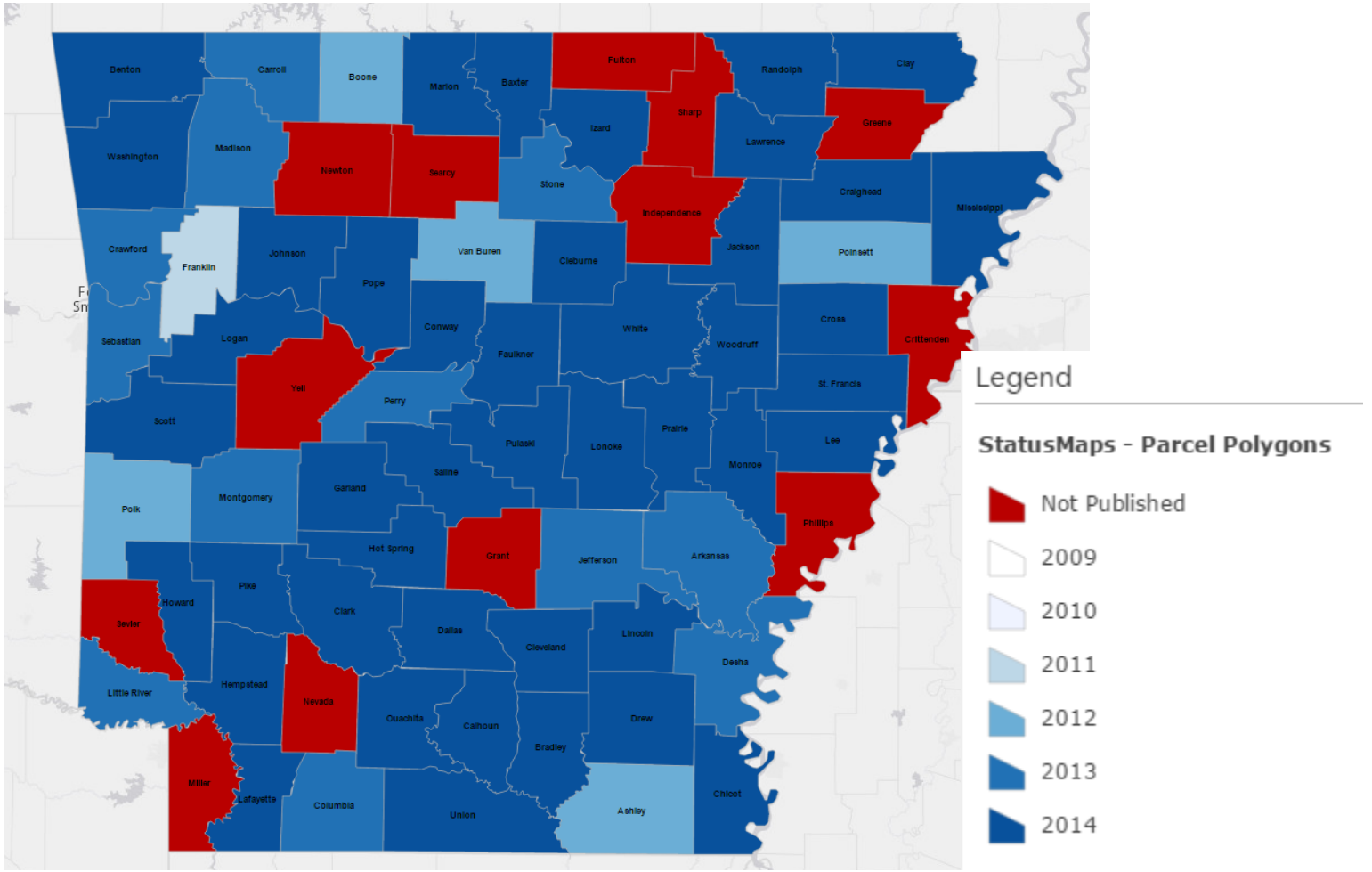
TAX PARCELS

- Why invest?
  - Baseline for property ownership and addresses
  - Current rate of progress is inadequate
    - **“Have” and “have not” counties**
- Benefits:
  - Economic development and business recruitment
  - Real property discovery for Assessors
  - Automation of agricultural assessment based on soils
  - Municipal Planning
    - “Where should the fire station get built?”

