O-20-58

**ORDINANCE NO. ____**

**AN ORDINANCE TO REPEAL PORTIONS OF THE OLD ZONING ORDINANCE (ORDINANCE NO. 7697) AND ALL AMENDMENTS THERETO; ADOPTING A NEW ZONING ORDINANCE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, Ordinance No. 7697, as amended, regulating the use of real property within North Little Rock has become outdated and difficult to enforce; and

WHEREAS, Ordinance No. 7697 has been amended on numerous occasions, making its compilation and administrative use as a reference increasingly difficult; and

WHEREAS, reasonable and enforceable regulation of zoning provisions benefits public health, safety and welfare, enhances the value of the properties so regulated; and

WHEREAS, the request to repeal and replace Ordinance No. 7697 was duly considered and unanimously approved by an affirmative vote of nine (9) members of the North Little Rock Planning Commission at a regular meeting thereof held on June 9, 2020.

WHEREAS, the City Attorney's office and City staff are working toward revising Article Fourteen (Signs), Article Twenty-Two (Airport Zoning), and Section 19.2 (Sign Board of Adjustment) of the current Zoning Ordinance, but those revisions have not yet been completed and Article Fourteen, Article Twenty-Two and Section 19.2 should not be repealed at this time; and

WHEREAS, Appendices A through E of the current Zoning Ordinance should not be repealed, but should be included as appendices to the new Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: Ordinance No. 7697, and subsequent amendments thereto, is hereby repealed, with the following exceptions:

Article Fourteen (Signs)
Article Twenty-Two (Airport Zoning)
Section 19.2 (Sign Board of Adjustment)
Appendix A (Park Hill Development Overlay District)
Appendix B (Levy Development Overlay District)
Appendix C (Traditional Neighborhood Development)
Appendix D (Smart Code Zoning District)
Appendix E (River Road Overlay District).

SECTION 2: The City of North Little Rock, Zoning Ordinance, attached hereto and incorporated herein as Exhibit A, is hereby adopted.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: It is hereby found and determined that the adoption of this Ordinance is immediately necessary to insure the proper and orderly growth of the City of North Little Rock, Arkansas, to insure the proper use of real property within the City of North Little Rock, and is necessary for the immediate preservation of the public health, safety and welfare, THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

Mayor Joe A. Smith

Council Member Steve Baxter

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:15 A.M. _____ P.M.
By Amy Fields, DA
DATE 4/10/20

**Diane Whitbey, City Clerk and Collector**
**North Little Rock, Arkansas**

RECEIVED BY

EXHIBIT

A

Adopted: XXXXX, XX XXXX
Ordinance: XXXX-XX

# CITY OF NORTH LITTLE ROCK
# ZONING ORDINANCE

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**APPENDIX** (see separate document: City of North Little Rock Zoning Ordinance Appendix)
Appendix A – Park Hill Development Overlay District
Appendix B – Levy Development Overlay District
Appendix C – Smart Code Zoning District
Appendix D – River Road Overlay District

## ARTICLE 1: AUTHORITY AND PURPOSE

### Section 1.1 - Authority

These regulations are adopted under the authority of Arkansas Code Annotated (A.C.A.) § 14-54-103, General Powers of Cities and Towns; A.C.A § 14-54-104, Additional Powers of Cities of the First Class; and A.C.A Title 14, Chapter 56, Municipal Building and Zoning Regulations – Planning, as amended.

### Section 1.2 – General Purpose

These regulations are intended to carry out the goals and intent of the Land Use Plan of the City of North Little Rock and all other adopted plans and policies of the City of North Little Rock.

Specifically, these regulations divide the City into Zoning Districts, which may also be referred to as zones or districts. Within these Zoning Districts, this Ordinance regulates the location, height, bulk, number of stories, and size of buildings; open space; lot coverage; density and distribution of population; and the uses of land, buildings, and structures. It does so in order to achieve the following objectives:

A. Provide for and protect the general health, safety, and welfare of the City and its residents;

B. Efficiency and economy in the process of development;

C. The appropriate and best use of land;

D. Convenience of traffic and circulation of people and goods;

E. Safety from fire and other dangers;

F. Adequate light and air in the use and occupancy of buildings;

G. Good civic design and arrangement.

### Section 1.3 – Establishment of Zoning Districts

The City of North Little Rock is divided into Zoning Districts. The boundaries of each Zoning District shall be as shown on the map entitled North Little Rock Official Zoning Map, which is a part of this Ordinance.

The following rules shall apply in determining the location of Zoning District boundaries:

A. Boundaries indicated as approximately following the centerline of streets, highways, alleys, railways, or waterways or other natural features shall be construed as following such centerlines.

B. Boundaries indicated as approximately following section lines, part section lines or city limits shall be construed as following these lines.

C. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

D. Boundaries indicated as following shorelines shall be construed to follow the shoreline, and in the event of change in the shoreline shall be construed as moving with the actual shoreline.

E. Boundaries indicated as parallel to or extensions of features indicated above shall be so construed.

F. When distances are not specifically indicated on the map, they shall be determined by reference to the description contained in the ordinance adopting them and any accompanying maps used to indicate the intentions of the ordinance. Written dimensions shall take precedence over scaled measurements.

G. Where the street or property layout existing on the ground differs with that shown on the Official Zoning Map or where, for other reasons uncertainty exists as to the location of a district boundary, the Planning Commission shall interpret the location of the boundary.

**Section 1.4 – Territorial Jurisdiction for Zoning**

These regulations shall apply to all lands within the corporate limits of the City of North Little Rock and within those areas within the City's Territorial Jurisdiction where zoning has been established, as indicated on the Official Zoning Map of the City of North Little Rock. Authority to zone such areas rests within A.C.A § 14-56-413, Territorial Jurisdiction.

A. The Planning Area Boundary is the area both within the City and outside the City limits where development controls are enforced. The boundary can be up to two (2) miles beyond the City limits or, when near another city, a line as agreed to by the two (2) jurisdictions.

As a point of beginning, the boundary is the common city limits line of the City of North Little Rock and the City of Maumelle at the Arkansas River on the W border of the E half of the SE corner of Section 10, T-2-N, R-13-W; thence north along said west line to the NW corner of the E ½ of the SE ¼ of Section 10; thence west along the N border of the SE ¼ to the midpoint of Section 10; thence north along the east border of the NW ¼ 500'; thence west to a point on the western border of the SE ¼ of the NW ¼ of Section 10; thence south along said western border 600' to a point on the northern right-of-way of Crystal Hill Road; thence following the north right-of-way of Crystal Hill Road westerly to a point on the west border of Section 10; thence north along the western border of Section 10, T-2-N, R-13-W, 1300' to a point on the S right-of-way of Maumelle Boulevard; thence easterly along the south right-of-way of Maumelle Boulevard 430' to a point that intersects North Little Rock city limits; thence following the common border of the City of Maumelle and the City of North Little Rock westerly and northerly through Sections 3, 4, and 9, T-2-N, R-13-W, and Section 35, T-3-N, R-13-W; thence following the common border of the City of Maumelle and the City of North Little Rock easterly and southerly through Section 35, T-3-N, R-13-W, and Sections 2, 11, and 12, T-2-N, R-13-W to a point on the SE corner of the NW ¼ of the NW ¼ of Section 12; thence east 660' to a point on the SE corner of the W ½ of the NE ¼ of the NW ¼ of Section 12; thence north 1320' to the northern border of Section 12, T-2-N, R-13-W; thence east along the north section line of Section 12, T-2-N, R-13-W, and Section 7, T-2-N, R-12-W to a point at the NE corner of said Section 7; thence east along the northern section line of Section 12, T-2-N, R-13-W, and Sections 7 and 8, T-2-N, R-12-W, to a point at the NW corner of the NE ¼ of said Section 8; thence south along the NS centerline of Section 8 to the NW corner of the SW ¼ of the NE ¼; thence east to the midpoint of the NE ¼ of Section 8; thence south to the SW corner of the SE ¼ NE ¼ of Section 8; thence east along the EW centerline of Sections 8 and 9, T-2-N, R-12-W, to point at the SE corner SW ¼ NW ¼ of Section 9; thence south to the midpoint of the SW ¼ of Section 9, T-2-N, R-12-W;

thence east to a point on the NS centerline of Section 9; thence south along said NS centerline to the southern border of Section 9; thence east along the southern border of Sections 9 and 10, T-2-N, R-12-W, to a point on the NS centerline of Section 10; thence north 3300' along the NS centerline of Section 10; thence following the border of the City of North Little Rock easterly and northerly through Sections 2, 10, and 11, T-2-N, R-12-W, and Sections 23, 26, and 35, T-3-N, R-12-W to a point at the NE corner of the SE ¼ SE ¼ of Section 23, T-3-N, R-12-W; thence N 02°31'30" W for 836.92'; thence N 02°31'39" W for 518.98'; thence N 88°30'45" E for 344.97'; thence N 88°30'45" E for 988.75'; thence S 02°17'36" E for 662'; thence N 88°02'25" E for 832.71'; thence S 01°48'17" E for 154.04'; thence N 88°11'45" E for 120.81'; thence S 49°58'45" E for 162.51'; thence S 42°11'01"W for 50.28'; thence N 49°56'35" W for 143.85'; thence S 88°11'45" W for 930.89'; thence S 02°17'51" E for 527.31'; thence east along the EW centerline of the SW ¼ of Section 24, T-3-N, R-12-W, to a point on the NE corner of the SE ¼ SW ¼ ; thence south along the NS centerline of Section 24 to a point on the southern border of Section 24; thence east along the southern border of Section 24 to the southeast corner; thence south along the western border of Section 30, T-3-N, R-11-W, to a point at the NW corner of the SW ¼ NW ¼ of Section 30; thence S 88°35'11" E for 1269.23' in Section 30, T-3-N, R-11-W; thence S 01°14'46" W for 600.87' to a point on the north right-of-way of Mine Road NW ¼ NW ¼ of Section 30; thence following said north right-of-way of Mine Road southwesterly for 830'; thence S 55°44'43" E for 343'; thence S 15°06'37" W for 480.12'; thence S 51°21'04" E for 588.91'; thence N 46°27'13" E for 301.22' to a point on the west right-of-way of Kellogg Acres Road; thence southerly along the west right-of-way of Kellogg Acres Road 2415'; thence following the border of the City of North Little Rock westerly and northerly through the W ½ of Section 30, T-3-N, R-11-W, to a point on the SW corner of the NW ¼ NW ¼ SW ¼ ; thence north along the western border of Section 30 to the EW centerline; thence west along the EW centerline of Section 25, T-3-N, R-12-W, to a point at the NW corner of the E ½ SE ¼ ; thence south along the NS centerline of the E ½ of Sections 25 to the northern border of Section 36, T-3-N, R-12-W; thence following the border between the cities of the City of North Little Rock and the City of Sherwood to the south and west through Section 36 to a point at the NE corner of the SW ¼ SW ¼ of Section 36; thence N 89°08' W for 579.9'; thence S 02°06' W for 203.6'; thence S 89°06' E for 55'; thence S 00°40' W for 209.7'; thence S 87°23' E for 535.4'; thence following the border between the cities of the City of North Little Rock and the City of Sherwood to the south and east through Section 36, T-3-N, R-12-W, Sections 1, 12, and 13, T-2-N, R-12-W, and Sections 17 and 18, T-2-N, R-11-W, to a point at the NE corner of SE ¼ SW ¼ of Section 17; thence south along the NS centerlines of Sections 17 and 20, T-2-N, R-11-W, to the midpoint of Section 20; thence east along the EW centerline of Section 20, 1000' to a point on the east right-of-way of Union Pacific Railroad; thence following said east right-of-way of Union Pacific Railroad to the northeast for 525'; thence east 860' to a point on the west right-of-way of State Highway 161; thence following said west right-of-way of State Highway 161, 457' to a point on the EW centerline of Section 20, T-2-N, R-11-W; thence east along the EW centerline of Sections 20 and 21, T-2-N, R-11-W, to the east border of Section 21; thence north along the east border of Section 21 to a point at the NE corner of Section 21; thence east 1600' along the northern border of Section 22; thence north following the border of the City North Little Rock to the EW centerline of the S ½ of Section 15, T-2-N, R-11-W; thence east along said line to the east border of Section 15; thence south along the east border to a point on the SE corner of Section 15, T-2-N, R-11-W; thence east along the northern border of Sections 23, and 24, T-2-N, R-11-W, and Sections 19, 20, and 21, T-2-N, R-10-W, to a point on the NE corner of Section 21, T-2-N, R-10-W; thence south along the eastern border of Sections 21, 28, and 33, T-2-N, R-10-W, and Section 4, T-1-N, R-10-W, to a point on the SE corner of Section 4; thence south 2200' along the east border of Section 9, T-1-N, R-10-W, to a point on the eastern border of Pulaski County; thence south along the eastern border of Pulaski County through Sections 9, 16, 21, 28, 29, and 32, T-1-N, R-10-W, and Section 5, T-1-S, R-10-W, to a point on the SE corner of Section 5;

thence west along the southern border of Sections 5, and 6, T-1-S, R-10-W, to a point at the SW corner of Section 6; thence north along the western border of Section 6 to a point on the SE corner of Section 1, T-1-S, R-11-W; thence west along the southern border of Sections 1, and 2, T-1-S, R-11-W, to the centerline of the Arkansas River; thence northerly and westerly following the centerline of the Arkansas River to a point perpendicular to the point of beginning; then northerly to the point of beginning.

## ARTICLE 2: DEFINITIONS

### Section 2.1 – General

For the purpose of this ordinance the following rules shall be followed:

A. Words, phrases, and terms defined by this ordinance shall be interpreted and used as they are defined.

B. Words, phrases, and terms not defined by this ordinance but defined in the Arkansas Fire Prevention Code shall be interpreted and used as they are defined in the Arkansas Fire Prevention Code.

C. Words, phrases, and terms defined neither by this ordinance nor in the Arkansas Fire Prevention Code shall be given their usual and customary meanings except where the context clearly indicates a different meaning.

D. The text of the regulation shall control captions, titles, and maps.

E. The word "shall" is mandatory; the word "may" is permissive.

F. Words used in the singular include the plural and words used in the plural include the singular.

G. Words used in the present tense include the future tense and words used in the future tense include the present tense.

### Section 2.2 – Definitions

*Abutting*: Having a common border with, or being separated from such a common border by a right-of-way, alley, easement or cases where two (2) or more lots adjoin only on a corner or corners.

*Access*: A way of approaching or entering a property for persons, fire department, and other uses.

*Accessory Use*: A subordinate use that is clearly incidental to, or customarily found in connection with, and on the same lot as, the principal use of the premises.

*Acre*: An area of land containing 43,560 square feet within the property lines of a lot or parcel.

*ADAAG*: The Americans with Disabilities Act Accessibility Guidelines 36 CFR § 1191.1 App. A, and any amendments.

*Adaptive Use*: Rehabilitation of a structure for use other than its original use such as a residence converted into offices.

*Addition*: New construction added to an existing building or structure.

*Administrative Official*: The person or persons designated by the Mayor of the City of North Little Rock to carry out the provisions of this Ordinance. This person or persons may be alternatively be referred to as "staff", or "planning staff".

*Adult Arcade*: Any place where the public is permitted or invited and where a still or motion picture machine, projector, or other image-producing device is: coin-operated or slug-operated or electronically, electrically, or mechanically controlled; and maintained to show an image or images involving a specific sexual activity or a specific anatomical area to a person in a booth or viewing room.

*Adult Bookstore or Video Store*: A commercial establishment that offers for sale or rent any of the following as one of its principal business purposes: a book, magazine, periodical or other printed matter, photograph, digital or analog video recording, reproduction, slide, or other visual representation that depicts or describes a specific sexual activity; or an instrument, a device, or paraphernalia that is designed for use in connection with a specific sexual activity.

*Adult Cabaret*: Any nightclub, bar, restaurant, or other similar commercial establishment that regularly features a: person who appears in a state of nudity or who is seminude; live performance that is characterized by the exposure of a specific anatomical area or a specific sexual activity; or digital or analog video recording, slide, or other photographic reproduction that is characterized by the depiction or description of a specific sexual activity or a specific anatomical area.

*Adult Live Entertainment Establishment*: An establishment that features either a: person who appears in a state of nudity; or live performance that is characterized by the exposure of a specific anatomical area or a specific sexual activity.

*Adult Motion Picture Theater*: A commercial establishment in which for any form of consideration a digital or analog video recording, slide, or other similar photographic reproduction characterized by the depiction or description of a specific sexual activity or a specific anatomical area is predominantly shown.

*Adult Oriented Business*: An adult arcade, an adult bookstore or video store, an adult cabaret, an adult live entertainment establishment, an adult motion picture theater, an adult theater, a massage establishment that offers adult services, an escort agency, or a nude model studio.

*Adult Theater*: A theater, a concert hall, an auditorium, or a similar commercial establishment that predominantly features a person who appears in a state of nudity or who engages in a live performance that is characterized by the exposure of a specific anatomical area or a specific sexual activity.

*Adverse Impact/Effect*: A condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions by a land use or developed site or on nearby property or facilities.

*Agriculture*: A use including farms, ranches, fish farms, and undeveloped lands. More specifically it includes field, row, and tree crops as well as dairy farms, and the breeding, training, feeding, display, and sale of livestock, including required accessory uses and buildings such as barns, yards, and loading areas. This use does not include large-scale hog farming, large-scale poultry farms, or concentrated animal feeding lots.

*Agricultural Equipment*: See Large Implement/Vehicle.

*Airport*: Any area of land designed and set aside for the landing and take-off of aircraft and/or helicopters including structures for the maintenance/housing of aircraft and areas set aside for protection of the facility.

*Alley*: A narrow public way that affords a secondary means of access to abutting properties and not intended for general traffic.

*Alteration*: To replace, exchange, reconstruct, renovate, move, relocate, enlarge, or decrease in size.

*Alternative Energy Systems (AES)*: Solar panels, solar hot water devices, wind turbines, windmills, and other devices of a similar nature, together with appurtenant structures and facilities used to produce, store and distribute electrical or thermal energy. (see Section 5.4)

*Animal Care and/or Boarding:* A facility and accompanying accessory structures and uses intended for overnight care and/or veterinary care of domestic animals and pets excluding animals used for agricultural purposes. Such uses shall be distinguished between those which occur in a completely enclosed building and those which allow for the outdoor care of animals. These uses may include: animal hospitals, animal shelters, kennels, pet daycares, animal boarding, or veterinarian office.

*Annexation*: The process used by a municipality to add surrounding areas to the city and extending its municipal services, regulations, voting privileges, and taxing authority to new territory.

*Apartment*: See Residential - Apartment.

*Appurtenance:* The visible, functional, or ornamental objects accessory to, and part of, buildings or structures such as bay windows, awnings, roof parapets, or flag poles.

*Automobile/Vehicle - Fueling Station (no repair):* A facility where motor vehicle fuel is sold and dispensed (including alternative fuels) as a principal use and where other items such as food, drinks, vehicle lubricants, etc. may be sold incidentally to the principal use. Vehicle maintenance and or repair is prohibited in conjunction with such uses.

*Automobile/Vehicle - Repair and/or Service (minor):* Incidental automobile repair or service normally associated with the routine service of automobiles or the repair or replacement of minor automobile parts, including oil changing and lubrication, upholstery cleaning, and other incidental service and repair work. These uses may include: automobile accessories installation, window glass installation, battery services, and/or brake services.

*Automobile/Vehicle - Repair and/or Service (major):* General automobile repair including the rebuilding or reconditioning of engines, motor vehicles, or trailers, including body work, welding, painting service, muffler services, and/or transmission repair.

*Automobile/Vehicle - Sales and/or Leasing, Small Lot:* Any automobile sales and/or leasing establishment one (1) acre or less in size. This use does not include recreation vehicle, commercial vehicle, or manufactured home sales. (see Section 5.5)

*Automobile/Vehicle - Sales and/or Leasing, Large Lot:* Any automobile sales and/or leasing establishment greater than one (1) acre in size. This use does not include recreation vehicle, commercial vehicle, or

manufactured home sales. Automobile repair and service incidental to the sales and/or leasing use of the premises is permitted. (see Section 5.5)

*Automobile/Vehicle - Tire Shop:* A retail store where the principal use is the sale and/or installation of tires for passenger vehicles and trucks. This use does not include tire sales for commercial vehicles or automobile/vehicle repair.

*Automobile/Vehicle - Wash and/or Detailing:* A building or area that provides facilities for washing and cleaning motor vehicles, which may use production line methods with a conveyor, blower, or other mechanical device, and which may employ hand labor.

*Awning*: A shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework.

*Bar:* An establishment primarily devoted to the serving of alcoholic beverages by the drink to the general public and in which the service of food is only incidental to the consumption of alcoholic beverages on the premises.

*Barber and/or Beauty Shop:* Any establishment where cosmetology services are provided including hair care, nail care, or skin care or related services.

*Bed-and-Breakfast*: See Residential – Bed and Breakfast.

*Board of Zoning Adjustment*: The term Board or Board of Zoning Adjustment shall mean the Board of Zoning Adjustment established by the Zoning Ordinance of the City of North Little Rock, Arkansas.

*Bond, Performance*: A document obligating funds for the purpose of insuring the performance of a developer, contractor or owner in fulfilling an obligation required by the city.

*Broadcasting Station:* A facility for live broadcasting or prerecorded programs by radio/television and/or the recording of records, tapes, video or other media. These facilities may perform activities necessary for recording, programming and receiving of radio/television signals. These uses may include: radio and television stations.

*Buffer*: Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically and visually separate one (1) use or property from another in order to mitigate the impacts of noise, light, or other nuisance.

