

# CAPITOL ZONING DISTRICT COMMISSION

## Enabling Laws

Act 71 of 2014  
Act 267 of 1975 as amended  
A.C.A. § 22-3-302

## History and Organization

### MISSION STATEMENT

It is the mission of the Capitol Zoning District Commission, using the Capitol Zoning District Ordinance (Master Plan), to administer special zoning regulations and design guidelines in the district that preserve the dignity of the Capitol Building and Governor's Mansion, that coordinate physical development within the Capitol Area and Mansion Area of the District in accordance with present and future needs of each area, that insure efficient expenditure of public funds and that promote the safety, convenience and general well-being of the inhabitants and property owners within the District.

### RESPONSIBILITY

The Commission is charged with regulating zoning, development, and design within the Capitol Zoning District pursuant to a Master Plan formulated and maintained by the Commission to effectuate its applications for permits on matters within the Commission's jurisdiction, including signage, landscaping, building height and bulk, land use, parking and architectural significance.

### ACTIVITIES AND ADVISORY COMMITTEES

The Commission meets once a month to review and act on applications for variances, conditional use permits, demolition permits, the design of new construction, and major modifications to architecturally significant structures. In reviewing these applications, the Commission is assisted by two citizen advisory committees, one for each area regulated by the Commission, and a professional design review committee. These advisory committees review applications pertinent to their areas of interest and expertise and forward their recommendations to the Commission.

## IMPACT AND FUTURE PLANS

City maps particularly reflect the positive impact of the Capitol Zoning District in the Mansion & Capitol Area. New development is on the increase in both the Mansion and Capitol Areas with construction of new residential and commercial infill on previously vacant lots and continuing restoration and rehabilitation of the wonderful historic structures. Numerous new residents are moving into the areas attracted by the stock of beautiful historic properties, dramatically increasing property values for the area. These neighborhoods have again become a source of pride for the residents and visitors to the area, and a source of interest for developers of historic properties.



## Agency Commentary

The Capitol Zoning District Commission (CZDC) is responsible for preserving the dignity of the State Capitol and the Governor's Mansion by protecting the unique mix of land uses and architecture within the Capitol Zoning District. Changes in use and exterior appearance, including new construction, demolition, rehabilitation, additions, and restorations, are reviewed for their consistency with the Capitol Zoning District Master Plan. The nine (9) member Commission meets monthly to review and act on applications for various development permits. Three advisory committees also meet monthly and assist the Commission by making recommendations on applications. A staff of three (3) full-time employees provides administrative support to the Commission and assists constituents in preparing applications.

The Commission is asking for an increase of approximately \$13,000 for each fiscal year of the 2015-2017 Biennium to:

1. Upgrade obsolete computers & software;
2. Provide an online application process for constituents via the agency web site;
3. Provide training to Commissioners and staff;
4. Utilize an intern for documenting and researching historic properties; and
5. Allow for mileage reimbursement for employee travel within the District, to assist property owners and to monitor ongoing implementation of the Capitol Zoning Master Plan.

**Audit Findings**

DIVISION OF LEGISLATIVE AUDIT  
 AUDIT OF :  
 CAPITOL ZONING DISTRICT COMMISSION  
 FOR THE YEAR ENDED JUNE 30, 2013

Findings	Recommendations
None	None

**State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2014**

None

**Employment Summary**

	Male	Female	Total	%
White Employees	2	1	3	100 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			0	0 %
Total Employees			3	100 %

## Publications

### A.C.A. 25-1-201 et seq.

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution	Unbound Black & White Copies Produced During the Last Two Years	Cost of Unbound Copies Produced During the Last Two Years
		Governor	General Assembly				
Capitol Zoning District Commission Minutes of Meetings	N/A	N	Y	4	Required by Legislative Council	0	0.00
Monthly Activity Report	N/A	N	Y	1	Required by Legislative Council	0	0.00