TAX PARCELS

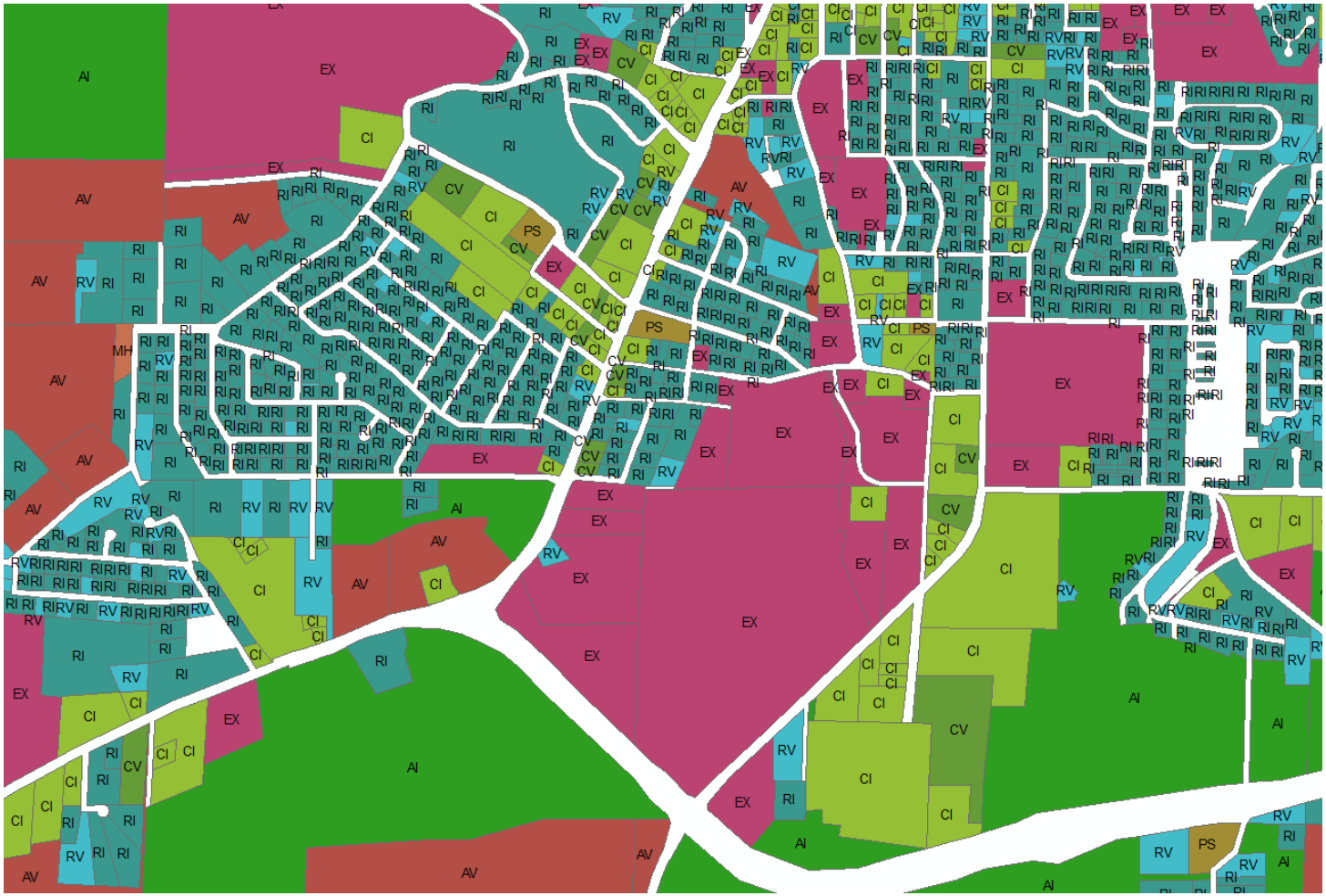
- **Finish the state**
  - Approximately 70% of parcels have been automated
    - 40 of 75 counties are complete 1.54 million polygons
    - 65 of 75 counties **have started**
- **Parcel Mapping Grant Program**
  - Provide *funding support* to counties
    - To start work
    - To complete work that has started
    - To standardize existing parcels
  - Work closely with Assessment Coordination Dept (ACD)
    - ACD *mandate for mapping* to facilitate “fair and efficient” valuation?
    - Provide one-time funding through cooperative process