*Building*: A permanent structure completely enclosed and isolated by exterior walls that was designed and constructed, and intended for use on a day-to-day basis by people for residential purposes, or for purposes of conducting a business, industry or other public/private purpose

*Building, Completely Enclosed*: A building enclosed by a permanent roof and by solid exterior walls pierced only by windows and entrance and exit doors.

*Building, Detached*: A building that does not have a roof or wall in common with another building and/or structure.

*Building Height:* The vertical distance as measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure.

*Building Line*: A line appearing on an officially recorded plat that is intended to establish the front setback behind which the principal building may be placed or erected.

*Building Permit*: Written permission issued by the Administrative Official for the construction, addition to, repair, renovation, or alteration of a building or structure.

*Building, Principal:* A building in which the main or principal use of the lot on which it is located is conducted.

*Bus Depot:* An off-street facility used for commercial bus service or public transit to load and unload passengers from buses.

*Caliper:* The measured diameter of a tree trunk at three (3) feet from the surface of the ground.

*Carnival – Temporary:* A temporary outdoor amusement center involving assemblages of persons on a site where there may or may not be an admission charge, and which may include activities such as rides, entertainment, games, booths, food services, and sales, exhibitions, and animal displays. (see Section 5.6)

*Carport*: A roofed structure providing space for the parking of motor vehicles and enclosed on not more than two (2) sides.

*Cemetery:* Land used for the burial of the dead including mausoleums. Such uses may include a chapel or meeting place intended for the purposes of performing funerals.

*Certificate of Appropriateness*: A document awarded by the Argenta Historic District Commission (HDC) allowing an applicant to proceed with a proposed alteration, demolition, or new construction in a designated area or site, following a determination of the proposal's suitability according to applicable criteria.

*Certificate of Completion*: Official certification that a single-family or duplex premise conforms to provisions of the zoning ordinance and building code and may be used or occupied. Also may be used for remodel/repair of any building to provide certification that the remodel/repair conforms to provisions of the zoning ordinance and building codes.

*Certificate of Occupancy*: Official certification that a commercial, industrial, office or apartment premise (non single-family or duplex) conforms to provisions of the zoning ordinance and building code and may be used or occupied.

*Character*: The qualities and attributes of any structure, site, street or district.

*Church and/or Place of Worship:* A structure where persons regularly assemble for worship, ceremonies, rituals, and education relating to a particular form(s) of religious belief.

*City:* The City of North Little Rock, Pulaski County, Arkansas, USA.

*City Council:* The City Council for the City of North Little Rock, Pulaski County, Arkansas being the city's chief legislative body.

*Columbarium*: A repository substantially exposed above ground composed of niches designed for the purpose of the interment of cremated remains.

*Planning Commission:* The City of North Little Rock Planning Commission.

*Communication Tower:* Any unstaffed facility outside of a public right-of-way for the transmission or reception of wireless telecommunications services, usually consisting of an antenna array, connection cables, an equipment facility, and a support structure to achieve the necessary elevation. (see Section 5.7)

*Community Center:* A city sponsored facility where people living in the same area, neighborhood and/or community may carry on recreational, social and/or educational activities.

*Community Garden*: The use of land by multiple users primarily for the cultivation of fruits, vegetables, plants, flowers, honey and herbs along with accessory and appurtenance structures. (see Section 5.8)

*Conditional Use*: A use permitted in a particular Zoning District upon review and authorization in accordance with these regulations. Special conditions such as site improvements, buffers, ingress and egress controls, number of occupants or employees, hours or days of operation, control of light and noise may be reasonably required to ensure the land use functions with minimal impacts on neighboring properties. (see Section 8.1)

*Corner Lot*: See Lot, Corner.

*Daycare – Adult:* An establishment that provides, on a regular basis, assistance or care for five (5) or more unrelated adults for a period of less than twenty-four (24) hours a day and which receives a payment, fee, or grant for the adults attending the facility, whether or not operated for a profit. (see Section 5.3)

*Daycare – Center:* A non-residential place or institution which receives children for care apart from their natural parents, legal guardians or custodians, and for which payment or fee is made. (see Section 5.9)

*Daycare - Home (Special Use Only):* A caregiver's primary residence that receives children for care apart from their natural parents, legal guardians or custodians, and for which payment or fee is made. (see Section 5.9)

*Demolition*: Any act which destroys in whole or in part a building or structure.

*Design Review Committee (DRC):* A committee of staff established to review design details of certain development and handle approvals when given such authority. Such committee may also include Planning Commission members.

*Disability:* A physical or mental impairment that substantially limits one or more major life activities as defined by the Fair Housing Act.

*Dock:* A pier, wharf, or structure supported by pilings or floats in such a manner as allow free flow of water beneath the structure and in which any buildings constructed upon it are incidental to use of the structure for the landing of boats or other marine transport.

*Dormitory*: A building intended or used principally for sleeping accommodations where such building is related to an educational or public institution.

*Driving School:* A commercial or non-profit entity which has a principal use devoted to teaching people to drive passenger or commercial vehicles.

*Drip-line:* An imaginary vertical line that extends downward from the outermost tips of the tree branches to the ground.

*Dwelling Unit*: Any room or group of rooms located within a building with facilities that are used or intended to be used for non-transient living, sleeping, cooking, eating and sanitation by one (1) family.

*Easement*: A right given by the owner of land to another party for specific limited use of that land.

*Educational Institution - Small Scale:* A facility for instruction, counseling or coaching in the arts, or for the development of personal skills or talents or offering instruction and training of a trade. These uses may include but are not limited to: art schools, music schools, barber schools and beauty schools.

*Educational Institution - Large Scale:* A public or private institution devoted to the education of preschool, elementary, secondary, professional, technical or college/university students. These uses may also include but are not limited to: dormitories, sororities and fraternities.

*Educational Institution - Real Estate School:* A public or private institution devoted to the education of real estate students.

*Element*: A material part or detail of a site, structure, street, or district.

*Engineered Site Plan*: A site plan prepared by a licensed professional engineer possessing the necessary licensing to practice engineering in the State of Arkansas.

*Escort*: A person who for consideration agrees or offers to act as a date for another person; or agrees or offers to privately model lingerie or to privately perform a striptease for another person.

*Escort Agency*: A person or business association that furnishes, offers to furnish, or advertises the furnishing of an escort as one of its primary business purposes for any fee, tip, or other consideration.

*Event Center (Special Use Only):* A multi-purpose venue/facility hosting special events including, but not limited to social gatherings, weddings, anniversaries, holiday gatherings, corporate functions or parties, and concerts. An event center may have a catering kitchen and a stage or event area.

*Fabrication*: The process related to stamping, cutting, or otherwise shaping of processed materials into useful objects. This process excludes the refining or other initial processing of basic raw materials such as metal ores, lumber or rubber.

*Façade*: The portion of any exterior elevation of a building extending from grade to the top of the building and the entire width of the building elevation.

*Family*: One (1) or more persons occupying premises and living as a single, non-profit housekeeping unit and residing in a single dwelling unit provided that, unless all members are related by blood or marriage, the number of persons shall not exceed five (5) and subject to reasonable accommodation for disabled individuals pursuant to the Fair Housing Act.

*Farming*: The agricultural use of land for the management of plants and animals for economic gain that typically surrounds urban and suburban development, and traditionally existed prior to urban development. Farming includes all types of tree farms (including pulp production, Christmas trees, and plant nurseries), traditional row crop production (large fields in dense, active production), small scale farming (such as hobby farms, You-Pick farms, and truck farms); as well as land devoted specifically for all types of animal management (including: cattle, horse, chicken/fowl, fish and other similar animals). Farming does not include dormant lands, lands in natural growth, or lands used for hunting, mineral extraction, the public display of any animals, or the housing or breeding of household pets (dogs, cats, birds, reptiles) or innately wild or dangerous animals. This use does not include large-scale hog farming, large-scale poultry farms, or concentrated animal feeding lots.

*Fence*: A barrier greater than two (2) feet in height, serving as an enclosure or boundary and made of durable exterior grade materials such as masonry, stone, treated pine, cypress, cedar, redwood, chain-link, or plastic. (see Section 5.11)

*Final Plat*: The last official action of the approving governmental authority taken on a development plan that has been given preliminary approval after all conditions and requirements of preliminary approval have been met and the required improvements have either been installed or guarantees properly posted for their installation.

*Finished Side*: The side of a fence that does not expose the structural supports binding the fence together.

*Flood Plain*: The land area susceptible to inundation by water as a result of a flood. The United States Congress designated the 100-year flood plain as the base flood elevation in most regulatory concerns.

*Floodway*: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

*Food Truck:* See Mobile Food Vehicle. (see Section 5.12)

*Funeral Home:* A facility used for the preparation of the dead for display and burial, and for the practices connected to burial and cremation. A funeral home may include a funeral chapel and facilities for visitation.

*Garage, Private*: A detached accessory structure or portion of a main building, used for the storage of vehicles, or other property.

*Governmental Facility - Building or Office:* A building or office owned, operated, or occupied by a governmental agency to provide a governmental service to the public. These uses may include: ambulance sub-stations, fire stations, police stations, or post offices.

*Governmental Facility - Cultural or Educational:* A facility owned, operated, or occupied by a governmental agency to provide cultural or educational services to the public. These uses may include: aquariums, botanical gardens, community centers, libraries, museums, or zoos.

*Gross Floor Area*: The sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines. All horizontal dimensions are to be made between the exterior faces of walls, including the walls of roofed porches having more than one (1) wall. The floor area of a building shall include the floor area of accessory structures, on the same lot, measured the same way.

*Halfway House*: See Residential – Half-way House.

*Historic District*: A geographically definable area with a significant concentration of buildings, structures, sites, spaces, or objects unified by past events, physical development, design, setting, materials, workmanship, sense of cohesiveness or related historical and aesthetic associations. The significance of a district may be recognized through listing in a local, state, or national register and may be protected legally through enactment of a local historic district ordinance administered by a Historic District Commission (HDC).

*Historic District Commission (HDC)*: The governing body for a certified local ordinance for the City of North Little Rock.

*Hospital:* An institution providing health services for in-patients, and medical, surgical, and mental health care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient departments, training facilities, central service facilities and staff offices.

*Hotel or Motel:* A business in which lodging is provided and offered to the public for compensation, containing seven (7) or more guest rooms which are rented for sleeping purposes by guests. Related ancillary uses may include but not be limited to conference and meeting rooms, restaurants, bars, and recreational facilities.

*Junk, Salvage, Wrecking Yard (not permitted):* A lot or part thereof used for the storage, keeping or abandonment of ferrous and non-ferrous junk, including scrap metal or vehicles or machinery or parts thereof. Junkyards, wrecking yards and salvage yards are prohibited.

*Kennel*: Any premises where domestic animals owned by another person are temporarily boarded, trained or groomed for pay of any sort. This definition shall not apply to agricultural uses or to animal hospitals operated by veterinarians duly licensed under the law.

*Laboratory, Medical or Dental*: A laboratory that provides bacteriological, biological, medical, x-ray, pathological and similar analytical or diagnostic services to doctors or dentists. No fabricating is conducted on the premises except the customary fabrication of dentures or other dental replacements.

*Large Implement/Vehicle – Repair:* General repair of commercial vehicles and large implements, including but not limited to agricultural equipment, motor homes, recreational vehicles, marine vehicles, and tractor trailers. Such repair includes the rebuilding or reconditioning of engines, implements, or trailers, including body work, welding, painting service, muffler services, and/or transmission repair.

*Large Implement/Vehicle – Sales:* Any establishment used for the sale and/or lease of commercial vehicles and large implements, including but not limited to agricultural equipment, airplanes, motor homes, recreational vehicles, marine vehicles, and/or tractor trailers. Repair and service incidental to the sales and leasing use of the premises is permitted.

*Loading and Unloading*: The act of moving, or allowing to be moved, people or materials to or from the interior or cargo space of any vehicle. When these regulations permit a regulatory exception based upon loading and unloading, such exception only applies during such period of time that is necessary for the vehicle to be loaded and unloaded.

*Local Unit of Government:* A city of the first class, a city of the second class, an incorporated town, or a county.

*Lot*: A distinct and separate undivided tract or parcel of land having access on a public street, which may be offered for sale, conveyance, transfer, or improvement as a building site.

*Lot Area*: The total horizontal area included within the lot lines of a property.

*Lot Coverage*: The percentage of lot area occupied by the principal building and all accessory structures on the lot.

*Lot Depth*: The mean distance between the front lot line and the rear lot line.

*Lot Width*: The mean distance between the side or exterior lot lines of a lot.

*Lot, Corner*: A lot at the junction of and fronting on two (2) or more intersecting streets or rights-of way.

*Lot, Interior*: A lot that does not abut more than one (1) street.

*Lot of Record*: A lot that has been approved by the City of North Little Rock and/or Pulaski County Planning and legally recorded with the County Clerk's office.

*Lot Line*: The property line boundary of a lot.

*Lot Line, Exterior*: A side lot line which abuts a street.

*Lot Line, Front*: The lot line that abuts the street. On a corner lot, the recorded plat may designate the front lot line.

*Lot, Pipe-stem:* A panhandle or flag shaped lot with its widest portion set back from the street at the rear of another lot, and having a small strip of land connecting to the street to provide access and street frontage. Such lots may also be called flag lots.

*Lot Line, Rear*: The lot line opposite to the front lot line.

*Lot Line, Side*: Any lot line other than a front or rear lot line.

*Low Impact Development (LID):* Sets of systems and practices in the development process that use or mimic natural processes that result in the infiltration, evapotranspiration or use of storm water in order to protect water quality and associated aquatic habitat.

*Main Street Design Review Committee:* A committee established to review design details of new development in the Main Street Overlay District. The Planning Commission or a subset of the Planning Commission shall serve as the Main Street Design Review Committee.

*Maintenance*: The cleaning, painting, repair or replacement of defective parts in a manner that does not alter the basic design or structure.

*Major Roadway*: A roadway or street designated as an arterial classification or greater roadway on the North Little Rock Master Street Plan.

*Manufactured Home*: See Residential - One Family Dwelling (Manufactured).

*Manufactured/Modular Home Sales:* An outdoor sales lot where manufactured homes or modular homes are offered for sale.

*Manufacture/Manufacturing*: The mechanical or chemical process of transforming materials or substances into new products, including the assembly of component parts, the creation of products, and the blending of materials such as lubricating oils, plastics, or resins.

*Manufacturing - Dangerous, Explosive, or Toxic:* A facility or establishment engaged in the manufacturing, assembly, fabrication, packaging, or other industrial processing of materials that involve the use or storage of highly flammable, explosive, or toxic chemicals or materials which may pose a threat to health, safety, and welfare. These uses may include but are not limited to the manufacturing, assemblage or processing of: acid, ammonia, ammunition, asphalt, chemicals, cleaning compounds, explosives, insecticides, fertilizer, fireworks, gunpowder, hair products, oil refinery, tar or waterproofing materials.

*Manufacturing, Assemblage, or Processing - Light:* An establishment engaged in manufacturing, assembly, fabrication, packaging, or other industrial processing of finished parts or products, primarily from previously prepared materials, or the provision of industrial services, where there are few external effects across property lines. These uses may include businesses engaged in the processing, fabrication, assembly, treatment, or packaging of food, textile, leather, wood, paper, plastic, or metal products, but does not involve industrial processing from raw materials. Such use and storage occurs in a completely enclosed building. These uses may include the manufacturing, assemblage or processing of: awnings, baked goods, printed goods, cabinets, candy, embalming, fabrics, food, glass, honey, ice cream, mirrors, scales, or sheet metal.

*Manufacturing, Assemblage, or Processing - Medium:* An establishment engaged in manufacturing, assembly, fabrication, packaging, or other industrial processing of finished parts or products, and may involve raw or extracted materials. These activities do not have the potential of external effects and do not necessitate the storage of highly flammable, toxic matter, or explosive materials needed for the manufacturing process. Such use and storage occurs in a completely enclosed building. These uses may include but are not limited to the manufacturing, assemblage or processing of: bottling, brooms, clothing, coin machines, paper containers, cosmetics, dairies, dyeing, electric equipment, electroplating, elevators,

enameling, metal fences, bottled gas, machine shops, stone water jet cutting, mattresses, grain mills, office furniture, ornamental metal, pipes, plastic products, trusses, watches, or welding shop.

*Manufacturing, Assemblage, or Processing - Heavy:* An establishment engaged in manufacturing, assembly, fabrication, packaging, or other industrial processing of raw or extracted materials or the provision of industrial services, where there is potential for external effects such noise, dust, glare, odors, or vibration. These uses may include but are not limited to chemical manufacturing, stone-work or concrete manufacturing, fabrication of metal products, manufacture of heavy equipment, or lumber milling. Such use and storage occurs in a completely enclosed building. These uses may include the manufacturing, assemblage or processing of: airplanes, automobiles, concrete, crematorium, diesel engines, extrusion of metals, fire proofing, floor materials, glass, liquor distilleries, metal plating, metal polishing, metal casting, metal milling, millwork, paper, pharmaceutical products, recycling, sawmills, slaughterhouses, steel fabrications, stockyards, non-water jet cutting of stone, steel, sugar, or refineries.

*Massage Establishment that Offers Adult Services*: An establishment that offers massage services characterized by an emphasis on a specific sexual activity or a specific anatomical area.

*Master Street Plan*: The legal and officially adopted Master Street Plan for the City of North Little Rock.

*Medical Marijuana Cultivation Facility:* A facility that has been licensed by the Medical Marijuana Commission and operated in compliance with all State rules that cultivates, prepares, manufactures, processes, packages, sells to, and delivers usable marijuana to a dispensary.

*Microbrewery and/or Microdistillery:* A facility licensed by the State of Arkansas as a microbrewery or microdistillery for the production and packaging of liquors, malt beverages and/or wines for distribution, retail, or wholesale, on or off premise. The development may not include other uses such as a standard restaurant, bar or live entertainment.

*Microbrewery and/or Microdistillery - with Restaurant:* A facility licensed by the State of Arkansas as a microbrewery or microdistillery for the production and packaging of liquors, malt beverages and/or wines for distribution, retail, or wholesale, on or off premise. The development may include other uses such as a standard restaurant, bar or live entertainment.

*Mining - Processing and Storage:* The process of removal from natural occurrences of sand, gravel, rock, aggregate, clay, or other materials/minerals by means of open or underground excavation. Such use may also include the outdoor storage of mined raw materials.

*Mobile Food Vehicle:* A food establishment that is located upon a vehicle, or which is pulled by a vehicle, where food and beverage is cooked, prepared and served for individual portions to the general public. (see Section 5.12)

*Mobile Food Vehicle Court:* A location where two (2) or more mobile food vehicles operate simultaneously on a regular or rotating basis as a principal use of the land. (see Section 5.12)

*Mobile Storage Container:* A portable storage unit, which includes but not limited to: cargo containers, shipping containers, truck boxes, truck trailers and train cars. Manufactured homes and recreational vehicles shall not be used as mobile storage containers. Mobile storage containers are not permitted as accessory structures in residential areas. (see Section 5.18)

*Modular Home*: See Residential - One Family Dwelling (Modular).

*Monuments Sales:* An outdoor sales lot offering burial monuments and/or headstones for sale.

*Motel*: See Hotel and/or Motel.

*Motor Home*: See Large Implement/Vehicle.

*Museum*: A non-profit, non-commercial establishment operated as a repository or a collection of nature, scientific or literary curiosities or objects of interest or works of art, not including the regular sale or distribution of the objects collected.

*Nude, Nudity, or State of Nudity:* Any of the following: the appearance of a human anus, human genitals, or a female breast below a point immediately above the top of the areola; or a state of dress that fails to opaquely cover a human anus, human genitals, or a female breast below a point immediately above the top of the areola.

*Nude Model Studio:* A place where a person who appears in a state of nudity or who displays a specific anatomical area is observed, sketched, drawn, painted, sculptured, photographed, or otherwise depicted by another person for money or other consideration. Nude model studio does not include a proprietary school that is licensed by this state, a college, community college, or university that is supported entirely or in part by taxation, a private college or university that maintains and operates educational programs in which credits are transferable to a college, community college, or university that is supported entirely or in part by taxation, or a structure containing an establishment to which the following apply: a sign is not visible from the exterior of the structure and no other advertising appears indicating that a nude person is available for viewing; a person must enroll at least three (3) days in advance of a class in order to participate; and no more than one (1) nude or seminude model is on the premises at a time.

*Nursery/Green House*: An enterprise conducting retail and wholesale sale of plants grown on the site as well as accessory items such as pots, potting soil, fertilizers, insecticides, rakes, shovels, etc.

*Nursing Home*: See Residential - Nursing Home and/or Assisted Living.

*Occupancy*: The portion of a building or premises owned, leased, rented or otherwise occupied for a given use.

*Office - Bail Bondsman:* A building or portion of a building used for the practice of providing surety for a person or persons accused of a crime who pledges money or property as bail to insure the appearance of such person or persons in a court proceeding concerning such accusations.

*Office - Bank with Drive Thru:* A financial institution that is open to public and engaged in deposit banking and other functions such as making loans, investments, and fiduciary activities. Such use may provide for delivery of financial services directly to the occupants of an automobile.

*Office - Bank without Drive Thru:* A financial institution that is open to public and engaged in deposit banking and other functions such as making loans, investments, and fiduciary activities. Such use shall not provide for delivery of financial services directly to the occupants of an automobile.

*Office - Contractor with Outdoor Storage:* The use of a building and site for the purpose of offices and outdoor storage facilities for a person, business, or entity engaged in the construction trade.

*Office - Contractor without Outdoor Storage:* The use of a building for the purpose of offices and indoor storage facilities for a person, business, or entity engaged in the construction trade.