## Agency Position Usage Report

FY2012 - 2013						FY2013 - 2014						FY2014 - 2015					
Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused
	Filled	Unfilled	Total				Filled	Unfilled	Total				Filled	Unfilled	Total		
3	3	0	3	0	0.00 %	3	3	0	3	0	0.00 %	3	3	0	3	0	0.00 %

## **Analysis of Budget Request**

**Appropriation:** 676 - Capitol Zoning District-State Operations

**Funding Sources:** HUA - Miscellaneous Agencies Fund

The Capitol Zoning District Commission was created by Act 267 of 1975 (A.C.A. § 22-3-303). Duties of the nine (9) member Commission include development of a comprehensive zoning plan in the Capitol Zoning District, which encompasses the areas surrounding the State Capitol and the Governor's Mansion. The Act further provides that the Commission has exclusive authority over the zoning and regulation of all property within the District. Act 262 of 1997 transferred the funding and authority to hire the director and staff from Arkansas Building Authority to the Commission. The Commission meets monthly to review applications for development permits.

This is the operating appropriation of the Commission. It is funded entirely by general revenue.

Base Level Regular Salaries and Personal Services Matching include the continuation of the previously authorized 2015 1% Cost of Living Adjustment and Career Service Payments for eligible employees. Personal Services Matching also includes a \$10 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$420 per month. Base Level salaries and matching do not include appropriation for Merit Pay Increases.

The Agency's Change Level Request of \$13,275 in appropriation and \$13,075 in general revenue funding each year reflects the following:

- Extra Help increase of \$1,175 in appropriation and general revenue funding in each year for salaries and matching for an intern to document and research historic properties.
- Operating Expense increase of \$9,100 in appropriation and \$8,900 in general revenue funding in each year to address multiple needs of the Board. \$400 for a 3% increase in rent, \$1,000 for mileage reimbursement for employees traveling the District to monitor properties, \$3,000 for conference fees and travel expenses for Commission Board members to attend training, and \$4,500 for technology related improvements. In FY16, \$4,500 for the purchase of four new computers. In FY17, \$4,500 for costs associated with upgrading the Commission's website to improve workability. \$200 in unfunded appropriation is requested in each year to allow utilization of rebates the Commission earns through use of their Purchase Card. Technology related requests are in compliance with the Commission's Technology Plan.
- Professional Fees increase of \$3,000 in appropriation and general revenue funding for conference fees and travel expenses to allow Commission staff to attend training.

The Executive Recommendation provides for Base Level, as well as an additional \$3,350 in FY16 and \$7,850 in FY17 in appropriation and \$3,150 each year in general revenue funding for the following:

- Appropriation and funding each year of \$400 for rent increases, \$500 for mileage and \$2,250 for two new computers each year.
- Appropriation only of \$200 each year for utilization of rebates earned with Purchase-Card purchases and \$4,500 in FY17 to allow the Board to apply for a grant with the Information Network of Arkansas to be utilized for upgrading the website.

## Appropriation Summary

**Appropriation:** 676 - Capitol Zoning District-State Operations

**Funding Sources:** HUA - Miscellaneous Agencies Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2013-2014 Actual	2014-2015 Budget	2014-2015 Authorized	2015-2016			2016-2017		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	140,818	159,921	137,022	160,926	160,926	160,926	161,026	161,026	161,026
<b>#Positions</b>		<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>
Extra Help	5010001	888	938	938	938	2,000	938	938	2,000	938
<b>#Extra Help</b>		<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
Personal Services Matching	5010003	46,013	54,729	44,291	55,391	55,504	55,391	55,416	55,529	55,416
Operating Expenses	5020002	22,473	22,473	22,473	22,473	31,573	25,823	22,473	31,573	30,323
Conference & Travel Expenses	5050009	0	0	0	0	3,000	0	0	3,000	0
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>		<b>210,192</b>	<b>238,061</b>	<b>204,724</b>	<b>239,728</b>	<b>253,003</b>	<b>243,078</b>	<b>239,853</b>	<b>253,128</b>	<b>247,703</b>
<b>Funding Sources</b>										
General Revenue	4000010	204,724	204,724		239,728	252,803	242,878	239,853	252,928	243,003
Merit Adjustment Fund	4000055	5,468	33,337		0	0	0	0	0	0
<b>Total Funding</b>		<b>210,192</b>	<b>238,061</b>		<b>239,728</b>	<b>252,803</b>	<b>242,878</b>	<b>239,853</b>	<b>252,928</b>	<b>243,003</b>
Excess Appropriation/(Funding)		0	0		0	200	200	0	200	4,700
<b>Grand Total</b>		<b>210,192</b>	<b>238,061</b>		<b>239,728</b>	<b>253,003</b>	<b>243,078</b>	<b>239,853</b>	<b>253,128</b>	<b>247,703</b>