State Status



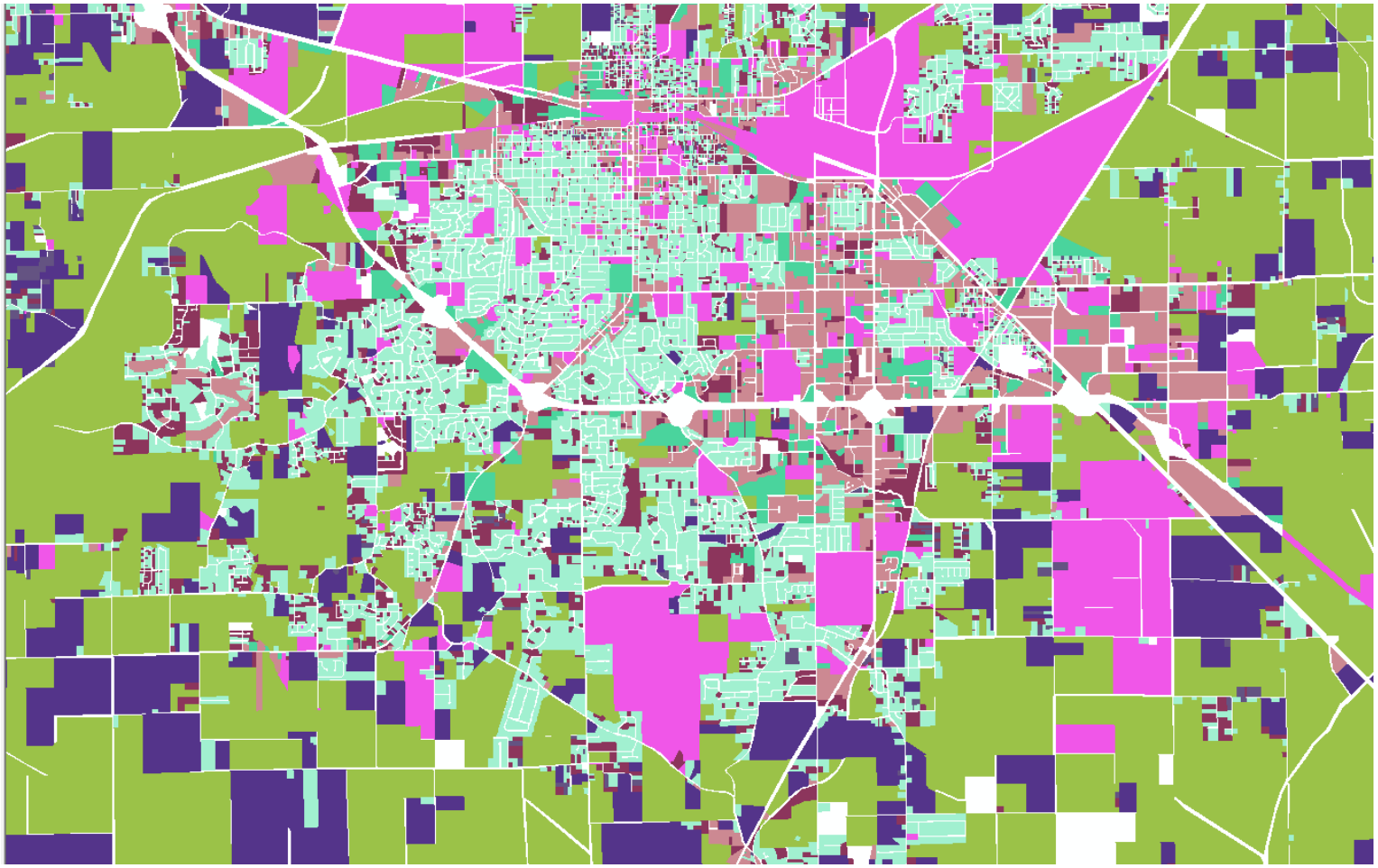
ARKANSAS GIS OFFICE

Tax Parcels by Assessment Type

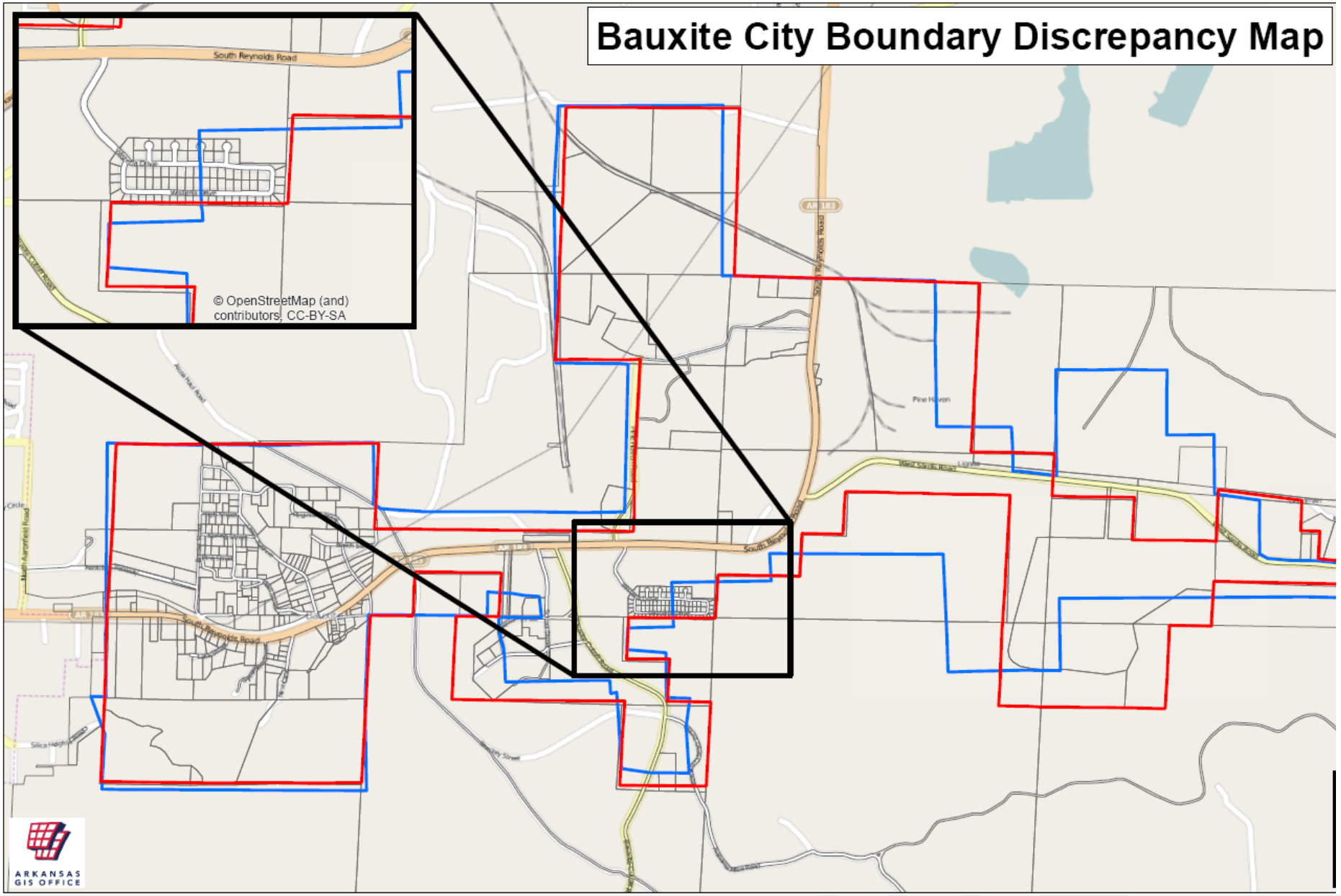


ARKANSAS GIS OFFICE