*Office - Health or Medical Related:* A building or portion of a building in which a group of associated physicians, optometrists, ophthalmologists, dentists, mental health professionals or professional assistants carry out their profession, provided no overnight patients are kept on the premises.

*Office:* A building or portion of a building used for the practice of a profession or for the practice of a service provided to the public. Such uses do not involve the sale of goods.

*Overlay District*: A geographically described area that encompasses one (1) or more underlying Zoning Districts and that imposes additional requirements in addition to those required by the underlying Zoning District.

*Owner of Record*: The person, corporation, or other legal entity listed as owner on the records of Pulaski County.

*Parapet*: The extension of a false front or wall above a roof line.

*Parking Lot – Deck:* A multi-story structure used for the temporary parking of automobiles.

*Parking Lot – Free:* An open area, other than a street, used for the temporary parking of two (2) or more automobiles and available for public use for free.

*Parking Lot – Pay:* An open area, other than a street, used for the temporary parking of two (2) or more automobiles and available for public use in exchange for payment.

*Parking Space (Off-street)*: A space on private land, accessible from a street or alley exclusive of passageways, access lanes, bike lanes, and sidewalks. (see Section 6.2.4)

*Permanent:* Designed, constructed and intended for more than short-term use.

*Permitted Structure:* A structure meeting all the requirements established by this ordinance for the Zoning District in which the structure is located.

*Permitted Use*: A use that is allowed in a Zoning District subject only to the requirements pertaining to all uses in the Zoning District.

*Person*: An individual, firm, corporation, partnership, business, group of individuals, city department or other entity which acts singly or collectively for a common purpose.

*Planned Unit Development (PUD):* A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The

development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.

*Planning Department:* The Department of Community Planning for the City of North Little Rock.

*Plasma Center*: Use of a site as a facility for the donation or sale by individual donors of blood plasma and other blood products. Such uses are distinguished from centers which accept the donation of whole blood.

*Plat*: A drawing and accompanying information indicating the layout and design of a subdivision or lot(s) prepared by a developer or engineer approved by the Planning Commission and recorded with Pulaski County Clerk's office.

*Premise*: A general term meaning part or all of any lot or part or all of any building or structure or group of buildings or structures located thereon.

*Principal Use*: The specific primary purpose for which a building, lot, or premises is used.

*Processing:* Any operation changing the nature of material or materials such as the chemical composition or physical qualities. Does not include operations described as fabrication.

*Produce:* Any food product from a farm, orchard, garden or apiary harvested for consumption.

*Product Assembly*: A joining together of completely fabricated parts to create a finished product.

*Proportion*: Relationship of height to width of the building outline as well as individual components.

*Public Grounds*: Areas including street rights-of-way, alleys, parks, medians, substations, treatment plants, plazas, squares, public buildings and any other area designated for public use.

*Public Library:* Any of the following: a city library established under §13-2-501 et seq.; a county library established under §13-2-401 et seq.; a joint city-county library established under §13-2-401 et seq. or §13-2-501 et seq.; and any other library system established under §13-2-401 et seq. or §13-2-501 et seq., or §13-2-901 et seq.

*Public Utility Structures – Small*: A structure or group of structures not exceeding twenty (20) feet in height and/or a site less than two (2) acres in size used for purposes of providing electricity, water, sewer, gas, telecommunications, solid waste storage/transfer, or other services to the public. Facilities for the on-site treatment of sewer liquid waste or solid waste storage/transfer shall not be considered small public utility structures regardless of size. These uses may include: pump stations or sub stations.

*Public Utility Structures – Large*: A structure or group of structures which may exceed twenty (20) feet in height and/or a site larger than two (2) acres used for purposes of providing electricity, water, sewer, gas, telecommunications, solid waste storage/transfer, or other services to the public. Facilities for the on-site treatment of sewer liquid waste or solid waste storage/transfer shall be considered large public utility structures regardless of size. These uses may include: sewer disposal plants, gas wells, or public utility plants.

*Recreation - Indoor Facility:* An indoor facility, with or without seating for spectators, and providing accommodations for a variety of sports and/or events. Such facility may also provide facilities for health and fitness, swimming, snack bars, restaurants, and retail sales of sport related or fitness items. These facilities may include: athletic clubs, axe throwing facilities, bowling alleys, dance instruction, martial arts instruction, nerf/laser tag facilities, skating rinks, and/or video game arcades.

*Recreation – Large-Scale Facility:* An indoor or outdoor recreation facility on a site over ten (10) acres in size or in excess of fifty-thousand (50,000) square feet in size, with or without seating for spectators, and providing accommodation for a variety of sports and/or events. Such facility may also provide for food service, alcohol sales, and limited retail sales pertaining to ticketed events. These facilities may include: campgrounds, miniature golf facilities, golf course, golf driving ranges, marinas, all-terrain vehicle parks, baseball complexes, soccer complexes, and/or skate parks.

*Recreation – Small-Scale Neighborhood Facilities:* An indoor or outdoor recreation facility, typically on a site less than ten (10) acres in size that is intended to serve the population of a neighborhood immediately surrounding the facility. These facilities may include a: baseball field, swimming pool, tennis court, soccer field and/or football field.

*Recreation - Park or Playground:* An outdoor area primarily intended for recreational use that is dedicated or designated by any federal, state, or local unit of government, local agency or entity, or any private individual, business, or group including any land leased, reserved, or held open to the public for use as a park.

*Recreational Area or Facility*: An area or facility open to the public for recreational purposes.

*Recreational Vehicle*: See Large Implement/Vehicle.

*Recreational Vehicle Park*: A lot or parcel of land used for the accommodation of recreational vehicles for recreational camping and transient dwelling purposes.

*Recycling without Outdoor Storage/Sales:* A facility operating within a completely enclosed building used for the collection and processing of recyclable materials such as paper, glass, metal, and plastic in order to return such discarded materials to a condition where they can be reused as raw materials. Such facilities are distinguished from junk, salvage, or wrecking yards.

*Recycling with Outdoor Storage/Sales:* A facility operating within a building and/or within a screened open yard used for the collection and processing of recyclable materials such as paper, glass, metal, and plastic in order to return such discarded materials to a condition where they can be reused as raw materials. Such facilities are distinguished from junk, salvage, or wrecking yards.

*Residential Accommodations*: Any building or part of a building used or intended to be used for sleeping accommodations by a person or group of persons. Other housekeeping accommodations also may be provided.

*Residential - One Family Dwelling:* A dwelling unit consisting of a site built detached building with housekeeping and cooking and designed for or occupied by only one (1) family on the premises.

*Residential - One Family Dwelling (Manufactured):* A factory built dwelling unit constructed in accordance with the Federal Manufactured Home Construction and Safety Standards, commonly known as the HUD Code, intended for occupancy by only one (1) family and transported to a dwelling site as one (1) or more sections on a permanent chassis.

*Residential - One Family Dwelling (Modular):* A factory built prefabricated dwelling unit constructed to meet the requirements of the Arkansas Fire Prevention Code, and consisting of a detached building with housekeeping and cooking and designed for or occupied by only one (1) family on the premises.

*Residential - One Family Dwelling (Zero-Lot Line):* A dwelling unit consisting of a site built detached building with housekeeping and cooking and designed for or occupied by only one (1) family on the premises and which one (1) of the building's sides may rest directly on a lot line.

*Residential – Two-Family Dwelling:* A site built structure consisting of two (2) dwelling units (under one (1) roof) designed for or occupied by two (2) families living independently of each other, separate housekeeping and cooking facilities, and separate entrances for each family.

*Residential - Three Family Dwelling:* A structure consisting of three (3) dwelling units (under one (1) roof) designed for or occupied by three (3) families living independently of each other, separate housekeeping and cooking facilities, and separate entrances for each family.

*Residential - Four Family Dwelling:* A structure consisting of four (4) dwelling units (under one (1) roof) designed for or occupied by four (4) families living independently of each other, separate housekeeping and cooking facilities, and separate entrances for each family.

*Residential – Apartment:* A structure designed for or occupied by three (3) or more families living independently of each other, each having separate housekeeping and cooking facilities, and entrances for each family. Apartments shall also include any development which includes more than one (1) principal residential dwelling on a lot such as two (2) single-family dwellings on one (1) lot.

*Residential - Above Commercial:* Any number of residential dwelling units each with housekeeping and cooking and designed for or occupied by only one (1) family, which are located on an upper floor of a building resting on a floor or floors above a use which is commercial in nature such as retail, office, etc.

*Residential - Bed and Breakfast:* A business in which lodging and a morning meal is provided and offered to the public for compensation, containing two (2) to six (6) guest rooms which are rented for sleeping purposes by guests.

*Residential - Boarding House:* An owner-occupied single-family residence where rooms are provided for lodging for definite periods of time for compensation to the owner. Meals may or may not be provided, but there is one common kitchen facility.

*Residential – Condominium:* A development containing multiple dwelling units with housekeeping and cooking and designed for or occupied by only one (1) family, which are individual units with common areas/facilities that are jointly owned or held by a property owner's association.

*Residential - Nursing Home or Assisted Living:* A structure designed or used for residential occupancy and providing limited medical or nursing care for occupants, but not including a hospital or mental health center.

*Residential - Probation Parolee Housing (Special Use Only):* A licensed home for inmates on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently.

*Residential - Homeless Shelter (Special Use Only):* A facility providing temporary housing to indigent, needy, homeless, or transient persons, and which may also provide ancillary services such as counseling, job training, instruction, and feeding.

*Retail* - An establishment selling goods to consumers that are not otherwise covered by a use definition within this ordinance. These uses may include the sale of: army/navy surplus, art, art supplies, bicycles, books, business machines, cameras, casket, clothing, computers, department store, electronics, indoor farmers market, florist, novelties, hobby shop, leather, music instruments, office equipment, sporting goods, tobacco or tackle/bait shop.

*Retail - Convenience Store with Fuel Pumps:* An establishment supplying a limited range of food items, magazines, toiletries, beer/wine, and/or tobacco products with multiple fueling stations.

*Retail - Convenience Store without Fuel Pumps:* An establishment, not exceeding 10,000 square feet in gross floor area, supplying a limited range of food items, magazines, toiletries, beer/wine, and/or tobacco products to meet the day-to-day needs of residents in the immediate neighborhood.

*Retail - Grocery or Specialty Foods:* An establishment primarily selling prepackaged and perishable food items as well as other convenience or household goods. These establishments may also specialize in one (1) or multiples of the following: baked goods, butcher, candy, grocery, ice cream, or confections.

*Retail - Home Improvement without Outdoor Sales:* An establishment operating within a completely enclosed building and may specialize in one (1) or multiples of the following: appliances, carpet, flooring, furnaces, garage doors, garden supplies, patio furniture, hardware, air conditioners, home furnishings/accessories, lawn implements, nurseries, paint, plumbing fixtures, or tools.

*Retail - Home Improvement with Outdoor Sales:* An establishment operating within a building and outdoor sales yard and may specialize in one (1) or multiples of the following: appliances, carpet, flooring, furnaces, garage doors, garden supplies, patio furniture, hardware, air conditioners, home furnishings/accessories, lawn implements, nurseries, paint, plumbing fixtures, or tools.

*Retail - Liquor store:* An establishment which sells alcoholic beverages, which may include distilled spirits or hard liquor, in addition to beer and wine, for off-premises consumption.

*Retail - Outdoor Market:* An establishment that is conducted primarily outside with an outdoor sales yard selling a variety of consumer retail goods. These establishments may include: farmers market and/or a flea market.

*Retail - Pawn Shop (Special Use only):* A business that loans or advances money on deposit of personal property or deals in the purchase or possession of personal property on condition selling such property back to the recipient of the loan or advance of money when such loan or advance is paid. Such establishments are distinguished from pay-day lenders or cash advance lenders.

*Retail – Pharmacy:* An establishment devoted to the sale and dispensing of pharmaceutical items, supplies, and equipment such as prescription drugs. Retail establishments licensed by the State of Arkansas as a legal medical marijuana dispensary are considered pharmacies.

*Retail - Rental Business:* An establishment engaged in the business of renting vehicles, tools, or other equipment for compensation. These establishments may include rentals of: automobiles, bicycles, contractor equipment, moving vans, port-a-pots, trailers, trucks, and/or storage containers.

*Retail - Restaurant with Drive Thru:* An establishment that delivers, for consumption either on or off the site, prepared food and/or beverages to customers in automobiles/vehicles, regardless of whether or not it also serves prepared food and/or beverages to customers who are not in automobiles. These establishments may include: cafes, cafeterias, delicatessens drive-ins and/or restaurants.

*Retail - Restaurant without Drive Thru:* An establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, where the customer consumes these foods while seated at tables or counters located within the building. Such operations may also prepare food for consumption off-site via delivery or take-out. These establishments may include: cafes, cafeterias, delicatessens and/or restaurants.

*Retail - Self Serve Ice Vending Machine:* An unattended self-service device that dispenses ice for sale and which may be operated as the principal use on a site.

*Retail - service:* An establishment providing service or repair operations that generally does not involve hazardous materials other than petroleum products or propane refills. These establishments may include the service or repair of the following: appliances, artificial limbs, bicycles, blue printing service, boat motors, bookbinding, business machines, caterer, cleaning service, coin operated machines, copy/printing service, delivery service, dental supplies, dry cleaning, electronics, engravers, furniture, gun repair, laundry service, lawn implements, locksmith, massage, small engine repair, sound systems, taxidermists, tool sharpening or upholsterers.

*Retaining Wall*: A wall which does not support any habitable building and erected between lands of different elevations to prevent erosion or slope failure.

*Roadside - Christmas Trees:* A structure, vehicle, or outdoor sales yard utilized for the seasonal sale of Christmas trees. (see Section 5.22)

*Roadside - Produce Stand:* A structure or vehicle utilized for the seasonal display and sales of produce. (see Section 5.22)

*Roadside - Snow Cones:* A structure or vehicle utilized for the sale of snow cones and similar frozen food items. (see Section 5.22)

*Self-Storage*: See Warehouse Self-Storage Facilities.

*Seminude:* A state of dress where clothes covers no more than the genitals, the pubic region, and a female breast below a point immediately above the top of the areola. As well as portions of the body that are covered by supporting straps or devices.

*Sexually Oriented Business:* An adult arcade, adult bookstore or adult video store, adult cabaret, adult motion picture theater, or adult theater whose inventory, merchandise, or performances are characterized by a preponderance of "SPECIFIED SEXUAL ACTIVITIES" or "SPECIFIED ANATOMICAL AREAS" by this or any other city ordinance.

*Setback*: The required distance between lot/property line or projected Master Street Plan right-of-way and a principal building or accessory structure.

*Shooting Range – Indoor:* A facility operated in a completely enclosed building designed and used for archery or shooting at targets with firearms.

*Shooting Range - Outdoor (not permitted):* A facility operated outdoors that is designed and used for shooting at targets with firearms.

*Sight Triangle*: A triangular shaped piece of land established at a street intersection in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorist entering or leaving the intersection. (see Section 5.25)

*Single-Family Dwelling*: See Residential - One Family Dwelling.

*Site Built Home*: A home that is built on location and where no construction of the home is prefabricated and pieced together.

*Siting*: Location of a building in relationship to the legal boundaries and setbacks, adjacent properties, and the natural conditions of the site.

*Social Club:* Buildings, facilities, and sites owned or operated in a primarily non-profit manner by a corporation, association, person or persons, for a social or educational purpose, and where membership is required for participation. These uses may include: associations, country clubs, fraternal clubs, or lodges.

*Solar Energy Farm:* A collection of interconnected solar panels that work together to capture sunlight and turn it into electricity on a large scale.

*Special Use*: Uses that cannot be properly classified in any particular district or districts without consideration of the impact of those uses upon neighboring land and of the public need for the particular location. Authorization for Special Uses does not involve construction of improvements on the site. (see Section 8.2)

*Specific Anatomical Area:* Any of the following: a human anus, genitals, pubic region, or a female breast below a point immediately above the top of the areola that is less than completely and opaquely covered; or male genitals in a discernibly turgid state if less than completely and opaquely covered.

*Specific Sexual Activity:* Any of the following: a sex act, actual or simulated, including an act of human masturbation, sexual intercourse, oral copulation, or sodomy; or fondling or other erotic touching of a human genital, a pubic region, a buttock, an anus, or a female breast.

*Staff*: See Administrative Official.

*Storage - Equipment Yard:* An outdoor yard where mechanical, heavy, utility, or other types of operable or undamaged equipment is stored for future use off-site by an entity that is operationally engaged in off-site work on an on-going basis. Such facilities are distinguished from junk, salvage, or wrecking yards. These yards may include storage for: bulk material, crop dusting, drilling, house moving, insulation, paving, railroad or signs.

*Street:* A dedicated and accepted right-of-way for vehicular traffic or private property ways that affords the principal means of access to abutting property.

*Street Right-of-Way:* The area designated for city improvements on both sides of the street.

*Structure*: Anything constructed or erected, the use of which requires location on the ground or attached to something having a location on the ground, but not including fences, poles or appurtenances for the provision of public utilities.

*Structure, Accessory*: A subordinate structure, the use of which is clearly incidental to, or customarily found in connection with, and located on the same lot as, the principal building or use of the land.

*Structure, Detached*: A structure having no common wall with another structure.

*Studio:* An indoor space used for the practice of music, art, sculpture, or a related profession and which may include a gallery, incidental to principal use, for the sale of works produced in the studio. These uses may include: art, photography, sound recording and/or video recording.

*Tattoo and/or Piercing Parlor:* A establishment whose primary business is the placement of an indelible design on the body by means of pigment, scarring, or similar method, or an establishment which has a primary business of creating openings in the body of a person for the purpose of inserting jewelry or other type of decoration. A business that engages in the practice of ear-piercing in a manner incidental to its primary business is not considered a piercing parlor.

*Tractor Trailer*: See Large Implement/Vehicle.

*Tree*: Any self-supporting woody perennial plant, usually having a main stem or trunk and many branches, and at maturity normally attaining a height of over ten (10) feet and a trunk diameter greater than three (3) inches at chest height.

*Tree Topping*: Also referred to as hat-racking, stubbing, dehorning and heading; it is the severe removal of the tree canopy back to large stubs.

*Undisturbed State*: Not altered by the removal of vegetation or alteration of grade by humanly influenced means such as tools or mechanical equipment.

*Use*: The principal purpose for which a building, lot, land or structure is intended, designed, occupied or maintained.

*Uses, Conforming*: Any use of a building, structure, lot or land which conforms to the regulations of the Zoning District in which it is located.

*Uses, Nonconforming*: Any use of a building, structure, lot or land, which was lawfully established at the time the use was commenced but which now does not conform to the regulations of the Zoning District in which it is located.

*Variance*: An exception to strict interpretation of regulations of this code, granted by the Board of Zoning Adjustment in instances where strict enforcement of the ordinance would cause undue hardship due to circumstances unique to the individual property under consideration.

*Vehicle, Altered Commercial:* Vehicles that were originally designed or manufactured to be commercial vehicles as defined herein, but have been altered in such a way that the definition of commercial vehicle not would legally apply. See also Vehicle, Commercial.

*Vehicle, Auto Camper:* A lightweight, collapsible unit that fits on top of an automobile and/or into the trunk with the cover removed, and designed for travel, recreation, and vacation uses. See also Vehicle, Recreational.

*Vehicle, Camping Trailer:* A collapsible temporary dwelling structure mounted on wheels, and designed for travel, recreation, and vacation uses. See also Vehicle, Recreational.

*Vehicle, Commercial:* Includes the following types of vehicles: vehicles that may not be lawfully operated without a commercial driver's license pursuant to the Arkansas Uniform Commercial Driver License Act, codified at Ark. Code Ann. § 27-23-101, et seq., construction vehicles, transport vehicles, and altered commercial vehicles.

*Vehicle, Construction and Transport:* Vehicles designed for excavating, lifting, demolishing, constructing, moving, transporting and/or other similar uses. The term includes, without limitation, cargo trailers, dump trucks, vehicles having more than two axles, vehicles that are propelled upon tracks or other systems not normally associated with passenger vehicles, and/or vehicles that are equipped with spades, blades, scoops, shovels, discs, forks, or other tools not normally affixed to passenger vehicles. See also Vehicle, Commercial.

*Vehicle, Motor Home:* A portable, temporary dwelling to be used for travel, recreation, and vacation uses, constructed as an integral part of a self-propelled vehicle. See also Vehicle, Recreational.

*Vehicle, Recreational:* Includes the following types of vehicles: travel trailers, motor homes, camping trailers, auto campers, and vessels.

*Vehicle, Travel Trailer:* A vehicular, portable structure built on a chassis, designed to be towed and used as a temporary dwelling for travel, recreation, and vacation uses. See also Vehicle, Recreational.

*Venue, Indoor:* A facility that operates within a completely enclosed building designed and constructed for the purposes of holding events such as concerts, conferences, social gatherings, etc. These facilities may include: auditoriums, dinner theaters, movie theaters and/or live entertainment theaters.

*Venue, Outdoor:* A facility that operates outside, which is designed and constructed for the purposes of holding events such as concerts, conferences, social gatherings, etc. These facilities may include: amusement parks, amphitheaters, drive-in theaters, fairgrounds, race tracks and/or stadiums.

*Vessel:* Every description of watercraft, barge and air boat capable of being used as a means of transportation on water. The definition of "vessel" also includes any trailer used to transport such watercraft over land, regardless of whether the watercraft is actually on the trailer. See also Vehicle, Recreational.

*Warehousing*: The storage of goods, property, and merchandise in a warehouse.

