

RESOLUTION NO. 2009-1-160R

RESOLUTION ADOPTING AMENDED LAND USE MAP
FOR THE CITY OF TONTITOWN, ARKANSAS

WHEREAS, after due notice required by law, the Tontitown Planning Commission has heard all persons desiring to be heard regarding the adoption of the Amended Land Use Map; and

WHEREAS, after due consideration of all views expressed, said Commission approved the Amended Land Use Map and recommended the same to the Tontitown City Council for consideration; and

WHEREAS, the Tontitown City Council has determined that it is the best interests of the City of Tontitown, Arkansas to adopt said map;

BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS, as follows:

- Section 1. The Amended Land Use Map and Text, a copy of which are attached hereto and made part of this Resolution by reference, is hereby approved and adopted.
- Section 2. This Amended Land Use Map and Text shall replace, in all respects, any prior Land Use Map for the City of Tontitown.
- Section 3. The Recorder/Treasurer for the City of Tontitown, Arkansas, shall file a duly certified copy of the Amended Land Use Map and Text with the Washington County Circuit Clerk and the Washington County Planning Commission.

PASSED AND APPROVED this 16th day of January, 2009.


Mayor

ATTEST:


Recorder/Treasurer

Roll Call

Shall the Ordinance Pass:

	Yea	Nay
Alderman David Bolinger	<u>✓</u>	_____ Ward 1, Position 1
Alderman Henry Piazza	<u>✓</u>	_____ Ward 1, Position 2
Alderman Arthur Penzo	<u>✓</u>	_____ Ward 2, Position 1
Alderman Bobby Pianalto	<u>✓</u>	_____ Ward 2, Position 2
Alderman Julie Bowling	<u>✓</u>	_____ Ward 3, Position 1
Alderman Ken Robertson	<u>✓</u>	_____ Ward 3, Position 2
Mayor Joe Edgmon	_____	_____
TOTALS	<u>6</u>	_____

City of Tontitown

2008

Comprehensive

Land Use Plan

Approved by adoption of Resolution No. ____ this ____ day of _____, 2008.

Mayor

Recorder-Treasurer

CITY OF TONTITOWN COMPREHENSIVE LAND USE PLAN

SECTION 1: INTRODUCTION

The Tontitown Planning Commission has formulated the Comprehensive Plan to:

- Provide a basis for making decisions concerning the future growth and development in the community and surrounding planning area;
- To coordinate and give direction to public and private development; and
- To protect the public interest in a manner that will not stifle individual initiative and creativity.

The Planning Commission and the City of Tontitown recognizes the need to encourage a logical and orderly development of the lands within its corporate limits and the area within the territorial jurisdiction for which it has planning authority—the Tontitown planning area.

The Comprehensive Plan is a policy document and planning tool to be used as a guide to the future development of the area, and as such, it provides a consistent framework within which individuals and public officials can make their own development decisions, knowing that they are all working toward common, compatible goals. The Plan sets forth how the physical environment should be developed for the health, safety, convenience, prosperity and welfare of all the people in the community. It is the intent of the Plan to provide for each of the respective components that are statutorily required for land use and development controls—a land use plan component for zoning purposes, and a master street plan component for subdivision controls.

The Planning Commission also recognizes that Tontitown cannot plan in a vacuum. It must be aware of surrounding communities' development plans and policies, and must plan and act accordingly.

It is for these purposes that the Comprehensive Plan has been developed and adopted.

SECTION II. SUMMARY OF MAJOR RECOMMENDATIONS

In an effort to attain the type of development desired by community leaders and citizens alike, the following recommendations are made:

1. While protecting the single-family character and values of existing residential development, achieve, through proper development regulations, varying residential densities located in a manner transitioning away from high traffic areas and higher intensity land uses.
2. Grouped commercial services should be located to provide economical operation of businesses, ease of access, and be convenient to the community's residential areas.
3. The City should designate specific areas for industrial land uses. This will protect the industries that choose to locate in the City of Tontitown, as well as help to insure that incompatibility with residential and commercial uses is minimized.
4. The preservation of agricultural lands and of historically significant lands, through the proper use of regulatory mechanisms, is critical to retain the character, heritage, and integrity of the community.
5. Ensure protection of the community's natural environment and open space through careful land use management techniques and controls.
6. Insure that the Master Street Plan adheres to the Northwest Arkansas Regional Transportation Plan; that it contributes to logical development of the community; the safe and efficient movement of people and goods; and relates to the region's multi-modal transportation system. In addition, the Master Street Plan should strive to support and enhance the character and heritage of the City. The Plan should have a 20-year horizon, and be updated every 5 years beginning in 2010.
7. Plans for community facilities should be developed in a coordinated and timely manner, in cooperation with city boards and commission vested with responsibilities associated with such facilities. Prompt action should be taken to guarantee that an adequate amount of land is preserved to suit the purposes of each of these community facilities.
8. The community leaders should become actively involved in urging the entire citizenry to take action to improve the overall appearance of the community.