Parcels by Assessment Type

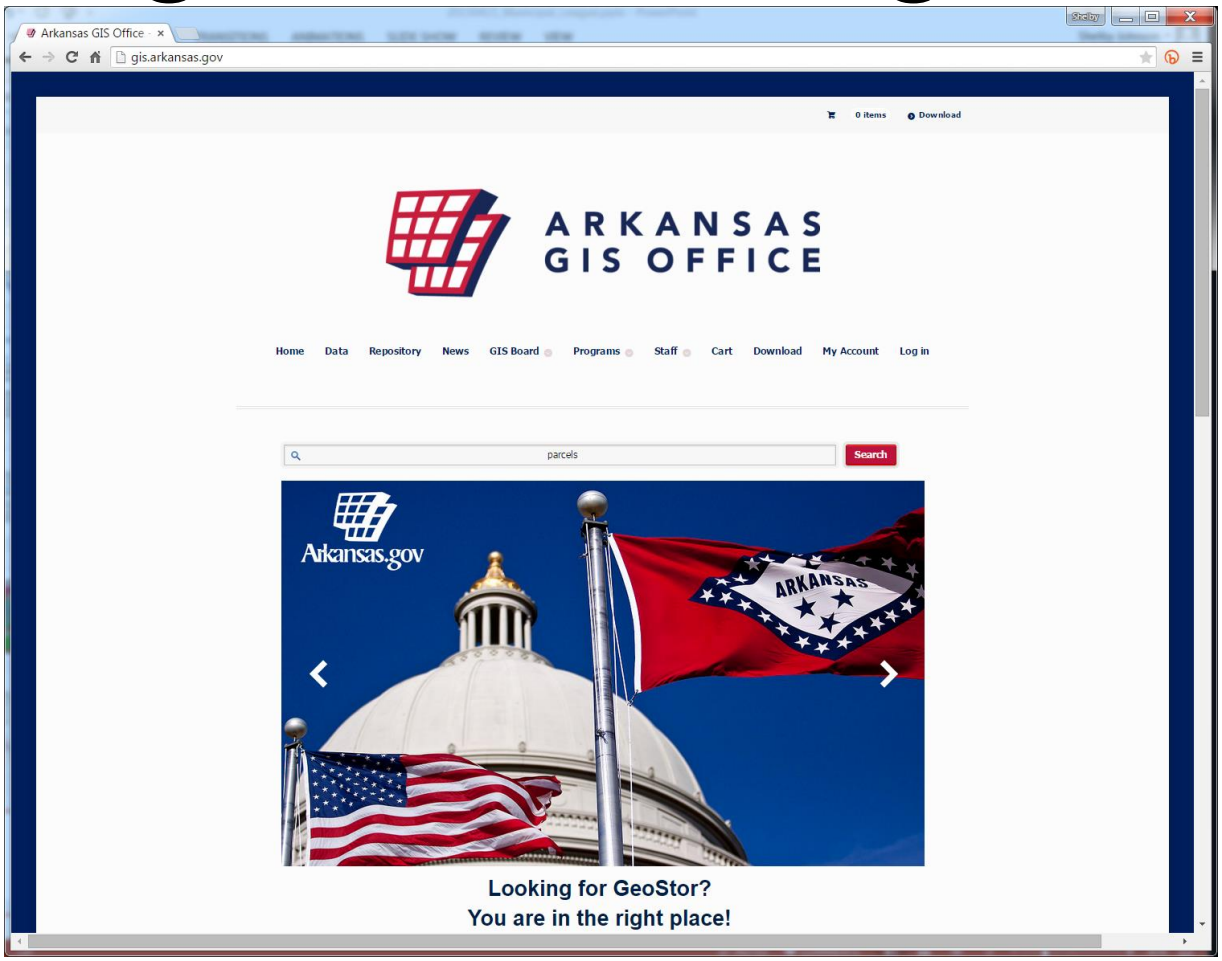


Bauxite City Boundary Discrepancy Map



ARKANSAS GIS OFFICE

gis.arkansas.gov



Questions?