*Warehouse - Dangerous, Explosive, or Toxic:* A facility operated within a completely enclosed building that engages in storage of materials which are poisonous, highly flammable, potentially explosive, or which may present a substantial danger to the public or the surrounding area. These facilities may include the storage of the following materials: cleaning compounds, explosives, fertilizers, fireworks, fuel, oil, or storage tanks.

*Warehouse Self-Storage Facilities without Outdoor Storage:* Completely enclosed building or buildings, without any outdoor storage yards, that contain individual private storage spaces of varying sizes leased on individual leases for varying periods of time.

*Warehouse Self-Storage Facilities with Outdoor Storage:* A building or buildings, with outdoor storage yards, that contain individual private storage spaces of varying sizes leased on individual leases for varying periods of time.

*Warehouse, Wholesale or Distribution:* A facility that operates within a completely enclosed building used for the purposes of storing, wholesaling or distributing goods, materials or equipment that are not dangerous, explosive, or toxic. These facility may have associated offices, showrooms or docks. These facilities may include the following uses: vehicle storage (not salvage), freight depot/warehouse, stockyards, warehouses or wharf.

*Warehouse, Wholesale or Distribution with Outdoor Storage:* A facility that operates within a completely enclosed building and an associated outdoor storage yard used for the purposes of storing, wholesaling or distributing goods, materials or equipment that are not dangerous, explosive, or toxic. These facility may have associated offices, showrooms or docks. These facilities may include the following uses: vehicle storage (not salvage), freight depot/warehouse, stockyards, warehouses or wharf.

*Wholesale*: The sale of goods in quantity usually for resale by a retail merchant.

*Wind Mill(s):* An electric generation facility whose main purpose is the conversion of wind energy to electrical power. Wind mills are typically large industrial machines mounted on substantial support structures with individual blades ranging upward to one hundred and thirty (130) feet or more in length.

*Wind Turbine(s)*: An electric generation facility whose main purpose is the conversion of wind energy to electrical power. Wind turbines are relatively small machines mounted either on buildings or the ground along with a support structure and rotating blades extending less than ten (10) feet in length.

*Yard, Exterior*: The open space between the side of a principal building facing a street and the side lot/property line or the projected edge of the Master Street Plan right-of-way.

*Yard, Front*: The open space between the front of a principal building and the front lot/property line or the projected edge of the Master Street Plan right-of-way.

*Yard, Rear*: The open space between the rear of a principal building and the rear lot/property line or the projected edge of the Master Street Plan right-of-way.

*Yard, Side*: The open space between the side of a principal building and the side lot/property line.

*Zero-lot Line*: The location of a building on a lot in such a manner that one (1) of the building's sides may rest directly on a lot line.

## ARTICLE 3: GENERAL PROVISIONS

### Section 3.1 – Regulations Applying to All Districts

Except where specifically allowed elsewhere in these regulations:

A. The provisions of this Ordinance shall apply uniformly within the City of North Little Rock and the City's Territorial Jurisdiction. The provisions specific to each Zoning District shall apply uniformly within each Zoning District.

B. All use of land or structures, construction, and/or modification of structures must conform to the requirements of the Zoning District in which the structure or land is located.

C. All structures and modifications to structures must conform to the height limits, lot area and width requirements, and yard standards of the Zoning District in which the structure is located.

D. All development, excluding Single-Family and Two-Family dwellings on an individual platted lot, is subject to development review by the Planning Commission.

E. No lot shall be reduced in size such that the total lot area, yards, or other open space are made nonconforming.

F. Yard setbacks shall be measured where the base of the exterior wall contacts the ground. Cornices, eaves, gutters, stoops, belt courses, sills, lintels and contrivances attached to the structures but not having contact with the ground may not project more than two and one half (2.5) feet into any setback space and shall not be considered a violation of the required setback.

G. No building or structure encroachment may be permitted to cross into an easement or a property line at the ground or above grade, and shall not be permitted to encroach upon an area necessitated by the Arkansas Fire Prevention Code to provide the required minimum fire separation distance between structures.

H. All outdoor storage facilities for fuel and/or raw materials shall be placed in a rear or side yard and shall be enclosed by a fence, wall, and/or screen adequate to conceal such facilities from adjacent property.

I. No principal use shall be conducted in an accessory structure.

J. Fallout, storm or air raid shelters may be constructed within the same area of a lot as other accessory structures.

K. Farming is permitted in all Zoning Districts; however, the authority to farm shall not be a valid defense to a violation of any ordinance regulating animals, nuisances, businesses, property maintenance, the environment, or otherwise enacted to protect the public health, safety, and welfare.

L. No materials or wastes shall be deposited upon a lot in such form or manner that they change and/or impede natural storm water drainage patterns or that they may be transferred off the lot by normal, natural causes or forces.

M. All land and structures shall be developed in a manner that will protect surrounding property from the emission of light, sound, vibration, heat, glare, radiation and fumes emitted from any operation, and shall in no case emit any of these nuisances to a dangerous degree.

N. Nothing in this Ordinance shall be construed as assigning or assuming any responsibility or liability on the part of the City of North Little Rock, for maintenance of any private open areas, parks, utilities, easements or recreational facilities. It shall be provided further, however, that when an owner desires to dedicate certain land areas to the City for public parks and recreational facilities, and the City approves the nature and location of such lands, and accepts the dedicated areas, the City shall be responsible for the operation and maintenance of these lands and properties. Acceptance of any lands or easements shall require action by the City Council.

O. Pipe-stem lots shall only be permitted in Residential Zoning Districts.

P. For requirements on a single-family lot located in a R3, R4, and/or R5 Zoning District, use the Area Requirement Table for the R2 Zoning District (see 4.1.3).

**Section 3.2 – Residential Use of Lots of Record**

Lots of record in Residential Zoning Districts that do not meet the minimum lot width or lot size requirements may be used for a permitted residential use, provided all other requirements are met.

**Section 3.3 – Permitted Reductions in Setback and Limitations**

When a majority of the lots on one side or street face of a block have existing principal buildings on them, and those structures do not meet the minimum required front setback, the required setback may be reduced. In such cases, the setback of all the contiguous structures on the street face of the block (no more than six (6) lots may be measured to determine the average setback. This calculated front setback may be used as the front setback line for any new construction or expansion of existing structures.

**Section 3.4 – Outdoor Sales and/or Storage of Materials, and Limitation of External Uses**

***3.4.1: General Limitations***

Except where specifically allowed elsewhere in these regulations:

A. All uses shall be conducted and operated within a building.

B. All storage of materials shall be within a permanent structure.

C. All sales must occur within a building.

D. Outdoor sales and/or storage of materials is not permitted.

***3.4.2: Special Limitations***

The following requirements additionally apply in all Residential Zoning Districts, the C1 Zoning District, and to all residential uses.

A. No highly flammable or explosive liquids, solids or gases shall be stored on any lot, except as required directly for and as part of any heating device or appliance, on the same lot.

B. Highly flammable or explosive liquids, solids or gases shall be located in the rear or side yards.

C. All materials or wastes incidental to any permitted or nonconforming use which might cause fumes or dust or which constitute a fire hazard, or which may be edible by or otherwise attractive to rodents or insects, shall be stored outdoors only in closed containers.

**Section 3.5 – Completion of Existing Buildings**

A. Nothing in these regulations shall require any change in plans, construction, or designated use of a building under construction prior to a change to any provision of this Ordinance.

B. Nothing in these regulations shall require any change in plans, construction, or designated use of a building for which a building permit has been issued within thirty (30) days prior to a change to any provision of this Ordinance, provided construction is started before the expiration of the building permit.

C. For lands annexed into the City of North Little Rock, nothing in these regulations shall require any change in plans, construction, or designated use of a building under construction. This shall also apply to any building, not yet under construction, for which a valid County approval exists.

**Section 3.6 – Annexed Territories**

Territory may be annexed to the City by one (1) of three (3) methods. These are the petition method, election method, and the annexation of islands by city ordinance. The classification of a Zoning District for annexed lands shall vary based upon the annexation method.

***3.6.1: Petition Method***

The assignment of a Zoning District classification shall be included with the annexation ordinance.

A. The petitioner(s) may request, when the annexation petition is made to the City of North Little Rock, a specific Zoning District classification for the annexed territory. The Planning Commission shall hold a public hearing to review the request, and make a recommendation to the City Council on the assignment of a Zoning District classification in the ordinance adopting the annexed territory. Notice of the public hearing shall be advertised in a newspaper of general circulation no less than fifteen (15) days prior to the public hearing.

B. If the petitioner does not request a specific Zoning District classification, the annexed territory shall be placed in the R2 Zoning District.

***3.6.2: Election Method***

The annexation ordinance calling for an election on the annexation issue shall include a zoning plan indicating the proposed Zoning District classification of the lands under consideration for annexation.

### *3.6.3: Island Method*

The assignment of a Zoning District classification shall be included with the annexation ordinance.

A. The City Council may request that the Planning Commission hold a public hearing and recommend a permanent Zoning District classification to the City Council to be included in annexation ordinance. Notice of the public hearing shall be advertised in a newspaper of general circulation no less than fifteen (15) days prior to the hearing.

B. The annexed territory shall be placed in the R2 Zoning District or in accordance with the existing Land Use Plan.

## Section 3.7 – Vacation of Streets and Alleys

Whenever any street, alley, or other public right-of-way is vacated, the Zoning District classification of the property to which the vacated portions of land abuts shall become the Zoning District of the vacated land.

## Section 3.8 – Relationship to Private Covenants

The provisions of this Ordinance are not intended to affect any deed restriction, covenant, easement, or any other private agreement or restriction on the use of land. However, to the extent that provisions of such private covenants or agreements are less stringent than the provisions of this Ordinance, the provisions of this Ordinance shall govern rather than such private covenant or agreement. Private covenants and agreements shall not be enforced by the City of North Little Rock.

## Section 3.9 – Emergencies

The City of North Little Rock shall have the authority to waive the provisions of this Ordinance during local emergencies declared by City, County, State or Federal governments. Such emergencies may include natural disasters, wildfires that cover an area in excess of one (1) acre in an urbanized area of the City, geological disasters, or similar widespread destruction and distress.

## ARTICLE 4: ZONING DISTRICTS

### Section 4.1 – Residential Zoning Districts

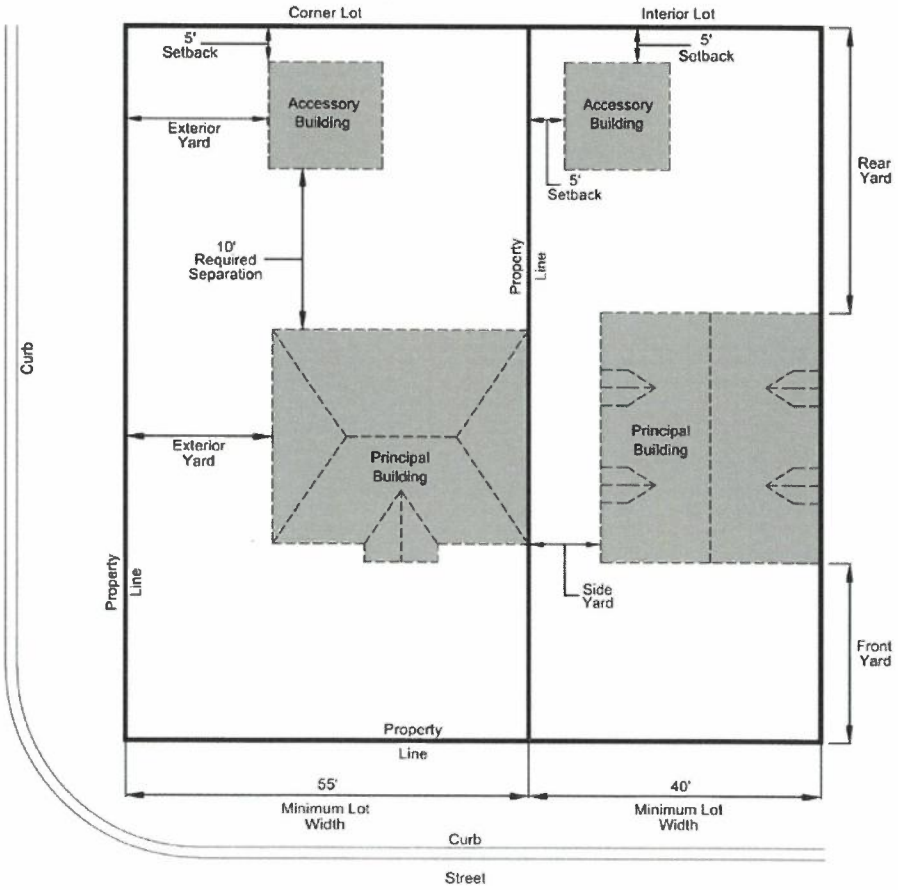
#### *4.1.1: R0: Zero-Lot Line Development District*

The R0: Zero-Lot Line Development District is intended to provide areas for zero-lot line single-family developments as well as small-lot single-family development and related complementary uses normally required to provide the basic elements of a balanced and attractive residential area.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in Residential Zoning Districts.
2. Where residential use is permitted, only one (1) principal building and its customary accessory structures may be built on any lot unless otherwise provided in these regulations.
3. Accessory structures with kitchen and bathroom facilities designed for the independent occupancy of a structure are considered evidence that the structure is not an accessory structure but a separate dwelling.
4. No encroachment may be permitted to cross a property line at the ground or above grade, and shall not be permitted to encroach upon an area necessitated by the Arkansas Fire Prevention Code to provide the required minimum fire separation distance between structures.

B. R0: Area Requirements Diagram:



C. R0: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width (Interior/Corner) | 40'/55' | |
| Minimum Lot Area | 4,000 sf | |
| Maximum Lot Coverage | 50% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 25' | Where building lines do not appear on a recorded plat or lot of record, the smallest dimension street side shall be designated as the front of the lot. |
| Minimum Exterior Yard Setback | 15' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Number of Side Yards | 1 | |
| Minimum Side Yard Setback | 10' | |
| Minimum Rear Yard Setback | 25' | |
| Maximum Height | 40' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. R0: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 15' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 5' | |
| Minimum Rear Yard Setback | 5' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Building Size (Lots less than 10,000 sf) | 850 sf | Size shall not exceed 50% of the size of the principal building. |
| Maximum Building Size (Lots 10,000 sf or more) | 3,500 sf | Coverage shall not exceed 30% of the rear yard. |
| Minimum Roof Pitch | 2:12 | |
| Maximum Height | 20' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

### *4.1.2: R1: Single-Family District*

The R1: Single-Family District is intended to provide areas for low density single-family developments as well as the related complementary uses normally required to provide the basic elements of a balanced and attractive residential area without the potential for Special Uses.

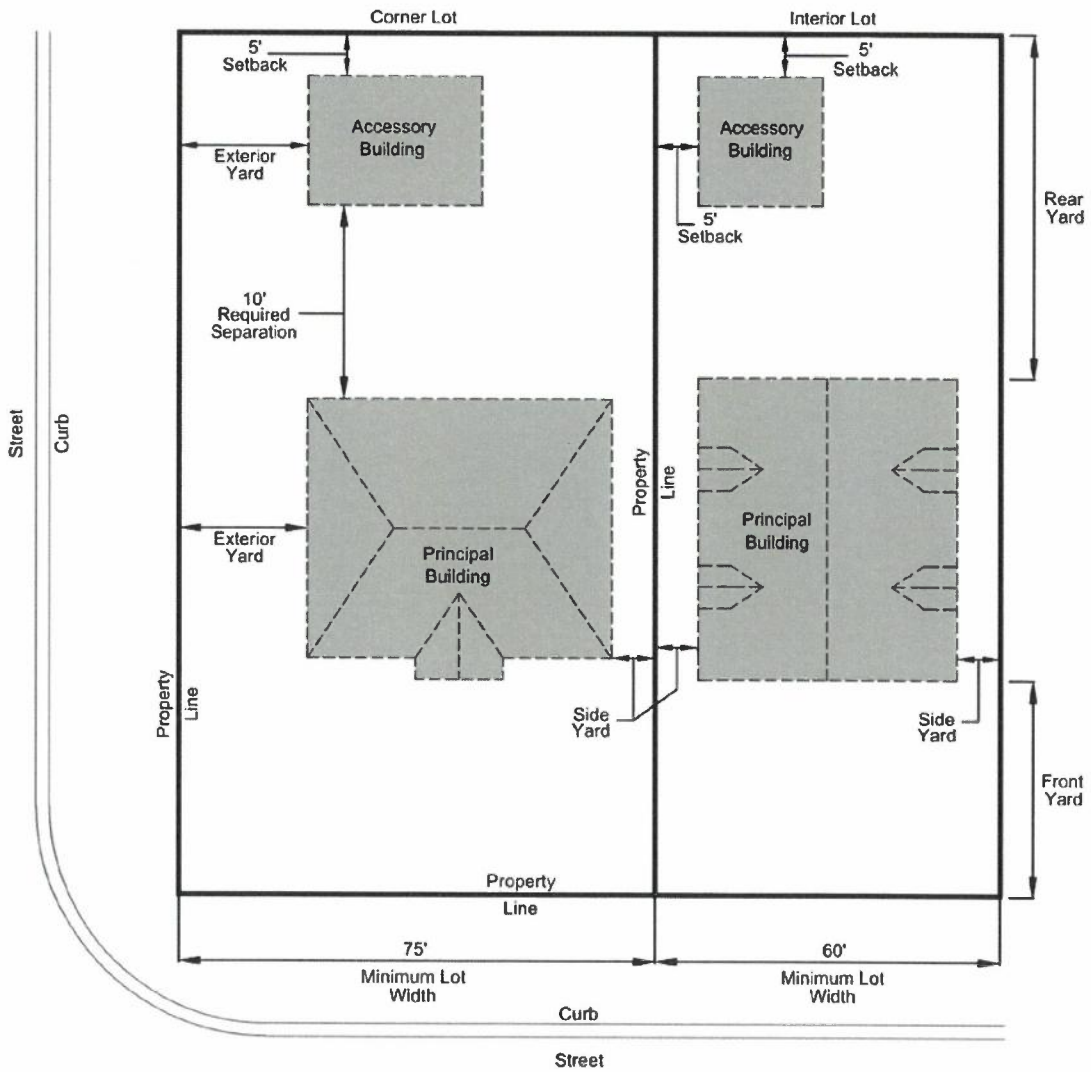
A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in Residential Zoning Districts.

2. Where residential use is permitted, only one (1) principal building and its customary accessory structures may be built on any lot unless otherwise provided in these regulations.

3. Accessory structures with kitchen and bathroom facilities designed for the independent occupancy of a structure are considered evidence that the structure is not an accessory structure but a separate dwelling.

B. R1: Area Requirements Diagram:



C. R1: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width (Interior/Corner) | 60'/75' | |
| Minimum Lot Area | 7,000 sf | |
| Maximum Lot Coverage | 50% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 25' | Where building lines do not appear on a recorded plat or lot of record, the smallest dimension street side shall be designated as the front of the lot. |
| Minimum Exterior Yard Setback | 15' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Number of Side Yards | 2 | |
| Minimum Side Yard Setback | 6' | The side yard setback is 10% of the lot width, measured at the front building line. The minimum is 6 feet with an 8 feet maximum. |
| Minimum Rear Yard Setback | 25' | |
| Maximum Height | 40' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. R1: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 15' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 5' | |
| Minimum Rear Yard Setback | 5' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Building Size (Lots less than 10,000 sf) | 850 sf | Size shall not exceed 50% of the size of the principal building. |
| Maximum Building Size (Lots 10,000 sf or more) | 3,500 sf | Coverage shall not exceed 30% of the rear yard. |
| Minimum Roof Pitch | 2:12 | |
| Maximum Height | 20' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

### *4.1.3: R2: Single-Family District*

The R2: Single-Family District is intended to provide areas for low density single-family developments as well as the related complementary uses normally required to provide the basic elements of a balanced and attractive residential area with the potential for Special Uses.