SECTION III. PHYSICAL DEVELOPMENT PROPOSALS

A. LAND USE RECOMMENDATIONS

1. RESIDENTIAL

Several goals surface as paramount in the development and growth of the residential environment in Tontitown. These include:

- a. Provision of a safe living environment that offers quietness, privacy, and a neighborly atmosphere;
- b. Provision of quality housing of good design at low, medium, and high densities, principally single-family in character, and developed in a manner accessible by an adequate street system to avoid costly infrastructure extensions.
- c. Protection of residential areas from incompatible adjacent land uses;
- d. Stabilization and protection of property values; and
- e. Provision of safe and adequate access to residential areas.

To achieve these objectives, it is essential to:

- a. Adopt a new future land use plan map that identifies potential residential locations, with densities transitioning away from higher intensity land uses and high traffic areas;
- b. Develop residential zoning classifications that will accommodate low, medium, and high densities, with assignments to be located generally in a manner where there is a step-down in intensity, and that will generally preserve the current nature of existing residential areas. Because the future land use plan map is general in nature, it shows only three residential densities: Low (not to exceed 2 dwelling units/gross acre); Medium (not to exceed 4 dwelling units/gross acre); and High (not to exceed 12 dwelling units/gross acre). However, more residential zoning districts, along with a planned unit development district, may be appropriately established in the city's zoning regulations;
- c. Update, administer, and enforce subdivision and zoning regulations, as well as building, housing, and property maintenance codes;
- d. Require development to be connected to utilities, and utilize zoning as a means to guide the progression of development;
- e. Protect the character, integrity, and property values of existing single-family, residential areas;

- f. Protect residential neighborhoods from inappropriate non-residential influences through the design of streets which discourage through traffic, and the use of regulatory controls;
- g. Use land which provides for the most efficient and effective use of available investments in public utilities and services; and
- h. Keep the Master Street Plan updated to guide traffic movement; to develop differing categories of streets consistent with the area wide plan; and to protect rights-of-ways for planned, future streets.

2. NEIGHBORHOOD COMMERCIAL

In continuing with the primary goal of retaining the existing characteristics of Tontitown, the neighborhood commercial district has as its goals:

- a. Provision of areas for offices, and light commercial uses, not incompatible with adjoining residential uses. Together with community facilities and compatible residential uses, this district becomes a buffer between general commercial and strictly residential uses; and
- b. Provision of safe, adequate, and regulated access to neighborhood commercial districts in a manner that will not adversely affect residential uses.

To obtain these goals, the following actions must be taken:

- a. Adopt a new future land use plan map that identifies potential neighborhood commercial locations;
- b. The neighborhood commercial district should be encouraged to locate on major streets on the fringe of residential districts in convenient proximity to living areas;
- c. Uses within this district should be limited in size so as to avoid large concentrations of traffic;
- d. Sufficient off-street parking should be required, however, not to the extent that it will cause high ratios of impervious ground cover; and
- e. Residential-office uses may encourage adaptive reuse of older residential structures, thereby helping to prevent blight.

3. GENERAL COMMERCIAL

Again, the goal of retaining the current character and aspects of the community remains a priority. Goals to be met in general commercial land use areas:

- a. Provision of accessible, convenient and attractive commercial locations, while avoiding over-zoning of the area for general commercial development;
- b. Location of general commercial development at the intersection of major streets for convenient access, and to generally discourage strip commercial development;
- c. Identification of areas within the community for future general commercial development;
- d. Encouragement of attractive, safe and sanitary commercial development;
- e. Discouraging the indiscriminate mixing of general commercial zones into residential and other incompatible zones; and
- f. Provision of safe, adequate, and regulated access to commercial areas.