FY15 Budget amounts in Regular Salaries and Personal Services Matching exceed the authorized amounts and are supported by Merit Adjustment Funds due to salary and matching rate adjustments during the 2013-2015 Biennium.

## Change Level by Appropriation

**Appropriation:** 676 - Capitol Zoning District-State Operations  
**Funding Sources:** HUA - Miscellaneous Agencies Fund

### Agency Request

Change Level		2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>239,728</b>	<b>3</b>	<b>239,728</b>	<b>100.0</b>	<b>239,853</b>	<b>3</b>	<b>239,853</b>	<b>100.0</b>
C01	Existing Program	2,575	0	242,303	101.1	2,575	0	242,428	101.1
C02	New Program	6,000	0	248,303	103.6	6,000	0	248,428	103.6
C05	Unfunded Appropriation	200	0	248,503	103.7	200	0	248,628	103.7
C08	Technology	4,500	0	253,003	105.5	4,500	0	253,128	105.5

### Executive Recommendation

Change Level		2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>239,728</b>	<b>3</b>	<b>239,728</b>	<b>100.0</b>	<b>239,853</b>	<b>3</b>	<b>239,853</b>	<b>100.0</b>
C01	Existing Program	2,075	0	241,803	100.9	2,075	0	241,928	100.9
C02	New Program	0	0	241,803	100.9	0	0	241,928	100.9
C05	Unfunded Appropriation	200	0	242,003	100.9	200	0	242,128	100.9
C08	Technology	2,250	0	244,253	101.9	6,750	0	248,878	103.8
C19	Executive Changes	(1,175)	0	243,078	101.4	(1,175)	0	247,703	103.3

### Justification

C01	Appropriation and funding increase of \$2,575 in each year. The request includes: \$1,175 each year for an increase in Extra Help salaries and matching, \$400 each year due to a 3% increase in rent and \$1000 each year for mileage reimbursement for employees traveling the Capitol Zoning District to ensure properties are within regulations.
C02	Appropriation and funding increase of \$6,000 in each year. The request includes: \$3,000 each year in conference fees and travel expenses to allow Commission staff to attend training on planning and preservation and \$3,000 each year in conference fees and travel expenses to allow Commission board members to attend training on planning and preservation.
C05	\$200 in each year in unfunded appropriation to allow the Commission to utilize rebates earned through use of the P-Card throughout the year.
C08	Appropriation and funding increase of \$4,500 in each year. In FY16, the request is for \$4,500 for the purchase of four new computers and associated costs. Currently, two of the four computers the Commission uses to perform daily duties are on loan from the Department of Information Systems because existing Commission computers are nonfunctioning due to age. The agency's current operating systems are no longer supported by Microsoft or DIS, putting agency records at significant risk of viruses, hackers, and/or system failure. In FY17, the request is for \$4,500 for costs associated with major upgrades to the existing Commission website, which would allow citizens to access historic information on properties and fill out applications and forms online. These items are addressed in the Commission's IT plan, p. 10-15.
C19	Executive Recommendation is for Base Level in Extra Help.