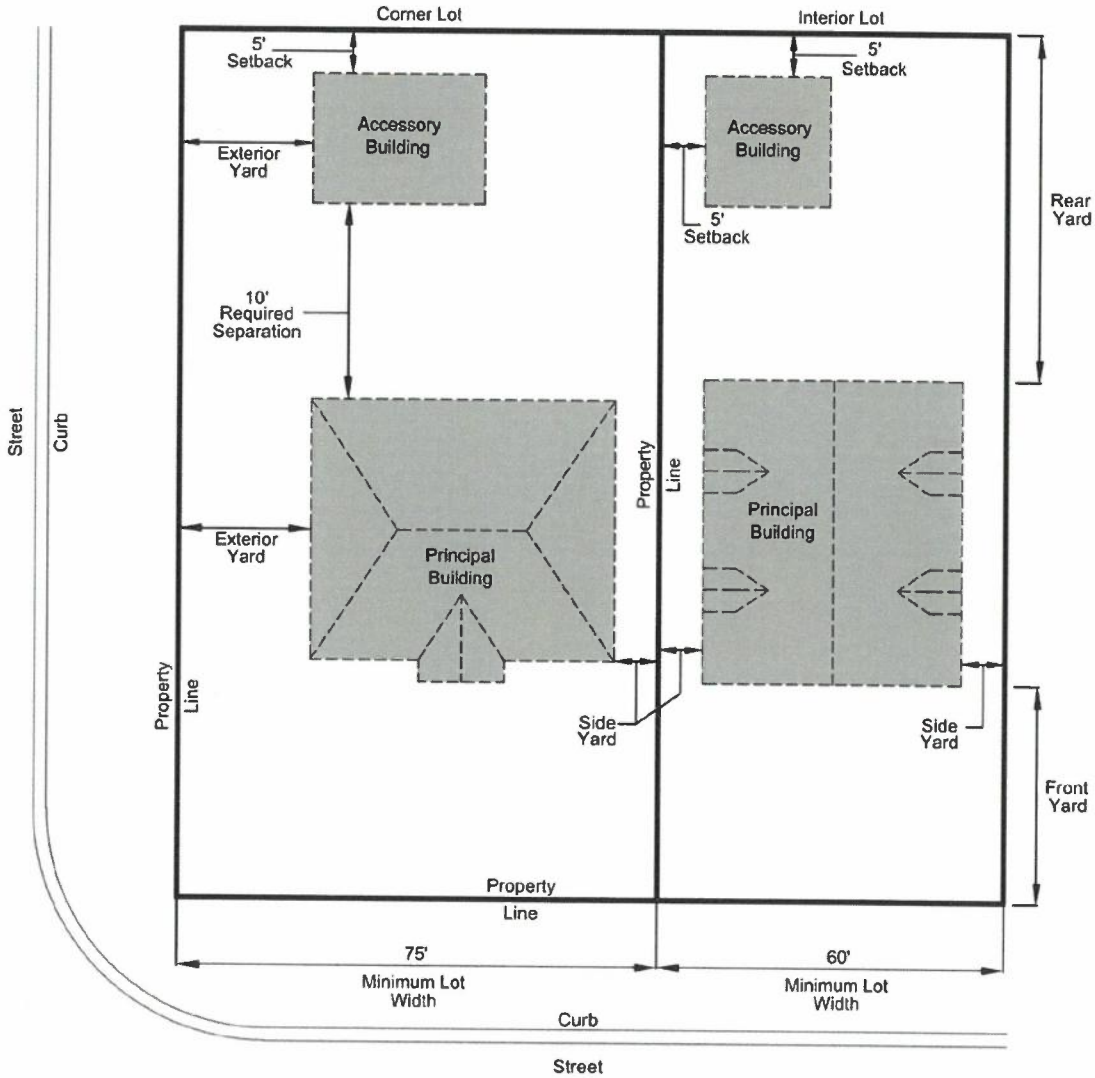
A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in Residential Zoning Districts.

2. Where residential use is permitted, only one (1) principal building and its customary accessory structures may be built on any lot unless otherwise provided in these regulations.

3. Accessory structures with kitchen and bathroom facilities designed for the independent occupancy of a structure are considered evidence that the structure is not an accessory structure but a separate dwelling.

B. R2: Area Requirements Diagram:



C. R2: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width (Interior/Corner) | 60'/75' | |
| Minimum Lot Area | 7,000 sf | |
| Maximum Lot Coverage | 50% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 25' | Where building lines do not appear on a recorded plat or lot of record, the smallest dimension street side shall be designated as the front of the lot. |
| Minimum Exterior Yard Setback | 15' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Number of Side Yards | 2 | |
| Minimum Side Yard Setback | 6' | The side yard setback is 10% of the lot width, measured at the front building line. The minimum is 6 feet with an 8 feet maximum. |
| Minimum Rear Yard Setback | 25' | |
| Maximum Height | 40' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. R2: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 15' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 5' | |
| Minimum Rear Yard Setback | 5' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Building Size (Lots less than 10,000 sf) | 850 sf | Size shall not exceed 50% of the size of the principal building. |
| Maximum Building Size (Lots 10,000 sf or more) | 3,500 sf | Coverage shall not exceed 30% of the rear yard. |
| Minimum Roof Pitch | 2:12 | |
| Maximum Height | 20' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

### *4.1.4: R3: Duplex District*

The R3: Duplex District is intended to provide areas for medium density single-family and two-family developments and related complementary uses normally required to provide the basic elements of a balanced and attractive residential area.

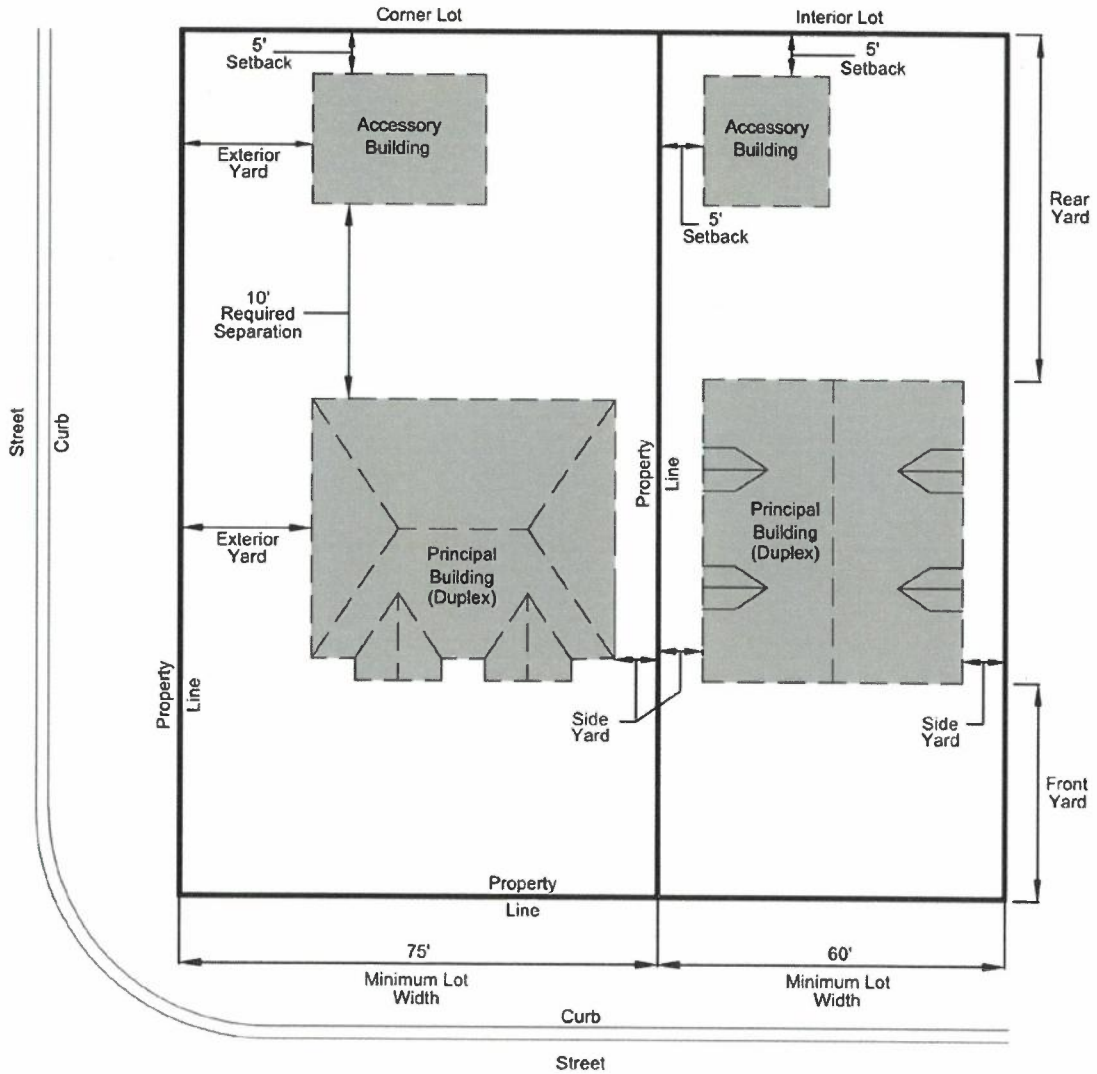
A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in Residential Zoning Districts.

2. Where residential use is permitted, only one (1) principal building and its customary accessory structures may be built on any lot unless otherwise provided in these regulations.

3. Accessory structures with kitchen and bathroom facilities designed for the independent occupancy of a structure are considered evidence that the structure is not an accessory structure but a separate dwelling.

B. R3: Area Requirements Diagram:



C. R3: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width (Interior/Corner) | 60'/75' | |
| Minimum Lot Area | 7,000 sf | |
| Maximum Lot Coverage | 50% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 25' | Where building lines do not appear on a recorded plat or lot of record, the smallest dimension street side shall be designated as the front of the lot. |
| Minimum Exterior Yard Setback | 15' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Number of Side Yards | 2 | |
| Minimum Side Yard Setback | 6' | The side yard setback is 10% of the lot width, measured at the front building line. The minimum is 6 feet with an 8 feet maximum. |
| Minimum Rear Yard Setback | 25' | |
| Maximum Height | 40' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. R3: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 15' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 5' | |
| Minimum Rear Yard Setback | 5' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Building Size (Lots less than 10,000 sf) | 850 sf | Size shall not exceed 50% of the size of the principal building. |
| Maximum Building Size (Lots 10,000 sf or more) | 3,500 sf | Coverage shall not exceed 30% of the rear yard. |
| Minimum Roof Pitch | 2:12 | |
| Maximum Height | 20' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

### *4.1.5: R4: Multi-Family District*

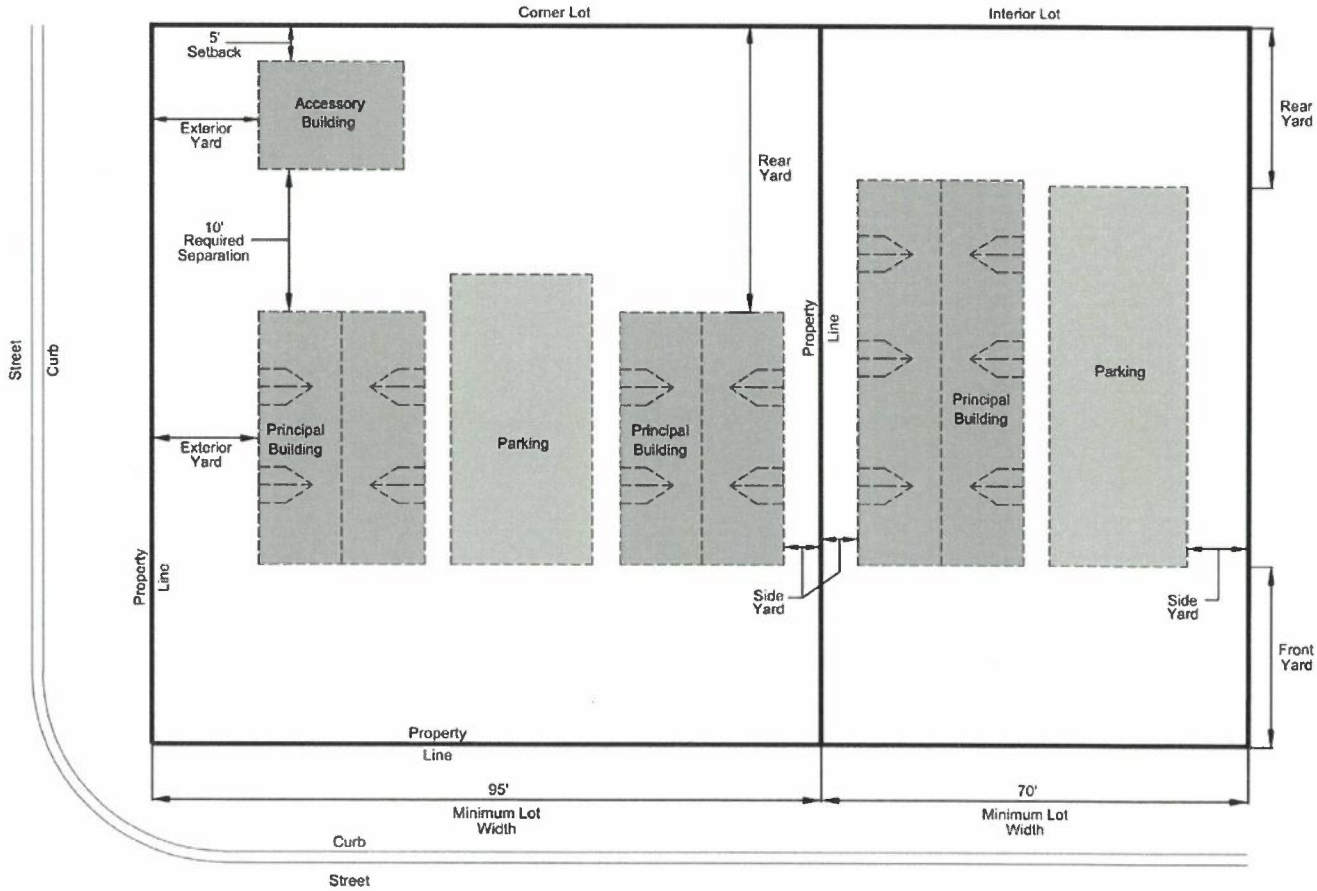
The R4: Multi-Family District is intended to provide areas for large lot multi-family developments and related complementary uses normally required to provide the basic elements of a balanced and attractive residential area.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in Residential Zoning Districts.

2. Accessory structures with kitchen and bathroom facilities designed for the independent occupancy of a structure are considered evidence that the structure is not an accessory structure but a separate dwelling.

B. R4: Area Requirements Diagram:



C. R4: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width (Interior/Corner) | 70'/95' | |
| Minimum Lot Area | 7,000 sf | 3,500 sf for each of the first 3 dwellings in a multi-family structure plus 1,000 sf for each additional dwelling unit. |
| Maximum Lot Coverage | 50% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 25' | Where building lines do not appear on a recorded plat or lot of record, the smallest dimension street side shall be designated as the front of the lot. |
| Minimum Exterior Yard Setback | 25' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Number of Side Yards | 2 | |
| Minimum Side Yard Setback | 10' | |
| Minimum Rear Yard Setback | 25' | |
| Maximum Height | 45'-90' | If height exceed 45 feet, the setback distance shall be increased by 1 foot for each 2 feet in increased structure height above 45 feet. Applies to all yards. |

D. R4: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 25' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 5' | |
| Minimum Rear Yard Setback | 5' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Building Size (Lots less than 10,000 sf) | 850 sf | Size shall not exceed 50% of the size of the principal building. |
| Maximum Building Size (Lots 10,000 sf or more) | 3,500 sf | Coverage shall not exceed 30% of the rear yard. |
| Minimum Roof Pitch | 2:12 | |
| Maximum Height | 20' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

### *4.1.6: R5: Townhome District*

The R5: Townhome District is intended to provide areas for townhome and small lot multi-family developments as well as lower density single-family developments and related complementary uses normally required to provide the basic elements of a balanced and attractive residential area.

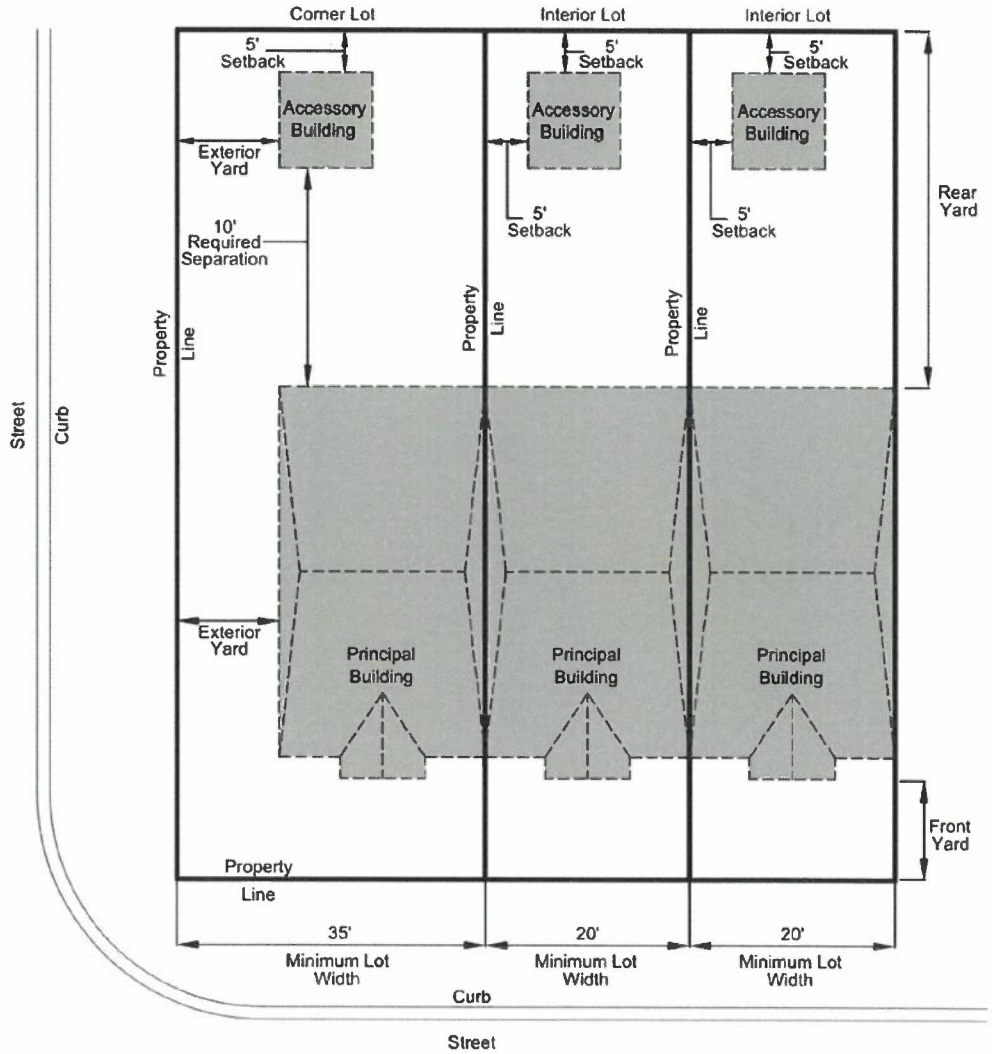
A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in Residential Zoning Districts.

2. Accessory structures with kitchen and bathroom facilities designed for the independent occupancy of a structure are considered evidence that the structure is not an accessory structure but a separate dwelling.

3. No encroachment may be permitted to cross a property line at the ground or above grade, and shall not be permitted to encroach upon an area necessitated by the Arkansas Fire Prevention Code to provide the required minimum fire separation distance between structures.

B. R5: Area Requirements Diagram:



C. R5: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width (Interior/Corner) | 20'/35' | |
| Minimum Lot Area (Interior/Corner) | 2,500 sf/ 4,300 sf | |
| Maximum Lot Coverage | 80% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 15' | Where building lines do not appear on a recorded plat or lot of record, the smallest dimension street side shall be designated as the front of the lot. |
| Minimum Exterior Yard Setback | 15' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Minimum Side Yard Setback | 0' | |
| Minimum Rear Yard Setback | 25' | |
| Maximum Height | 45' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. R5: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 15' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 5' | |
| Minimum Rear Yard Setback | 5' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Building Size (Lots less than 10,000 sf) | 850 sf | Size shall not exceed 50% of the size of the principal building. |
| Maximum Building Size (Lots 10,000 sf or more) | 3,500 sf | Coverage shall not exceed 30% of the rear yard. |
| Minimum Roof Pitch | 2:12 | |
| Maximum Height | 20' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

### *4.1.7: R6: Manufactured Home District*

The R6: Manufactured Home District is intended to provide areas for low density manufactured homes and single-family dwellings on platted lots in compliance with the Arkansas Affordable Housing Accessibility Act of 2003.

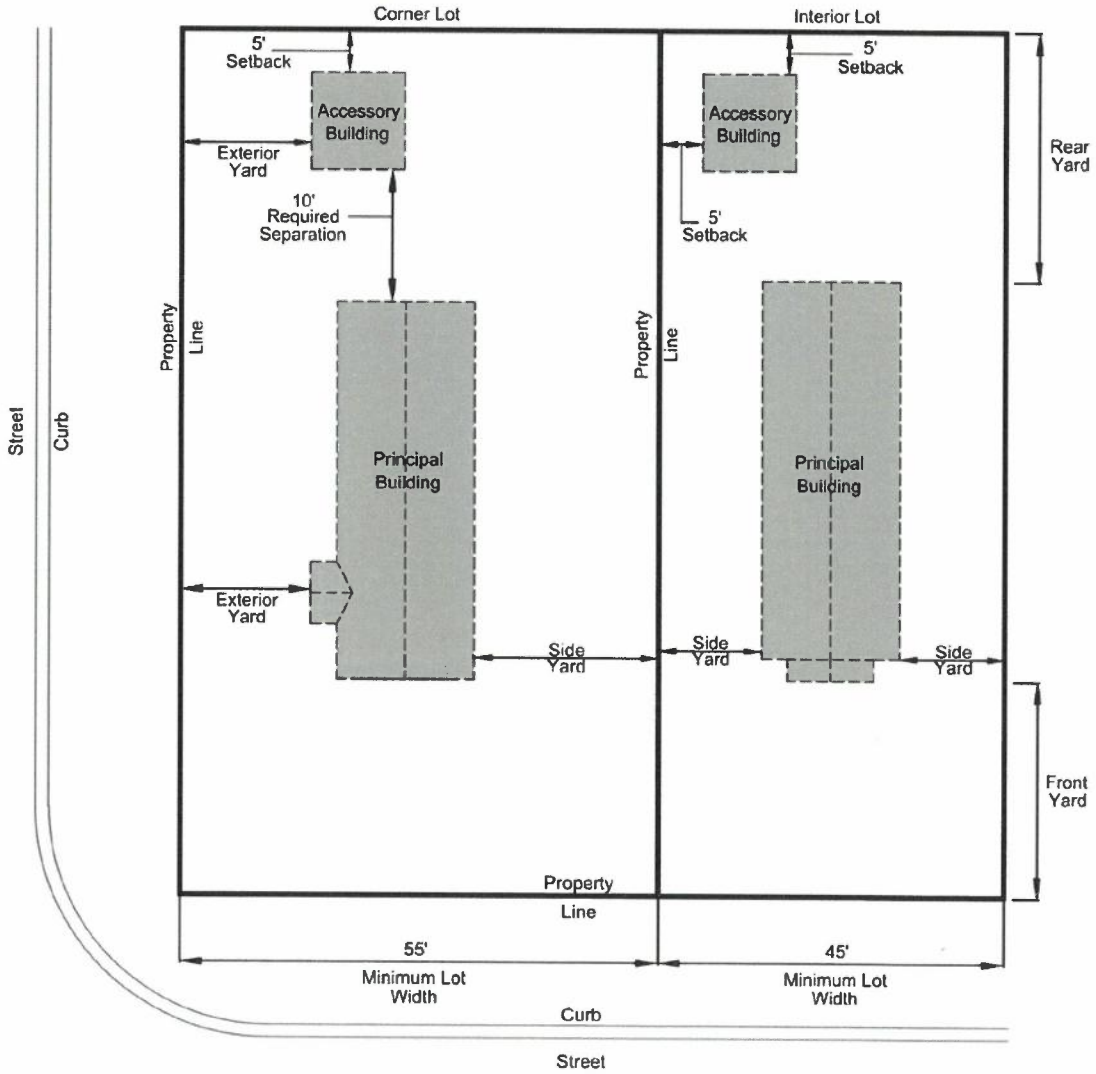
A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in Residential Zoning Districts.