In order to realize these goals, the City must take the following actions:

- a. Revise zoning and subdivision regulations to guide commercial development to desired locations, and provide the standards to which that development will be built;
- b. Encourage planned, integrated commercial areas by discouraging spot commercial development in residential neighborhoods and the stringing out of commercial development into residential areas;
- c. Adopt a new future land use plan map, which identifies potential commercial locations;
- d. Adopt codes to insure safe and sanitary development;

- e. Through zoning, restrict the location of new general commercial areas to commercial nodes, generally at the intersection of major streets, and at depths adequate to accommodate higher intensity commercial development;
- f. Restrict non-commercial, incompatible uses from locating in areas zoned general commercial;
- g. Assure traffic safety by guaranteeing sufficient off-street parking, off-street loading facilities, and well-located ingress and egress points;
- h. Provide adequate physical screening, and open areas to serve as a buffer between the commercial uses and abutting residential areas; and
- i. Encourage attractiveness by designing areas to integrate with residential areas through the generous use of landscaping.

4. INDUSTRIAL

The chief goals for industrial development are:

- a. Provision of sites which are level, well drained and located adjacent to major thoroughfares;
- b. Allocate land in sufficient quantity so that industrial growth can continue to the benefit of both industry and the community. This will ensure that industrial land is protected from encroachment by incompatible, non-industrial uses;
- c. Provide for ample utilities and services to support industrial development; and
- d. Encourage multi-modal access to industrial areas.

These goals can be achieved through the following operations:

- a. Adopt building and site plan regulations to provide for quality development;
- b. Identify and reserve suitable land for future industrial growth;
- c. Provide adequate services, utilities, and accessibility;
- d. Insulate industrial sites from other activities by location or

buffers; and

- e. Require provisions for ample off-street parking and loading space.

5. AGRICULTURE

Preservation of agricultural lands and open space, as valuable resources, is also important. As an element in retaining the nature of the community, it is important to preserve and protect historically, culturally, and environmentally significant lands.

Efforts to achieve of this objective can be furthered by adhering to the Comprehensive Plan, the Land Use Map, and all regulatory mechanisms.

6. OPEN-SPACE SYSTEM AND ENVIRONMENTAL PROTECTION

The challenge of creating a community that is in harmony with its natural surroundings, and provides a healthful environment for people cannot be stressed enough. Two overriding principles have emerged with this challenge:

- The first is to recognize that the existing natural systems that have evolved are not without their own capacities to serve development.
- The second principle concerns impacts. Some natural systems are more able than others to sustain the impact of development and use.

A series of basic policies to ensure protection of our natural environment and open space have developed from these two principals:

- a. Parks and open spaces should be established so as to take advantage of, as well as protect, natural processes and unique landscape features, and to provide for an assortment of outdoor recreational and other activities;
- b. Environmentally critical areas of land and water, and historically significant lands should be protected from incompatible uses, and from pollutants generated by urbanization in the area;
- c. Wooded areas that serve functional purposes in aesthetics

and in pollution control, should be preserved as part of an urban forest and open-space system;

- d. Vulnerable urban development should not be located in areas of natural hazards to life and property, such as floodplains;
- e. Development using on-site sewage treatment should be severely restricted from areas of unsuitable soil and geological conditions, and from floodplains; and
- e. Present and future drainage basins should receive only urban development compatible with protection of water quality.

B. Circulation

To establish an effective manner of circulation of people and goods throughout the community, and to provide access to all parcels of land, an efficient well-balanced system of streets is required. The various streets, and the quantity and type of traffic they handle, have a substantial impact on the adjoining and surrounding property.

The following are traffic policy goals and the actions necessary to achieve them:

1. Logical development of the community requires:
 - a. Easy access to public facilities from all properties;
 - b. Protection of public assembly areas and neighborhood playgrounds from through traffic;
 - c. The separation of differing or incompatible land use areas through wide rights-of-ways; and
 - d. Providing adequate access to commercial areas of the community by way of routes avoiding residential neighborhoods.
2. Safe and efficient movement of people and goods requires:
 - a. Provision of pedestrian walkways and sidewalks within neighborhoods and along major streets where required for public safety;

- b. That an assortment of streets be provided, specifically designed to serve the variety of particular traffic needs in the area;
- c. That each thoroughfare and its parking be designed with adequate capacity to accommodate anticipated traffic; and
- d. That thoroughfares be planned so that commercial traffic is, to the extent possible, kept off residential streets.