- Arkansas GIS Office
- shelby.johnson@arkansas.gov
- 501-682-2767
- gis.arkansas.gov

Patricia M. Blick

Patricia moved to Little Rock in 2010 to take the position of Certified Local Government Coordinator in the federal programs division of the Arkansas Historic Preservation Program. This past August, she was promoted to Assistant Director, AHPP.

She possesses a bachelor's degree in economics from James Madison University in Harrisonburg, Virginia and a master's degree in American Studies with a concentration in historic preservation from the George Washington University in Washington, DC.

Prior to taking the position with AHPP she has held historic preservation jobs at the local, state, and federal level including Mt. Vernon, the home of George Washington, the White House Historical Association, the US Army, the Maryland Historical Trust, Historic Annapolis Foundation and the City of Annapolis. She is currently serving on the Board of the National Alliance of Preservation Commissions and was elected to serve as secretary.

CHALLENGES, TOOLS & STRATEGIES: DEALING WITH HISTORIC RESOURCES IN YOUR JURISDICTION

PATRICIA M. BLICK
ASSISTANT DIRECTOR
ARKANSAS HISTORIC PRESERVATION PROGRAM

CHALLENGES/PROBLEMS

- Abandoned Buildings
- Vacant buildings
- Damaged buildings
- Buildings deemed “unsafe” or “not up to code”
- Condemned buildings
- Unauthorized/unpermitted work underway

ABANDONED BUILDINGS

VACANT BUILDINGS

DAMAGED BUILDINGS

UNSAFE, NON-CODE COMPLIANT OR CONDEMNED BUILDINGS

UNSAFE VACANT BUILDINGS

UNSAFE VACANT BUILDINGS

VACANT BUILDINGS: FIRE THREAT

WORK UNDERWAY WITHOUT PERMITS?

UNPERMITTED OR UNAUTHORIZED WORK UNDERWAY

TOOLS AVAILABLE

Arkansas Fire Prevention Code: Volume II Building

Most Current is 2012 Edition

ARKANSAS FIRE PREVENTION CODE: VOLUME II BUILDING

Chapter 34: Existing Structures

Section 3401

General

3401.2 Maintenance. Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of the buildings and structures. To determine compliance with this subsection, the building official shall have the authority to require a building or structure to be reinspected. The requirements of this chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.

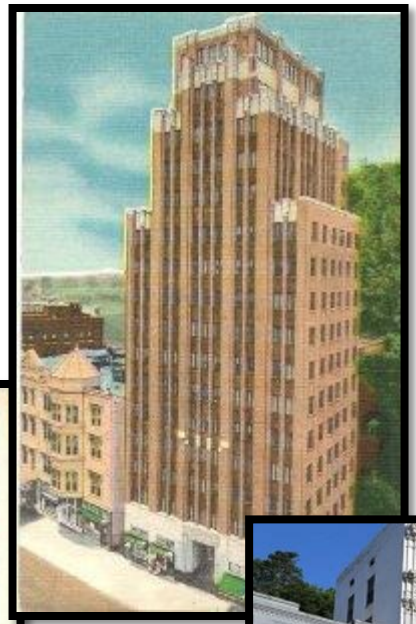
TOOLS AVAILABLE: PINE BLUFF

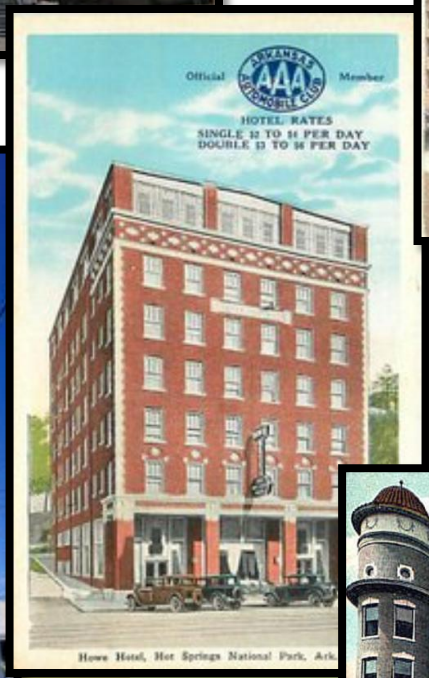
4 buildings in collapsed since February 20, 2014