2. Where residential use is permitted, only one (1) principal building and its customary accessory structures may be built on any lot unless otherwise provided in these regulations.

3. Accessory structures with kitchen and bathroom facilities designed for the independent occupancy of a structure are considered evidence that the structure is not an accessory structure but a separate dwelling.

B. R6: Area Requirements Diagram:



C. R6: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width (Interior/Corner) | 45'/55' | |
| Minimum Lot Area (Interior/Corner) | 4,500 sf/ 5,500 sf | |
| Maximum Lot Coverage | 50% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 25' | Where building lines do not appear on a recorded plat or lot of record, the smallest dimension street side shall be designated as the front of the lot. |
| Minimum Exterior Yard Setback | 15' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Number of Side Yards | 2 | |
| Minimum Side Yard Setback | 6' | The side yard setback is 10% of the lot width, measured at the front building line. The minimum is 6 feet with an 8 feet maximum. |
| Minimum Rear Yard Setback | 25' | |
| Maximum Height | 40' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. R6: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 15' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 5' | |
| Minimum Rear Yard Setback | 5' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Building Size (Lots less than 10,000 sf) | 850 sf | Size shall not exceed 50% of the size of the principal building. |
| Maximum Building Size (Lots 10,000 sf or more) | 3,500 sf | Coverage shall not exceed 30% of the rear yard. |
| Minimum Roof Pitch | 2:12 | |
| Maximum Height | 20' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

### *4.1.8: RU: Residential Urban District*

The RU: Residential Urban District is intended to provide areas that mimic traditional urban residential forms within existing urban neighborhoods and new neighborhood developments.

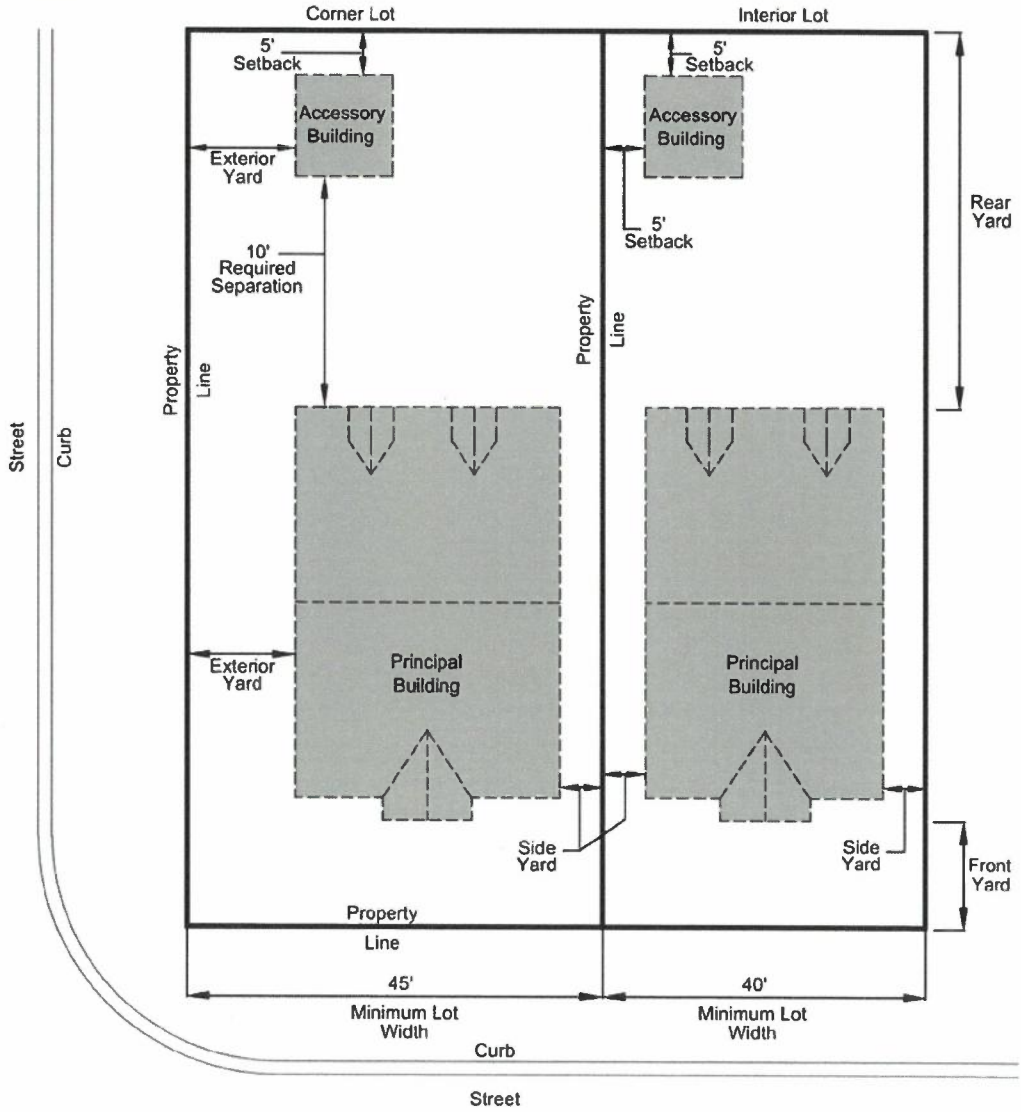
A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in Residential Zoning Districts.

2. Where residential use is permitted, only one (1) principal building and its customary accessory structures may be built on any lot unless otherwise provided in these regulations.

3. Accessory structures with kitchen and bathroom facilities designed for the independent occupancy of a structure are considered evidence that the structure is not an accessory structure but a separate dwelling.

B. RU: Area Requirements Diagram:



C. RU: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Zoning District Size | 1 block face | Area must comprise at least 1 block face with a width of at least 300' and depth of at least 100'. |
| Minimum Lot Width (Interior/Corner) | 40'/45' | |
| Minimum Lot Area (Interior/Corner) | 4,000 sf / 4,500sf | |
| Maximum Lot Coverage | 90% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Required Front Yard Setback (Minimum/Maximum) | 0'/15' | Where building lines do not appear on a recorded plat or lot of record, the smallest dimension street side shall be designated as the front of the lot. |
| Exterior Yard Setback (Minimum) | 10' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Number of Side Yards | 2 | |
| Minimum Side Yard Setback | 5' | |
| Minimum Rear Yard Setback | 10' | |
| Maximum Height | 40' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. RU: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 10' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 5' | |
| Minimum Rear Yard Setback | 5' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Building Size (Lots less than 10,000 sf) | 850 sf | Size shall not exceed 50% of the size of the principal building. |
| Maximum Building Size (Lots 10,000 sf or more) | 3,500 sf | Coverage shall not exceed 30% of the rear yard. |
| Minimum Roof Pitch | 2:12 | |
| Maximum Height | 20' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

### *4.1.9: RT1: Manufactured Home Park District*

The RT1: Manufactured Home Park District is intended to provide areas to allow the construction of manufactured home parks allowing the occupation of multiple manufactured homes on a single platted lot.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in Residential Zoning Districts.

2. Accessory structures with kitchen and bathroom facilities designed for the independent occupancy of a structure are considered evidence that the structure is not an accessory structure but a separate dwelling.

B. Area Requirements Table:

All area requirements shall be established individually for each development through the Site Plan Review process.

## Section 4.2 – Commercial Zoning Districts

### *4.2.1: General Conditions*

A. Storage of Flammable or Explosive Materials:
Where the permitted use by its nature requires storage of flammable or explosive liquids, solids or gases, it shall locate only in the Zoning District specified by this Ordinance, and shall meet all of the separation distance requirements specified by the Arkansas Fire Prevention Code.

B. Outdoor Storage and Waste Disposal:

1. All outdoor storage facilities for fuel, raw materials, products, and uses of similar nature shall be enclosed by an opaque fence or wall adequate to conceal such facilities from adjacent properties, streets, highways and public rights-of-way.

2. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall not be stored outdoors.

3. No operation shall be carried on which involves the discharge into a sewer, water course, or on the ground of liquid wastes of any nature, which are detrimental to normal sewage plant operation or corrosive or damaging to sewer pipes and installations, or polluting to any water course above that level of pollution certified as acceptable by the Arkansas Department of Environmental Quality.

C. Commercial Access through Residential Zoned or Used Property:
The routing of commercial trucks and equipment through a Residential Zoning District or residential used property shall require the rezoning of property to Commercial Zoning District prior to construction of commercial access driveways through a Residential Zoning District or residential used property.

### *4.2.2: Accessory Uses*

A. General:

1. The use must be clearly incidental and customary to and commonly associated with the operation of the permitted use.

2. The use must be operated and maintained on the same lot as the permitted use.

### *4.2.3: C1: Office District*

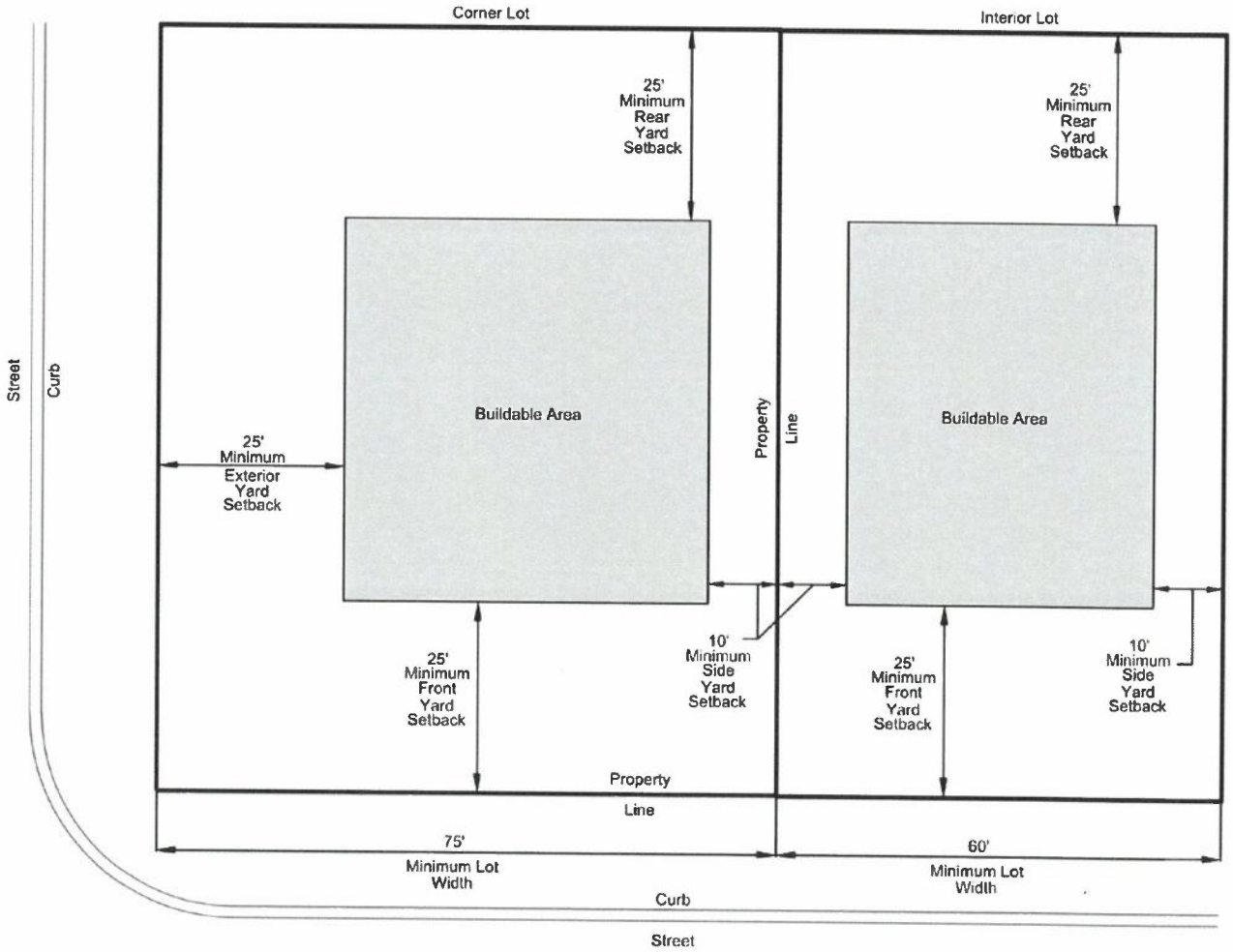
The C1: Office District is established to accommodate offices and associated administrative, executive and professional uses, together with specified limited commercial and accessory uses. It is anticipated these office uses may be located in relatively close proximity to apartments and other residential uses; and area regulations are designed to assure that these uses will be compatible with adjacent residential districts. The district is characterized by freestanding buildings and ancillary parking where public utilities, community facilities, and other public services are adequate to support small-scale general office and limited commercial development.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in this Zoning District.

2. All uses in this Zoning District shall comply with Section 3.4.

B. C1: Building Area Requirements Diagram:



C. C1: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width (Interior/Corner) | 60'/75' | Pipe stem lots are prohibited. |
| Minimum Lot Area | 7,200 sf | |
| Maximum Lot Coverage | 50% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 25' | Where building lines do not appear on a recorded plat or lot of record, the smallest dimension street side shall be designated as the front of the lot. |
| Minimum Exterior Yard Setback | 25' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Minimum Side Yard Setback | 10' | The side yard setback is measured at the front building line. |
| Minimum Rear Yard Setback | 25' | |
| Maximum Height | 35' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. C1: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 25' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 10' | |
| Minimum Rear Yard Setback | 10' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Coverage (Rear Yard) | 20% | |
| Minimum Roof Pitch | 2:12 | |
| Maximum Height | 20' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

E. Parking and Screening:
See Article 6 for Parking requirements and Article 7 for Screening and Landscaping requirements.

### *4.2.4: C2: Small Scale Commercial District*

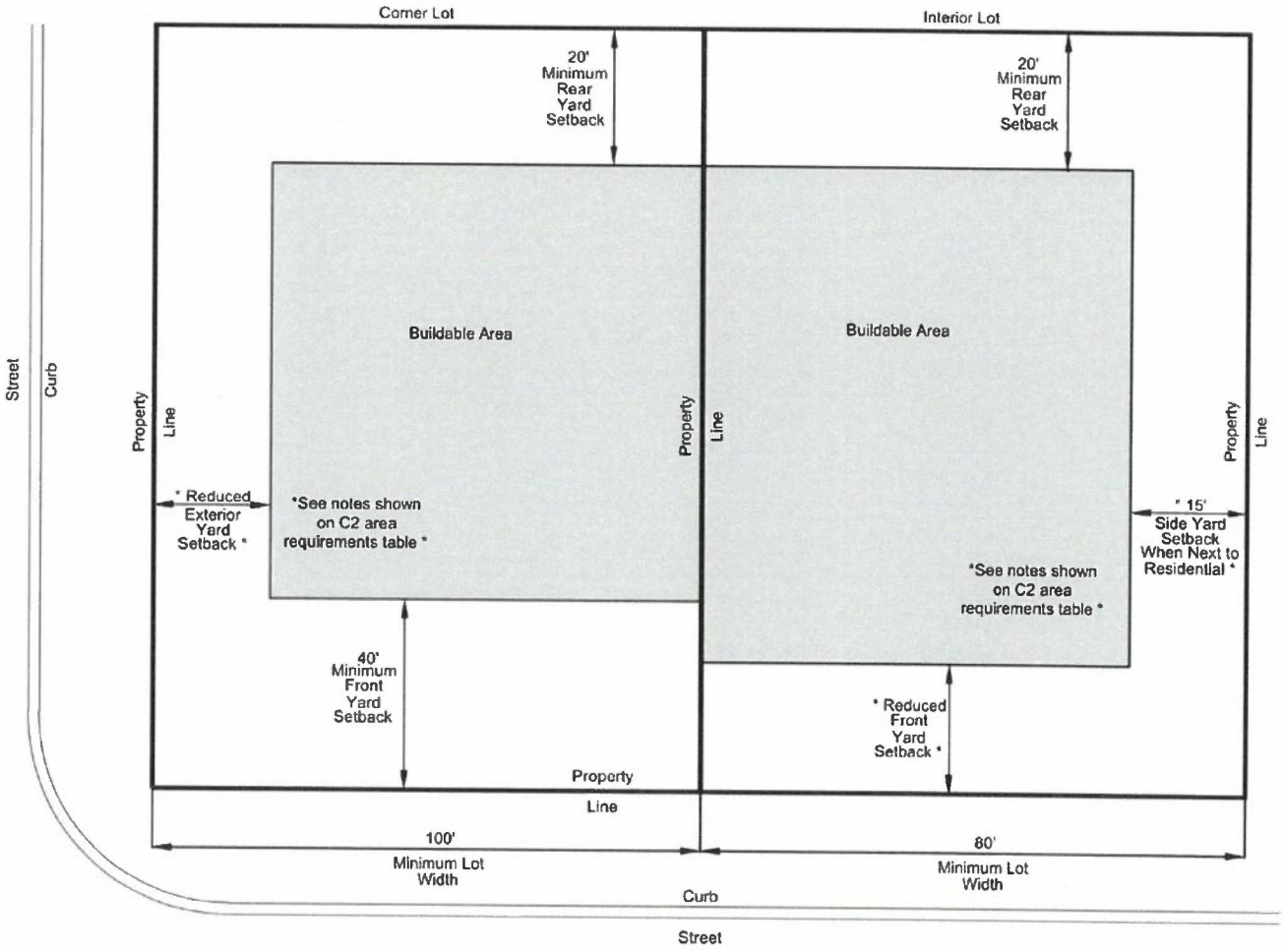
The C2: Small Scale Commercial District is established to accommodate small-scale general commercial, retail, and office uses together with specified accessory uses. It is anticipated these uses may be located in relatively close proximity to apartments and other residential uses; and area regulations are designed to assure that these uses will be compatible with adjacent residential districts. The district is characterized by freestanding buildings and ancillary parking where public utilities, community facilities, and other public services are adequate to support small-scale general commercial development.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in this Zoning District.

2. All uses in this Zoning District shall comply with Section 3.4.

B. C2: Building Area Requirements Diagram:



C. C2: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width (Interior/Corner) | 80'/100' | Pipe stem lots are prohibited. |
| Minimum Lot Area | 10,000 sf | |
| Maximum Lot Coverage | 50% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 40' | The setback may be reduced to the 25' when located along a MSP classified local street and when parking is placed at the side or rear of the principal building. |
| Minimum Exterior Yard Setback | 40' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way.<br>The setback may be reduced to the 25' when located along a MSP classified local street and when parking is placed at the side or rear of the principal building. |
| Minimum Side Yard Setback | 0' | When abutting a residential use or Zoning District, the setback shall be increased to 15'.<br>The side yard setback is measured at the front building line. |
| Minimum Rear Yard Setback | 20' | |
| Maximum Height | 35' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. C2: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 40' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 10' | |
| Minimum Rear Yard Setback | 10' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Coverage (Rear Yard) | 20% | |
| Maximum Height | 30' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

E. Parking and Screening:
See Article 6 for Parking requirements and Article 7 for Screening and Landscaping requirements.