Additionally, the circulation system should be consistent with the Northwest Arkansas Regional Transportation. The system should be located and designed to serve, but not disrupt, existing and future work and living areas, and shopping and leisure areas. In return, land use areas, densities, and activity centers should be located in anticipation of transportation service requirements.

Since the various streets and the traffic they handle have a great impact upon the adjacent and surrounding property, it is recommended that streets should be classified into the Functional Classification System for Washington County, and designed in accordance with the functions they perform in the network.

**URBANIZED AND SMALL URBAN AREA
FUNCTIONAL CLASSIFICATION SYSTEM CHARACTERISTICS**

<u>FUNCTIONAL SYSTEM</u>	<u>GENERAL CHARACTERISTICS</u>
Expressway/ Freeway	Serves statewide and interstate travel. Serves virtually all the urbanized area. Provides an integrated continuous statewide network.
Principal Arterial	Serves the major traffic movements within urbanized areas, such as between central business districts, and outlying residential areas, between major intercity communities, or between major suburban centers. Serves a major portion of the trips entering and leaving the urban areas, as well as the majority of the through traffic desiring to bypass the central city. Provides continuity for all rural arterials which intersect the urban areas.
Minor Arterial	Serves trips of moderate length at a somewhat lower level of travel mobility than principal arterials. Provides access to geographic areas smaller than those served by the higher systems. Provides intra-community continuity but does not penetrate identifiable neighborhoods.

Collector	Collects traffic from local streets and channels it into the arterial system. Provides both land access and traffic circulation within residential neighborhoods and commercial areas.
Local	Comprises all facilities not on higher systems. Provides access to land and higher systems. Through traffic usage is discouraged.

C. Community Facilities

1. PUBLIC RECREATION FACILITIES

The primary goal of recreation policy is the provision of a recreational program to serve all residents of the area, while preserving scenic areas and open space for the public's enjoyment.

This can be achieved by:

- a. Properly distributing recreational areas and facilities through out the community;
- b. Situating recreational areas and facilities on suitable land;
- c. Locating appropriate recreational areas and facilities, whenever possible, near or adjacent to other public facilities; and
- d. Diversifying recreational areas and facilities in physical character, type, size, and extent of development.

2. FIRE STATIONS

The public fire protection system must afford maximum security from fire loss while minimizing costs of service and fire insurance costs.

The community can realize this goal by:

- a. Locating fire stations on adequate sites and directly adjacent to major streets for the utmost accessibility to development within its service area and the least amount of friction to adjacent land uses;
- b. Insure fire protection through subdivision regulations, consistent with Water and Sewer Commission water line, and hydrant standards.

- c. Work directly and cooperatively with other area fire departments that also serve the community.

D. Civic Beautification

A set of urban design proposals to improve the image and aesthetic quality of the community is the primary goal of civic beautification.

This goal can be reached through various regulatory tools, such as:

- a. Updating the sign ordinance, and enforcement thereof;
- b. An overlay district on the approaches to the community; and
- c. Preservation of plant and wildlife habitats and species through the zoning and development codes.

E. Utilities Plan

1. WATER DISTRIBUTION SYSTEM

The primary goals for the water distribution system include:

- a. Provide sufficient quantity of high quality water, at affordable prices, for the domestic needs of community residents.
- b. Provide for adequate fire protection, and to minimize fire insurance costs for industrial, commercial, and residential uses.

To realize these goals, the following actions should take place:

- a. Developers will be responsible for the construction of water system improvements required to provide the needed level of service consistent with City Water and Sewer Commission standards.
- b. Provide sufficient capacity in each development for providing adequate fire protection, as well as meeting future area needs.

2. SEWAGE COLLECTION AND TREATMENT SYSTEM

As the City of Tontitown, through its Water and Sewer Commission, continues construction of a municipal wastewater collection system, more and more property has access to sanitary sewer facilities. As

such, individual on-site systems may sometimes be discouraged, and in some cases may be prohibited when sanitary facilities are in reasonably close proximity. However, because completion of the citywide collection system will take considerable time, proposals for on-site, as well alternative systems, should be anticipated. Goals are to:

- a. Insure a healthy and attractive living environment for the community by making every effort to ensure that municipal sanitary sewer facilities are available. And where such facilities are not available, to ensure that on-site systems are permitted by the State Department of Health. And where alternative wastewater systems are proposed, that they be approved by the City Water and Sewer Commission.
- b. Assure that malfunctioning systems that are observed by, or brought to the attention of Tontitown, are immediately referred to the Health Department for prompt repair.
- c. Discourage, through all means possible, the placement of septic systems and alternative wastewater systems in designated floodplain areas.