As a result, the City has already begun executing the following plan of action:

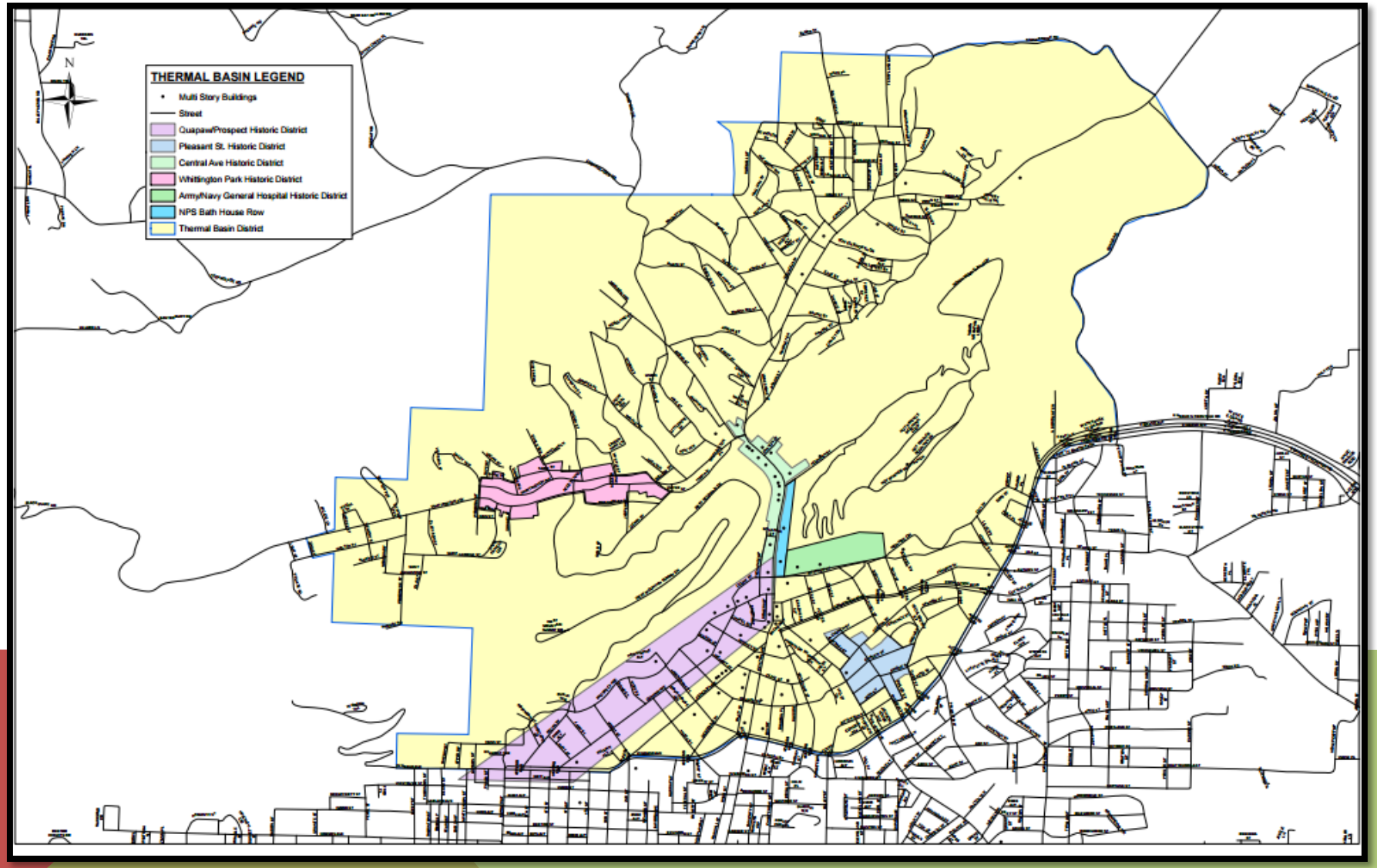
1. City Fire Marshal conducts inspections of historic properties
2. Fire Marshal's findings are presented to the City's Planning and Zoning Department for review
3. If there are problems with a structure, the owner will be notified and instructed to fix the problems.
4. If problems are not fixed, fines are levied
5. If necessary, building is condemned