### *4.2.5: C3: General Commercial District*

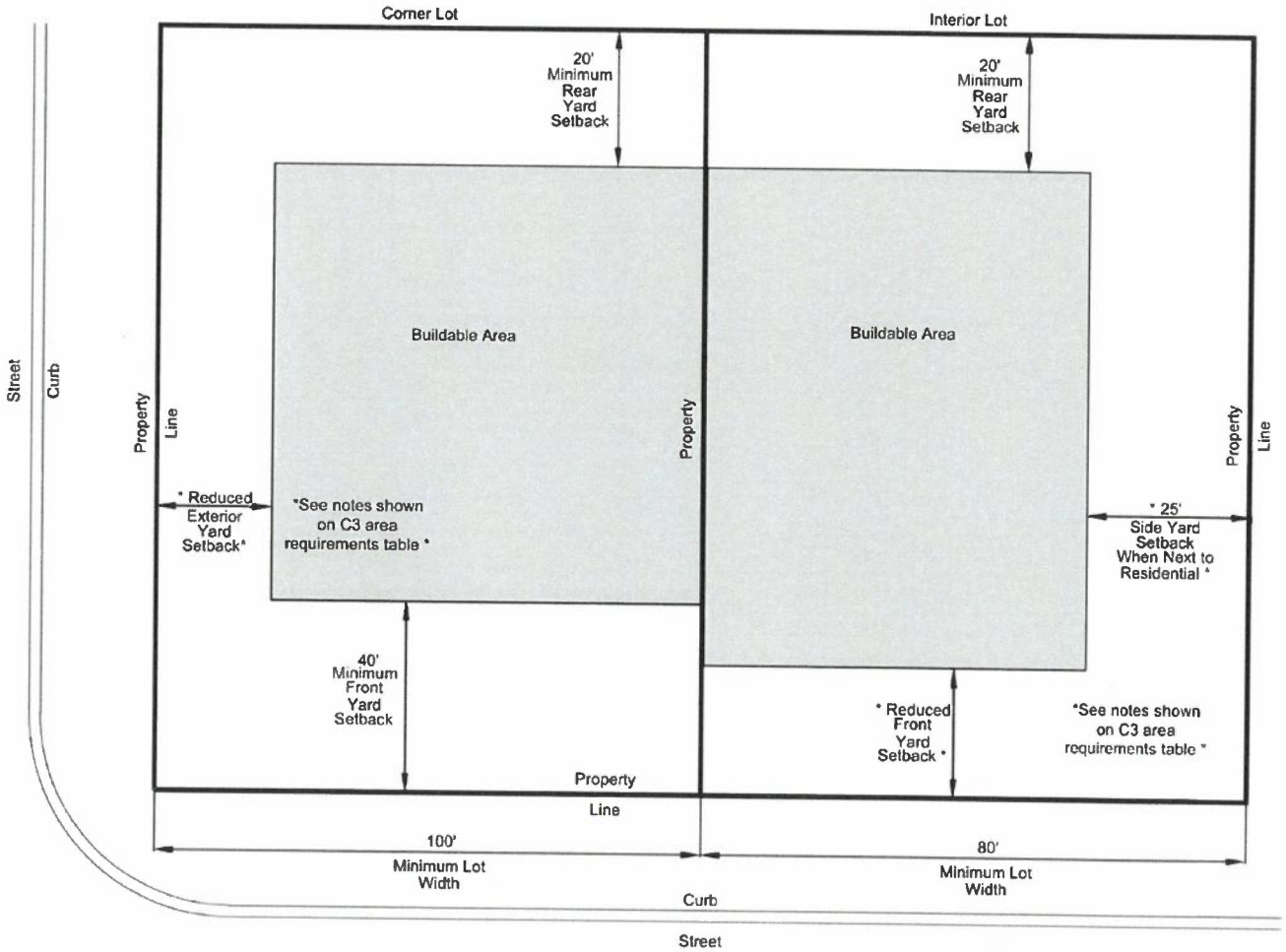
The C3: General Commercial District is established to accommodate medium and large scale general commercial, retail, and office uses together with specified accessory uses. It is anticipated these uses may be located in high visibility, high traffic areas and serve as the City's primary retail shopping centers and corridors. The district is characterized by uses utilizing freestanding buildings and ancillary parking that generate large traffic and access demands and generally located where public utilities, community facilities, and other public services are adequate to support high intensity commercial development.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in this Zoning District.

2. All uses in this Zoning District shall comply with Section 3.4.

B. C3: Building Area Requirements Diagram:



C. C3: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width (Interior/Corner) | 80'/100' | Pipe stem lots are prohibited. |
| Minimum Lot Area | 10,000 sf | |
| Maximum Lot Coverage | 50% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 40' | The setback may be reduced to the 25' when located along a MSP classified local street and when parking is placed at the side or rear of the principal building. |
| Minimum Exterior Yard Setback | 40' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way.<br>The setback may be reduced to the 25' when located along a MSP classified local street and when parking is placed at the side or rear of the principal building. |
| Minimum Side Yard Setback | 0' | When abutting a residential use or Zoning District, the setback shall be increased to 25'.<br>The side yard setback is measured at the front building line. |
| Minimum Rear Yard Setback | 20' | |
| Maximum Height | 45' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. C3: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 40' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 10' | |
| Minimum Rear Yard Setback | 10' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Coverage (Rear Yard) | 20% | |
| Maximum Height | 30' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

E. Parking and Screening:
See Article 6 for Parking requirements and Article 7 for Screening and Landscaping requirements.

### *4.2.6: C4: Services and Trades District*

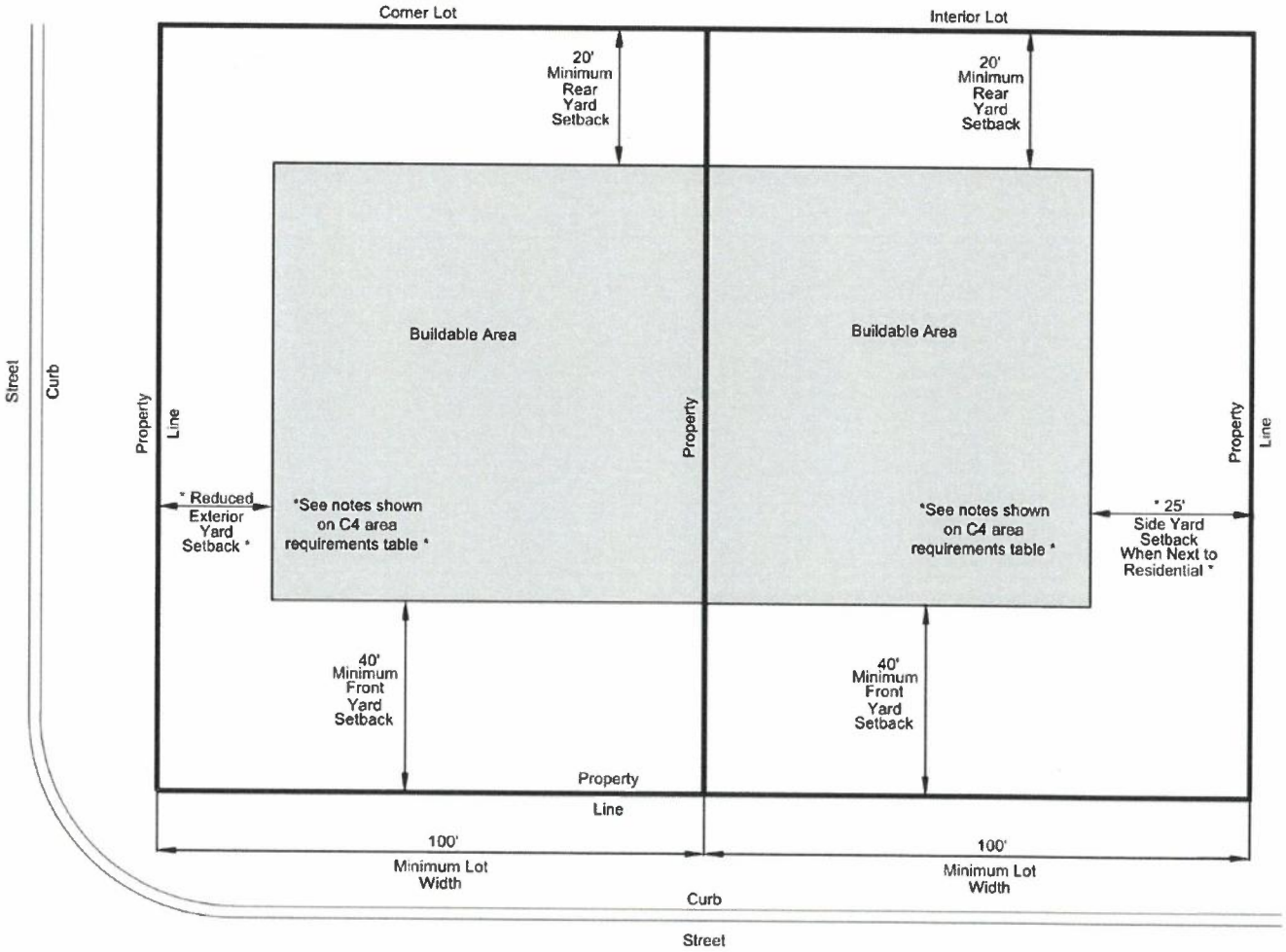
The C4: Services and Trades District is established to accommodate medium and large scale general commercial and permitted outdoor display retail uses, along with specified accessory uses. The district is characterized by uses conducted inside freestanding buildings, certain permitted uses conducted outside enclosed structures, and ancillary parking that generate large traffic and access demands and generally limited to locations where public utilities, community facilities, and other public services are adequate to support high intensity commercial development.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in this Zoning District.

2. All uses in this Zoning District shall comply with Section 3.4.

B. C4: Building Area Requirements Diagram:



C. C4: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width | 100′ | Pipe stem lots are prohibited. |
| Minimum Lot Area | 10,000 sf | |
| Maximum Lot Coverage | 50% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 40′ | |
| Minimum Exterior Yard Setback | 40′ | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way.<br>The setback may be reduced to the 25′ when located along a MSP classified local street and when parking is placed at the side or rear of the principal building. |
| Minimum Side Yard Setback | 0′ | When abutting a residential use or Zoning District, the setback shall be increased to 25′.<br>The side yard setback is measured at the front building line. |
| Minimum Rear Yard Setback | 20′ | |
| Maximum Height | 35′ | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. C4: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 40′ | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 10′ | |
| Minimum Rear Yard Setback | 10′ | |
| Minimum Separation Distance from all Buildings | 10′ | |
| Maximum Coverage (Rear Yard) | 20% | |
| Maximum Height | 30′ | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

E. Parking and Screening:
See Article 6 for Parking requirements and Article 7 for Screening and Landscaping requirements.

### *4.2.7: C5: Large Scale Commercial District*

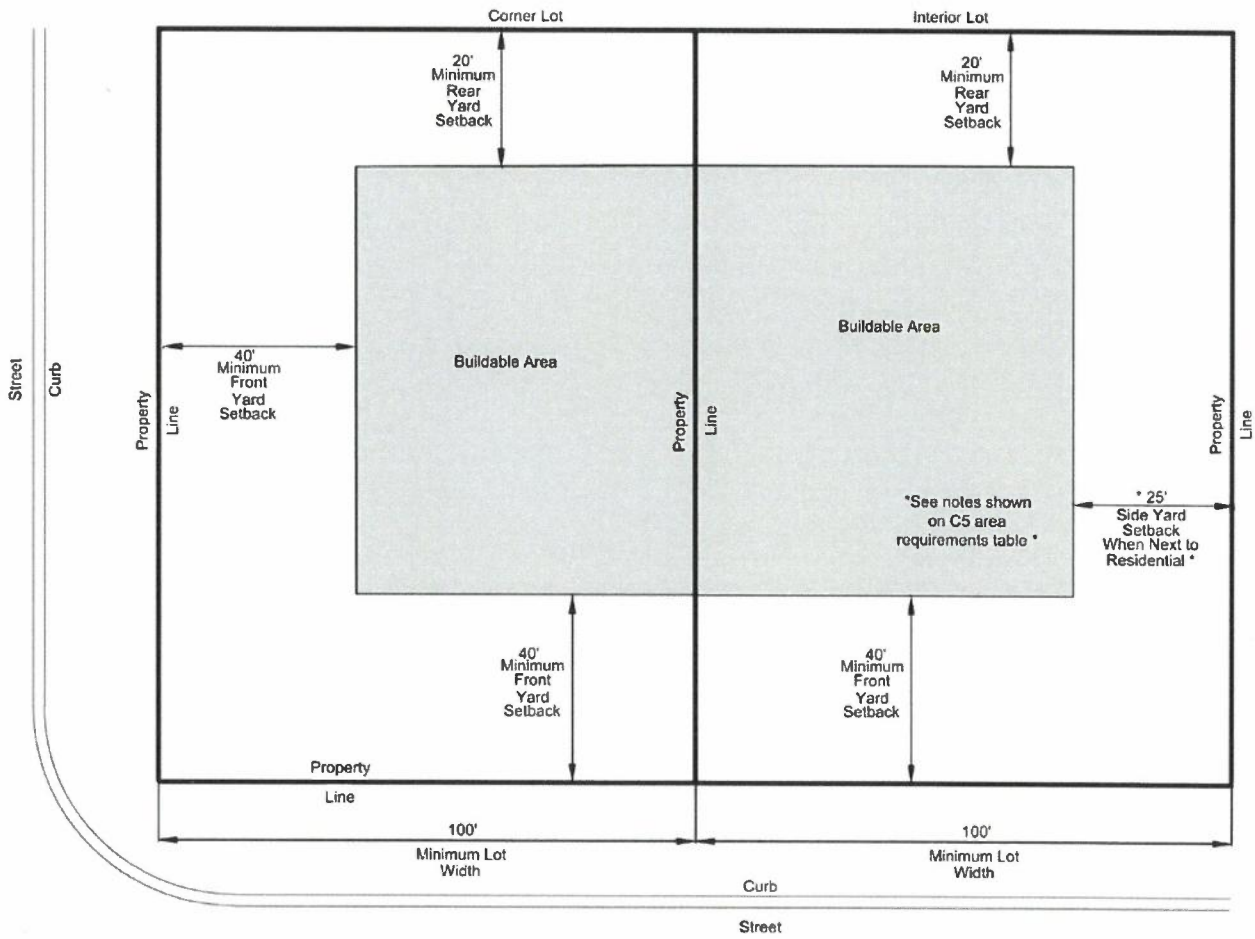
The C5: Large Scale Commercial District is established to accommodate large scale general commercial and retail uses as well as cohesive commercial developments, along with specified accessory uses. It is anticipated these uses will be high intensity and are characterized by uses conducted inside freestanding buildings and ancillary parking that generate large traffic and access demands, and should generally be limited to locations where public utilities, community facilities and other public services are adequate to support high intensity commercial development.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in this Zoning District.

2. All uses in this Zoning District shall comply with Section 3.4.

B. C5: Building Area Requirements Diagram:



C. C5: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width | 100′ | Pipe stem lots are prohibited. |
| Minimum Lot Area | 10,000 sf | |
| Maximum Lot Coverage | 50% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 40′ | |
| Minimum Exterior Yard Setback | 40′ | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Minimum Side Yard Setback | 0′ | When abutting a residential use or Zoning District, the setback shall be increased to 25′.<br>The side yard setback is measured at the front building line. |
| Minimum Rear Yard Setback | 20′ | |
| Maximum Height | 90′ | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. C5: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 40′ | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 10′ | |
| Minimum Rear Yard Setback | 10′ | |
| Minimum Separation Distance from all Buildings | 10′ | |
| Maximum Coverage (Rear Yard) | 20% | |
| Maximum Height | 30′ | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

E. Parking and Screening:
See Article 6 for Parking requirements and Article 7 for Screening and Landscaping requirements.

### *4.2.8: C6: Mixed Use Commercial District*

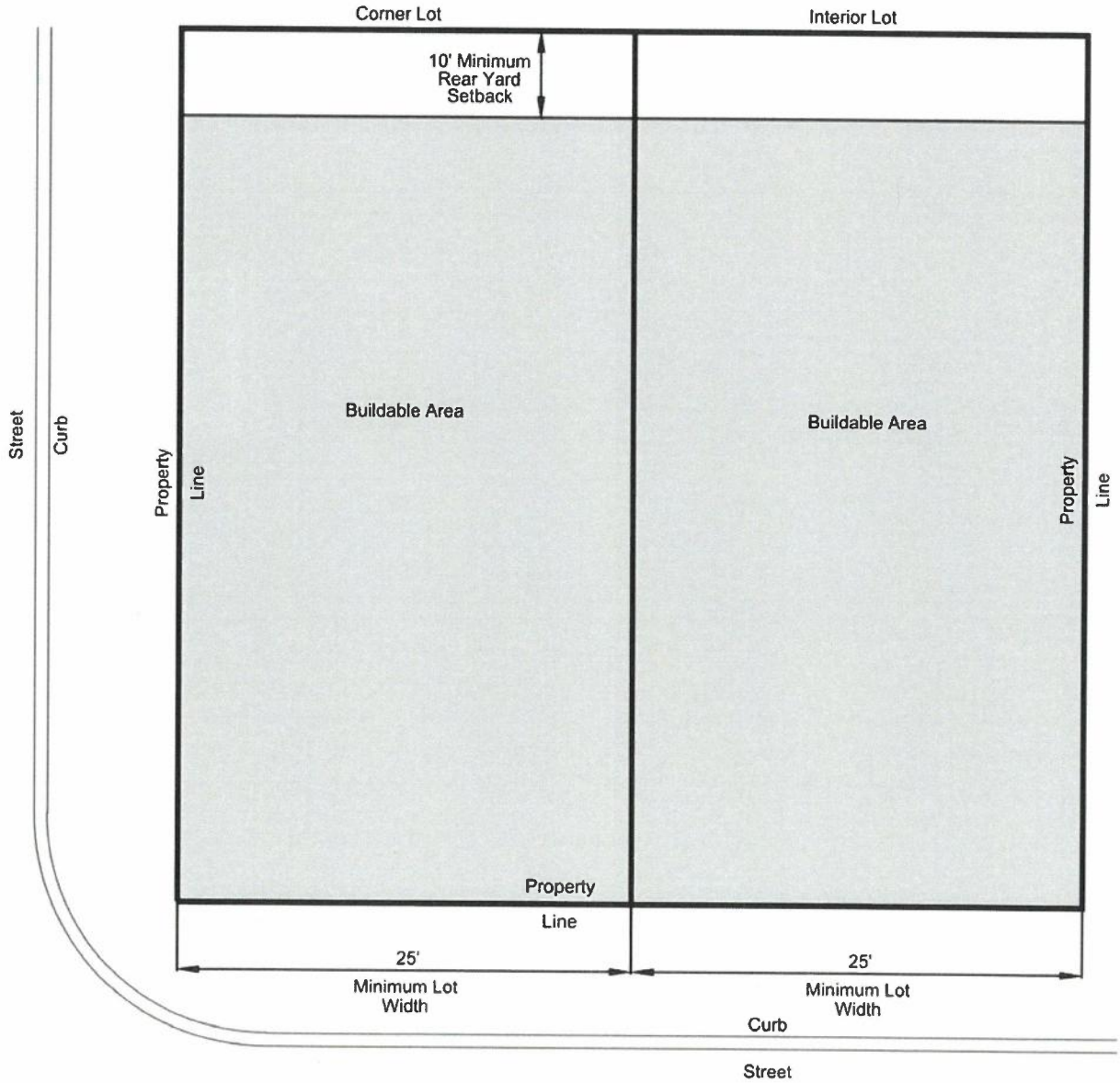
The C6: Mixed Use Commercial District is established to serve as the core and downtown of the City of North Little Rock. The district is characterized by the horizontal and vertical mixing of residential, commercial, and institutional uses to create a dense, walkable pedestrian-oriented built environment. The district's area standards are designed to encourage high density with little to no required setbacks.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in this Zoning District.

2. All uses in this Zoning District shall comply with Section 3.4.

B. C6: Building Area Requirements Diagram:



C. C6: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width | 25' | Pipe stem lots are prohibited. |
| Minimum Lot Area | 2,500 sf | 1,500 sf for each of the first 5 dwellings units on a lot plus 550 sf for each additional dwelling unit. |
| Maximum Lot Coverage | 80% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. | |
| Minimum Front Yard Setback | 0' | |
| Minimum Exterior Yard Setback | 0' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Minimum Side Yard Setback | 0' | When abutting a residential use or Zoning District, the setback shall be increased to 15'.<br>The side yard setback is measured at the front building line. |
| Minimum Rear Yard Setback | 10' | |
| Maximum Height | 140' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. C6: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 10' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 10' | |
| Minimum Rear Yard Setback | 5' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Coverage (Rear Yard) | 20% | |
| Maximum Height | 20' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

E. Parking and Screening:
The C6 classification does not have parking requirements for non-residential uses. Parking requirements for residential uses shall be one (1) off-street parking space per dwelling unit. See Article 7 for Screening and Landscaping requirements.

## Section 4.3 – Industrial Zoning Districts

### *4.3.1: General Conditions*

A. Storage of Flammable or Explosive Materials:
Where the permitted industry by its nature requires storage of flammable or explosive liquids, solids or gases, it shall locate only in the Zoning District specified by this Ordinance, and shall meet all of the separation distance requirements specified by the Arkansas Fire Prevention Code.

B. Outdoor Storage and Waste Disposal:

1. All outdoor storage facilities for fuel, raw materials, products, and uses of similar nature shall be enclosed by an opaque fence or wall adequate to conceal such facilities from adjacent properties, streets, highways and public rights-of-way.

2. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall not be stored outdoors.

3. No operation shall be carried on which involves the discharge into a sewer, water course, or on the ground of liquid wastes of any nature, which are detrimental to normal sewage plant operation or corrosive or damaging to sewer pipes and installations, or polluting to any water course above that level of pollution certified as acceptable by the Arkansas Department of Environmental Quality.

C. Industrial Access through Residential Zoned or Used Property:
The routing of industrial trucks and equipment through a Residential Zoning District or residential used property shall require the rezoning of property to Industrial Zoning District prior to construction of industrial access driveways through a Residential Zoning District or residential used property.