The City will actively pursue completion of the sanitary sewer collection system, and connection to the Northwest Arkansas Conservation Authority (NACA) treatment facilities. Principal goals with regard thereto are:

- a. Provide the entire community with wastewater collection and disposal facilities, including access to sanitary treatment facilities that will insure a healthy and attractive living environment for all citizens;
- b. Assure that the most effective method, and cost efficient system of wastewater collection and treatment is provided.

To achieve these goals, the City, through its Water and Sewer Commission, should:

- a. Maintain control of the sewage collection system, continue cooperative efforts (through NACA) toward treatment system implementation, to the extent practicable, so as to better monitor and provide for a safe, efficient, and economical system, and a clean and sanitary living environment.

SECTION IV. ANALYTIC INFORMATION

U. S. Census Bureau certified demographic statistics:

<u>TONTITOWN</u>	<u>POP</u>	<u>UNITS</u>
1990	460	187
1996	653	259
2000	942	368
2000 (based on 2006 boundaries)	2,030	789

<u>WASHINGTON CO.</u>	<u>POP</u>	<u>UNITS</u>
1990	113,409	47,349
1996	141,909	60,502
2000	157,715	64,330

The Northwest Arkansas Regional Planning Commission’s July 1, 2008 population estimates for Tontitown and Washington County are 2,480 and 198,940 respectively.

SECTION V. CONCLUSION

A Comprehensive Plan is a statement of a local government’s determination as to how its area should develop and appear at some reasonable future date. In the City of Tontitown’s case, it puts forth goals for land use such as retention of the existing character of the community, while accommodating varying densities; preservation of significant lands; avoidance of incompatible land use mixing; and encouragement of urban growth patterns that will protect the community’s natural environment and open space.

To achieve these goals, city government must be able to plan the future use of land, and see to it that the plan is carried out. In actuality, such a plan must inevitably restrict, provide for, and guide development where it is appropriate. Land use regulations may perform these functions. They provide development guides and standards, establish certain restraints on development, and offer inducements to encourage better design and land use.

Zoning can provide considerable enforcement of the Comprehensive Plan. It is the most common and most powerful land use regulation employed by local governments. Zoning acts as a guide for development when it designates specific areas for specific uses. For example, it may allow for all types of income classes in residential areas to occur in appropriate locations within the community. It can also encourage commercial and other development to occur at a time and place that the government deems suitable. In addition, zoning may be used as a means to preserve desirable

characteristics of the community, and prevent the encroachment of undesirable and incompatible land uses within the community.

Subdivision regulations establish the legal and substantial process of controlling the division of property, and set forth design standards relating to suitability of land, public access, conformance to plans, streets and easements, utilities, sediment control, and so forth. These regulations may also be employed by local government as a means to achieve Comprehensive Plan goals. These regulations may be used in the community's planning area (within its territorial jurisdiction) to control development.

While zoning and subdivision regulations give local governments certain powers to regulate development, governments should also be open to the use of new urban development tools.

The Comprehensive Plan, then, is a forward looking document, with the power of zoning and subdivision regulations behind it. In addition to these implementation tools, the Plan has the power of human resources behind it, whether they are in the form of the planning commission, elected officials, or the general citizenry. These parties should consult and use the Plan frequently and diligently. It should be updated routinely to reflect changes in attitudes of those it is intended to serve.

By effective use of the Comprehensive Plan, and its implementing tools, the City of Tontitown can continue to encourage the logical and orderly development of land within its corporate limits, and in its planning area. Through good planning, Tontitown can insure continuation of the high quality of life its citizens enjoy.

STATE OF TEXAS, COUNTY OF DALLAS, TEXAS. DEPARTMENT OF HEALTH SERVICES, DIVISION OF COMMUNITY HEALTH SERVICES, 1200 NORTH GARDNER STREET, SUITE 1000, DALLAS, TEXAS 75202