LEGACY STRUCTURES





TOOLS AVAILABLE: HOT SPRINGS



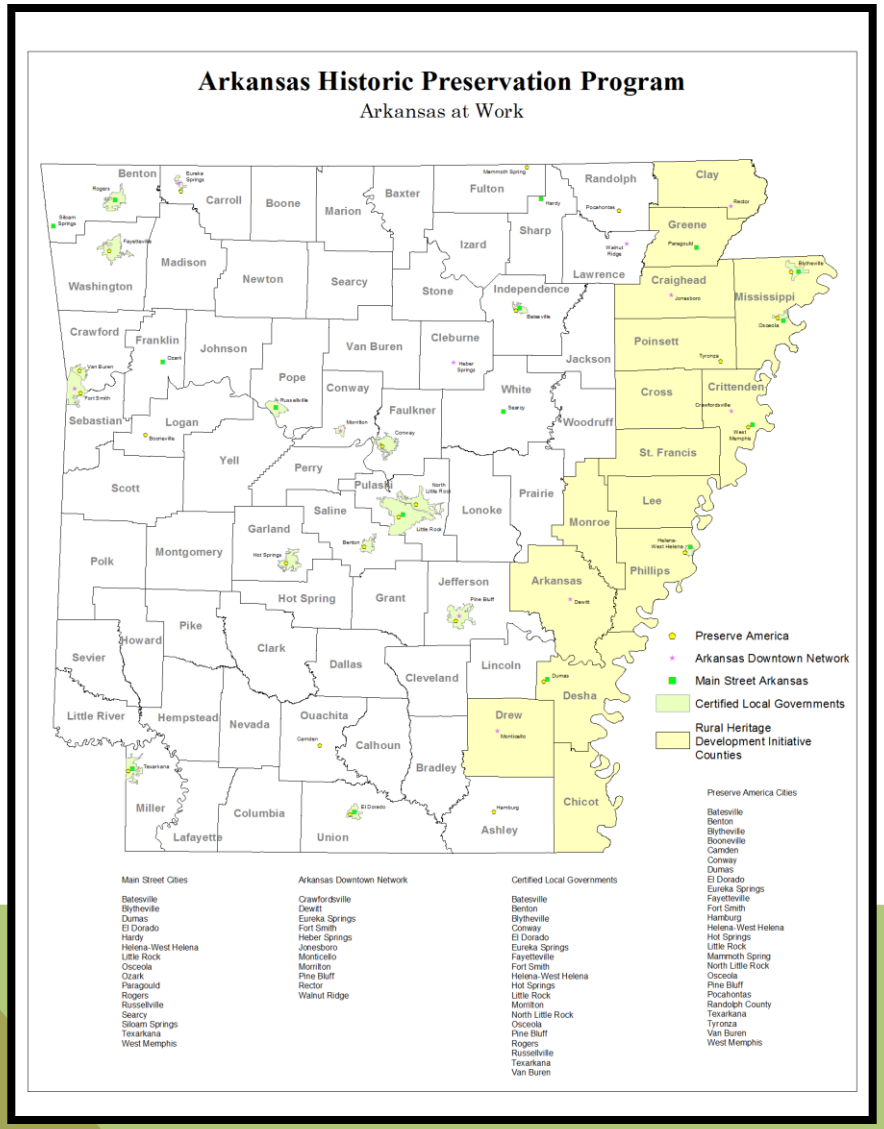
TOOLS AVAILABLE: HISTORIC DISTRICT DESIGNATION

Historic District Overlays: In Arkansas 19 Communities with Local Historic District Commissions with design review authority.

Some of the Historic District Commissions include:

Minimum Maintenance requirements

Demolition by Neglect provisions


Arkansas Historic Preservation Program
Arkansas at Work
Benton
Carroll
Boone
Marion
Baxter
Fulton
Randolph
Clay
Madison
Washington
Newton
Searcy
Izard
Sharp
Greene
Lawrence
Stone
Independence
Craighead
Mississippi
Crawford
Franklin
Johnson
Van Buren
Cleburne
Poinsett
Jackson
Pope
Conway
White
Cross
Crittenden
Sebastian
Logan
Faulkner
Woodruff
Yell
Perry
St. Francis
Scott
Pulaski
Prairie
Lee
Saline
Lonoke
Monroe
Garland
Polk
Montgomery
Phillips
Jefferson
Arkansas
Hot Spring
Grant
Pike
Howard
Clark
Sevier
Dallas
Cleveland
Lincoln
Desha
Little River
Hempstead
Nevada
Ouachita
Drew
Calhoun
Bradley
Chicot
Miller
Columbia
Lafayette
Union
Ashley
Preserve America
Arkansas Downtown Network
Main Street Arkansas
Certified Local Governments
Rural Heritage Development Initiative Counties
Preserve America Cities
Batesville
Benton
Blytheville
Booneville
Camden
Conway
Dumas
El Dorado
Eureka Springs
Fayetteville
Fort Smith
Hamburg
Helena-West Helena
Hot Springs
Little Rock
Mammoth Spring
North Little Rock
Osceola
Pine Bluff
Pocahontas
Randolph County
Texarkana
Tyronza
Van Buren
West Memphis
Main Street Cities
Batesville
Blytheville
Dumas
El Dorado
Hardy
Helena-West Helena
Little Rock
Osceola
Ozark
Paragould
Rogers
Russellville
Searcy
Siloam Springs
Texarkana
West Memphis
Arkansas Downtown Network
Crawfordsville
Dewitt
Eureka Springs
Fort Smith
Heber Springs
Jonesboro
Monticello
Morrilton
Pine Bluff
Rector
Walnut Ridge
Certified Local Governments
Batesville
Benton
Blytheville
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Fayetteville
Fort Smith
Helena-West Helena
Hot Springs
Little Rock
Morrilton
North Little Rock
Osceola
Pine Bluff
Rogers
Russellville
Texarkana
Van Buren

MINIMUM MAINTENANCE-HDC AUTHORITY

The owner or other person having legal custody of any building or structure within an historic district shall keep the structure properly maintained and repaired. It will be the responsibility of such owners to repair a structure if it is found to have deterioration, including but not limited to:

- The deterioration of exterior walls or other vertical supports
- The deterioration of external chimneys
- The deterioration of roofs or other horizontal members
- The deterioration or crumbling of exterior plasters or mortar;
- The ineffective waterproofing of exterior walls, roofs, foundations, including broken windows or doors;
- The peeling of paint, rotting, holes and other forms of decay
- The lack of maintenance of surrounding environment, e.g., fences, gates, sidewalks, steps, signs, ancillary structures, and landscaping;
- The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions;

The Commission shall notify the property owner of any violations of these maintenance requirements by mail giving details of the violation along with a time period for remedy of the violation and consequences of failure to remedy the violation.

(Morrilton Historic District Ordinance)

DEMOLITION BY NEGLECT: HDC AUTHORITY

- No owner or person with an interest in real property designated as an historic landmark or within an historic district shall permit said property to fall into a serious state of disrepair, so as to result in the deterioration of any exterior feature which would, in the judgment of the Historic District Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself.

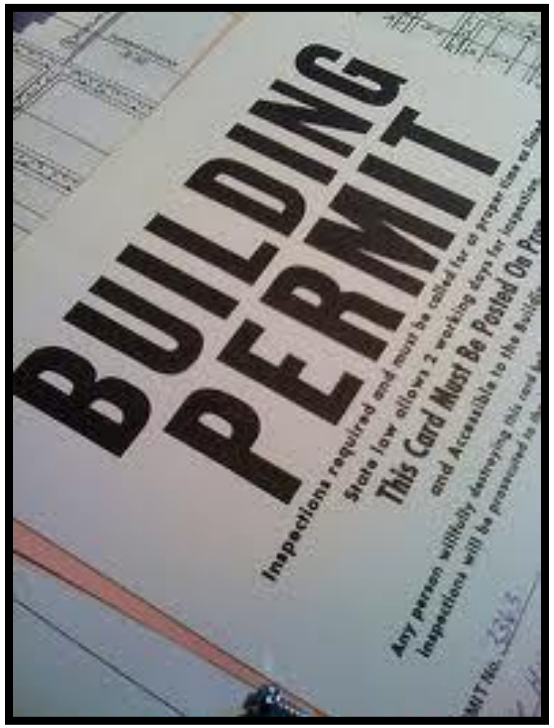
  (Russellville Historic District Ordinance)

STRATEGIES TO EMPLOY

Collaboration between departments

- Fire Marshal notifies building officials when yearly inspections are undertaken
- Tie business licenses to yearly inspections by Fire Marshal and or Building Inspectors
- Historic District Commissions document conditions and changes, necessary to pursue violation of minimum maintenance standards, demolition by neglect
- MBWA: Manage by walking around. Eyes and ears on the street, look for evidence that unpermitted work is underway

STRATEGIES: EYES ON THE STREET (MANAGEMENT BY WALKING AROUND)



STRATEGIES: EYES ON THE STREET (MANAGEMENT BY WALKING AROUND)

STRATEGIES, CONTINUED

Follow through is critical (whether or not you have an historic district)

1. Violations are identified
2. Work with city attorney to cite municipal infraction in accordance with city code
   (if you don't have a city attorney, get with the Municipal League for assistance)
3. Issue citation
4. Plan court date, in accordance with city code
5. Goal is compliance. If it is possible to make the building safe, get owner to do it. If they won't do it, encourage them to sell the building to someone who will make the needed repairs
6. Sometimes, demolition may be necessary to rectify the situation
7. Not doing anything is not an option

INCENTIVES FOR HISTORIC PROPERTIES=$$$$

Historic Preservation Restoration Grants: Option 1 up to $10K to make corrections to property to get listing on the National Register of Historic Places (2:1 cash match)

Historic Preservation Restoration Grants: Option 2 for non-profits and governments, minimum $15K (2:1 cash match)-National Register listed

State Historic Tax Credits: Income Producing Property, spend $25K receive 25% in state tax credit up to $500,000 project cost = $125,000 tax credit-National Register listed

Non-income Producing Property, spend $25K receive 25% in state tax credit up to $100,000 project cost = $25,000 tax credit-National Register listed

Federal Income Tax Credit: Income Producing Property, meet adjusted basis, no limit 20% of project cost-National Register listed

Federal Income Tax Credit: Income Producing Property, non-residential, meet adjusted basis, no limit, 10% of project cost, NOT National Register listed-built 1936 or earlier

BUHRMAN-PHARR HARDWARE COMPANY

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501-324-9665