### *4.3.2: Accessory Uses*

A. General:

1. The use must be clearly incidental and customary to and commonly associated with the operation of the permitted use.

2. The use must be operated and maintained on the same lot as the permitted use.

3. The use must not include residential occupancy except by a caretaker or security officer.

### *4.3.3: I1: Office Warehouse District*

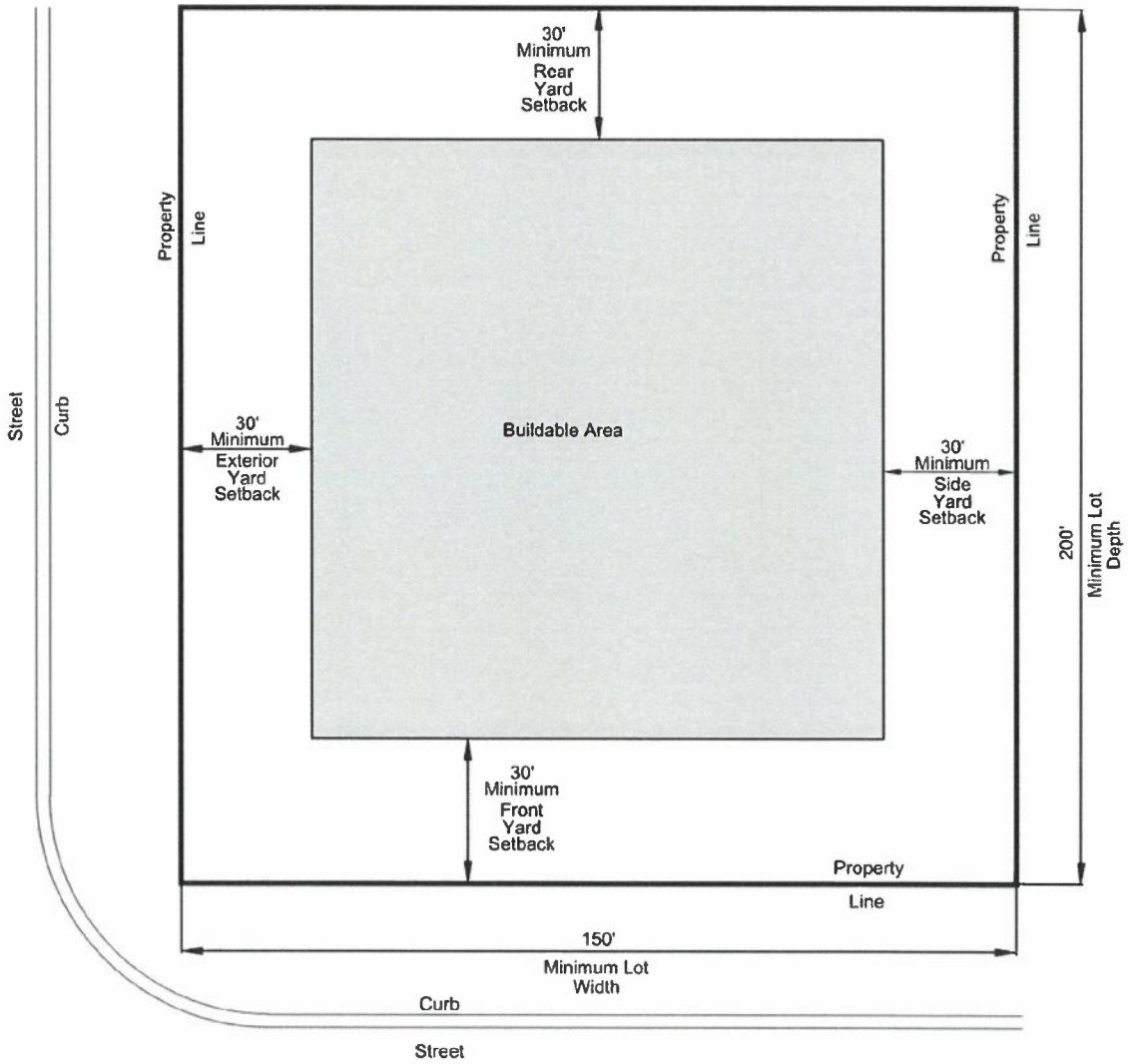
The I1: Office Warehouse District may be located between general industrial or commercial uses and quiet residential areas. The regulations of this district are intended to provide structural standards, standards of intensity of use and standards of external effects compatible with the surrounding residential uses. To these ends, development standards are established to encourage those industries and wholesaling activities that can be operated in a clean and quiet manner, plus certain facilities which are needed to serve the occupants of the district and residents of adjoining Residential Zoning Districts.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in this Zoning District.

2. All uses in this Zoning District shall comply with Section 3.4.

B. I1: Building Area Requirements Diagram:



C. I1: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width | 150′ | Pipe stem lots are prohibited. |
| Minimum Lot Depth | 200′ | |
| Minimum Lot Area | 30,000 sf | |
| Maximum Lot Coverage | 60% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. | |
| Minimum Front Yard Setback | 30′ | |
| Minimum Exterior Yard Setback | 30′ | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Minimum Side Yard Setback | 30′ | |
| Minimum Rear Yard Setback | 30′ | |
| Maximum Height | 45′ | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. I1: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 30′ | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 15′ | |
| Minimum Rear Yard Setback | 15′ | |
| Minimum Separation Distance from all Buildings | 15′ | |
| Maximum Coverage (Rear Yard) | 20% | |
| Maximum Height | 30′ | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

E. Parking and Screening:
See Article 6 for Parking requirements and Article 7 for Screening and Landscaping requirements.

### *4.3.4: I2: Light Industrial District*

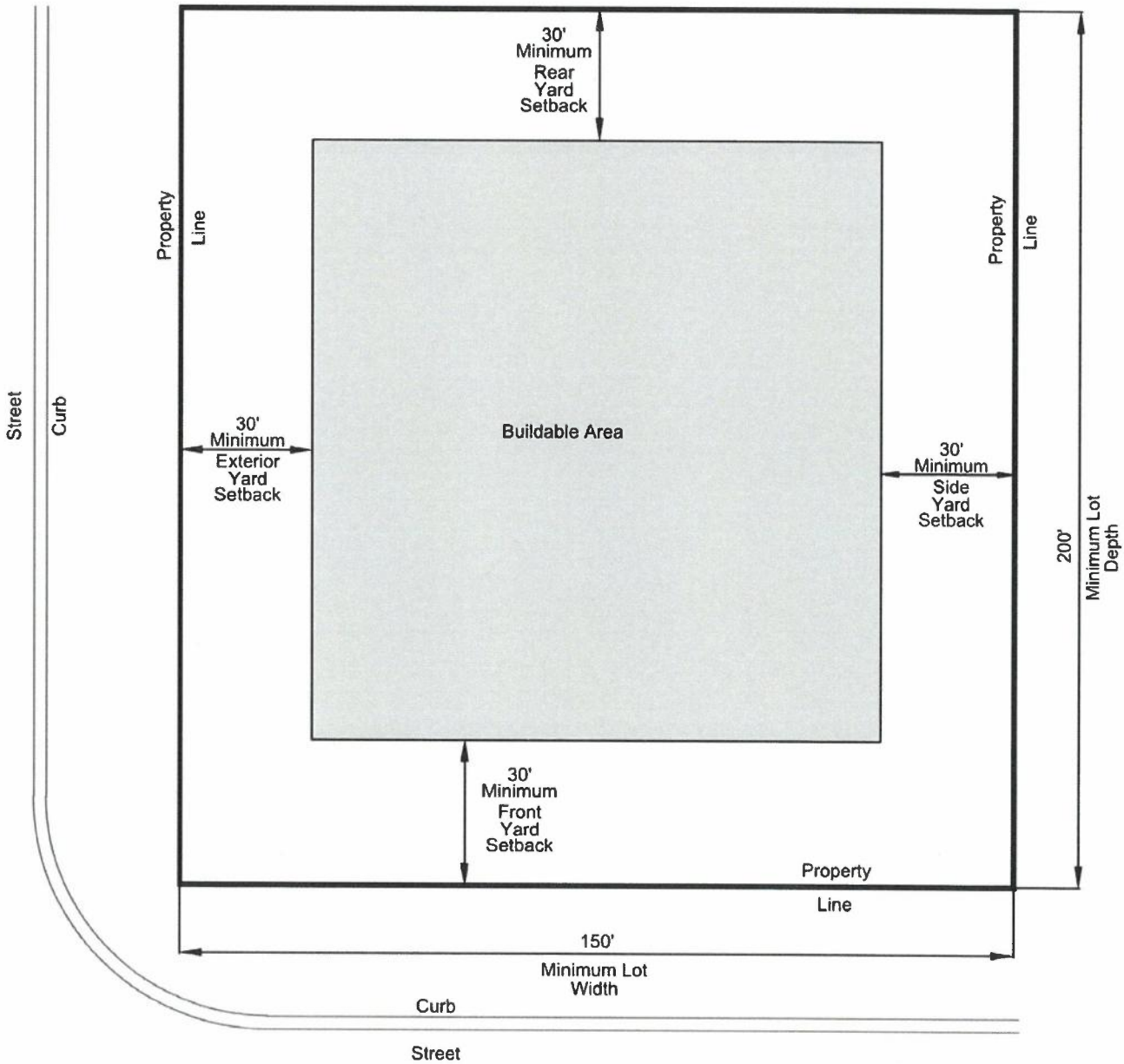
The I2: Light Industrial District is intended to permit the normal operations of industries, subject to those regulations needed to control congestion and to protect nearby residential and business uses.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in this Zoning District.

2. All uses in this Zoning District shall comply with Section 3.4.

B. I2: Building Area Requirements Diagram:



C. I2: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width | 150′ | Pipe stem lots are prohibited. |
| Minimum Lot Depth | 200′ | |
| Minimum Lot Area | 30,000 sf | |
| Maximum Lot Coverage | 60% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. | |
| Minimum Front Yard Setback | 30′ | |
| Minimum Exterior Yard Setback | 30′ | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Minimum Side Yard Setback | 30′ | |
| Minimum Rear Yard Setback | 30′ | |
| Maximum Height | 60′ | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. I2: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 30′ | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 15′ | |
| Minimum Rear Yard Setback | 15′ | |
| Minimum Separation Distance from all Buildings | 15′ | |
| Maximum Coverage (Rear Yard) | 20% | |
| Maximum Height | 30′ | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

E. Parking and Screening:
See Article 6 for Parking requirements and Article 7 for Screening and Landscaping requirements.

### *4.3.5: I3: Heavy Industrial District*

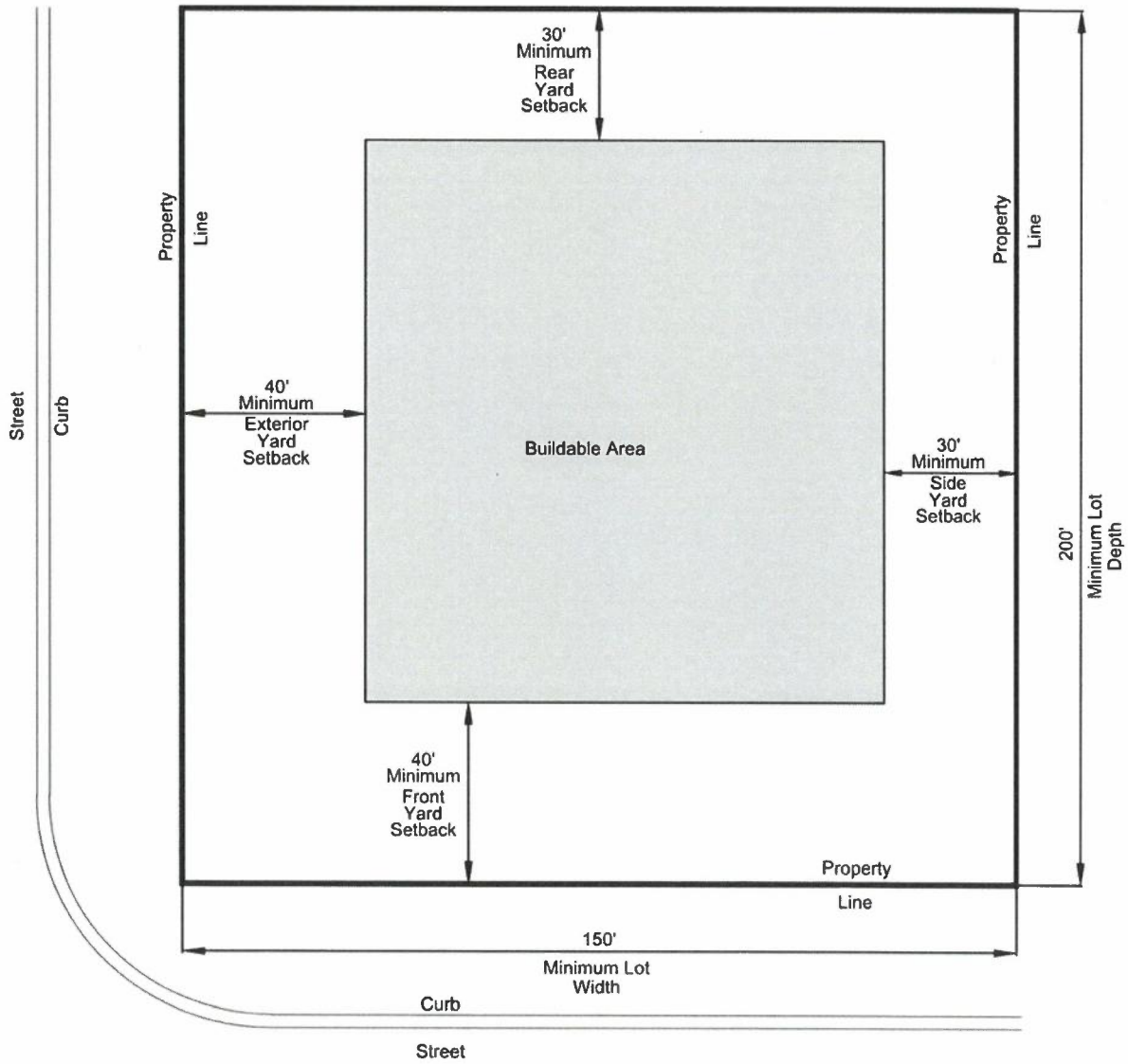
The I3: Heavy Industrial District is intended to be separated from residential and business uses in the City. The district is intended to provide good and attractive sites for industrial uses, to encourage a high standard of industrial development, and/or to encourage the location of industries requiring the use of river and/or rail transportation.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in this Zoning District.

2. All uses in this Zoning District shall comply with Section 3.4.

B. I3: Building Area Requirements Diagram:



C. I3: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width | 150' | Pipe stem lots are prohibited. |
| Minimum Lot Depth | 200' | |
| Minimum Lot Area | 30,000 sf | |
| Maximum Lot Coverage | 60% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. | |
| Minimum Front Yard Setback | 40' | |
| Minimum Exterior Yard Setback | 40' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way. |
| Minimum Side Yard Setback | 30' | |
| Minimum Rear Yard Setback | 30' | |
| Maximum Height | 90' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. I3: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 40' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 20' | |
| Minimum Rear Yard Setback | 20' | |
| Minimum Separation Distance from all Buildings | 15' | |
| Maximum Coverage (Rear Yard) | 20% | |
| Maximum Height | 30' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

E. Parking and Screening:
See Article 6 for Parking requirements and Article 7 for Screening and Landscaping requirements.

## Section 4.4 – Planned Unit Development

### *4.4.1: Purpose and General Provisions*

The purposes of the Planned Unit Development (PUD) Zoning District is to promote flexibility and innovation in design, in both small and large-scale developments, while minimizing any potential harm to adjacent property. Planned Unit Developments are also intended for use in creative and innovative development of vacant in-fill parcels in the built-up areas of the City, and the incorporation of common open space in developments. Planned Unit Developments shall incorporate enhanced architectural design which exceeds the expectations of the surrounding neighborhood. Although design innovation is encouraged, and flexibility is allowed, the PUD may not be used simply as a method of avoiding zoning regulations.

In concept, the PUD is a combination of Zoning District and development plan. The approval process is designed to encourage innovation by the developer by allowing submittal of the Final PUD Plan, after approval of a Preliminary PUD Plan by the City Council.

### *4.4.2: Minimum Size and Use Criteria*

PUDs may be residential, commercial, industrial or mixed-use in nature. Mixed-use PUDs may incorporate multiple uses in a development, property, or single-structure. There shall be no minimum size for PUDs.

### *4.4.3: Development Standards*

A. Uses Permitted: Permitted uses within a PUD shall be consistent with the general character of the land use classification of the subject property in the City's Land Use Plan, and be compatible with adjacent properties.

B. Development Density: All plans shall clearly depict the proposed density by land use type.

C. Setbacks: Building setbacks will be designed in such a manner that they create a harmonious grouping of buildings, allow maintenance of streets and utilities, do not violate any safety codes including the Arkansas Fire Prevention Code, and do not restrict the provision of emergency or public services. The front setback of the PUD shall be consistent with the existing established setbacks in the area.

D. Lot Size and Area Requirements: No minimum lot sizes are established. Development can be clustered or otherwise concentrated or arranged in planned locations on the site to take advantage of natural features and topography.

E. Maximum Lot Coverage: The percentage of lot area occupied by the principal and accessory structure(s) shall not be greater than eighty (80) percent.

F. Common Open Space: Residential developments or mixed use developments that include more than two (2) residential units shall provide land for the reservation of a centralized common open space to be used for active or passive recreation. A minimum of ten (10) percent of the development, exclusive of setbacks required for fire protection, yards less twenty (20) feet in width located between structures, drainage ways, storm water detention areas, and parking surfaces, shall be reserved for common open space.

G. Sidewalk System: The development shall be subject to the sidewalk requirements of the North Little Rock Regulations to Control Development and Subdivision of Land, and the North Little Rock Master Street Plan. All sidewalks shall meet current Americans with Disabilities Act Accessibility Guidelines (ADAAG).

H. Landscaping and Screening: All developments shall provide landscaping and screening that meets the landscaping regulations contained within this Ordinance. Landscaping shall be designed to complement the site's topography and create a discernible amenity for the development.

I. Common Open Spaces – Future Phase Construction: If common open space and common space improvements required for a development are planned for construction in future phases, a performance bond shall be required. Prior to the sale of any lot, site, home or other structure, a bond of sufficient surety determined by the Administrative Official shall be posted with the City for completion of said common open space improvements. The amount of the bond shall reflect one hundred fifty (150) percent of the Administrative Official's estimate for completing the required improvements. The Preliminary PUD Plan shall clearly depict the amount of land to be used and maintained as permanent common open space.

J. Land Subdivision: In the construction and installation of all subdivision improvements in the PUD, said improvements shall conform to all requirements and standards as set forth in the North Little Rock Regulations to Control Development and Subdivision of Land. The provisions of this section are not intended to relieve the developer from meeting any requirements or provisions of the North Little Rock Regulations to Control Development and Subdivision of Land or the North Little Rock Master Street Plan.

***4.4.4: Preliminary PUD Plan Application, Review and Approval Procedure***

A. The Preliminary PUD Plan shall consist of:

1. Preliminary site plan for the development.

2. Preliminary architectural renderings of the buildings elevations/exterior walls.

3. Other items required for development plan review as determined by the City Engineer, Planning Department and/or Planning Commission.

4. The Preliminary PUD Plan shall exclude construction documents, engineered drainage, street, or utility design drawings.

B. The Design Review Committee (DRC) shall review the application at a regularly scheduled meeting and provide comments to the applicant for revision of the plans. Once approved by the DRC, a public hearing for the Preliminary PUD Plan shall be set at the next regularly scheduled Planning Commission meeting.

C. A public hearing shall be conducted. Unless a postponement is requested by the applicant, the Planning Commission shall render a decision to recommend approval or denial of the application to the City Council.

D. To review a Preliminary PUD Plan, the Planning Commission shall consider the following:

1. The PUD provides public benefits that would not be achievable through the normal zoning regulations.

2. The development will not impose substantial negative external impacts on or prevent the orderly development of adjacent property.

3. The development does not endanger the public health, welfare or safety.

4. The development's design and intent is consistent with the purpose of the PUD regulations.

5. If containing a residential use, the design provides common open spaces to be used for passive or active recreation space(s).

E. Applications with a recommendation from the Planning Commission shall be heard by the City Council. The City Council shall render a decision to approve or deny the application by an ordinance to rezone the property. City Council approval of the Preliminary PUD Plan shall have the effect of rezoning the property.

***4.4.5: Final PUD Plan Application, Review and Approval Procedure***

A. The Final PUD Plan shall consist of:

1. The City Council approved Preliminary PUD Plan, and

2. Engineered site plan, and

3. Final renderings of the buildings elevations/exterior walls.

4. Other items that may have been required by the City Engineer, Planning Department, Planning Commission or City Council.

B. The Planning Department shall have the authority to allow application for Preliminary and Final PUD review and approval concurrently.

C. The Design Review Committee shall determine if the Final PUD Plan is consistent with the Preliminary PUD Plan. The Design Review Committee shall not approve a Final PUD Plan that does not conform to the Preliminary PUD Plan previously approved by the City Council.

D. If the Final PUD Plan is not consistent, the Design Review Committee shall provide comments to the applicant for revision of the drawings and/or plat requirements.

***4.4.6: Revocation***

A. The City Council may revoke the approval of a PUD if, by vote of the City Council, it is found that the owner, owner's agent, or developer have not:

1. Received approval for a Final PUD Plan within one (1) year of approval from City Council of a Preliminary PUD Plan, or

2. Commenced construction within six (6) months of approval of the Final PUD Plan, or

3. Completed construction within two (2) years of approval of the Final PUD Plan, or

4. Developed the PUD according to the approved Final PUD Plan and/or other applicable laws.

B. In the event of revocation, any completed portion of the development or those portions for which building permits have been issued shall be treated as a whole and effective development. In such cases, the property within the completed portion of the PUD shall retain the PUD Zoning District designation. On the portions where no development has occurred, the zoning shall revert back to the Zoning District designation(s) which existed for the property prior to the PUD's approval.

## Section 4.5 – Special Districts

### *4.5.1: PI: Public/Institutional District*

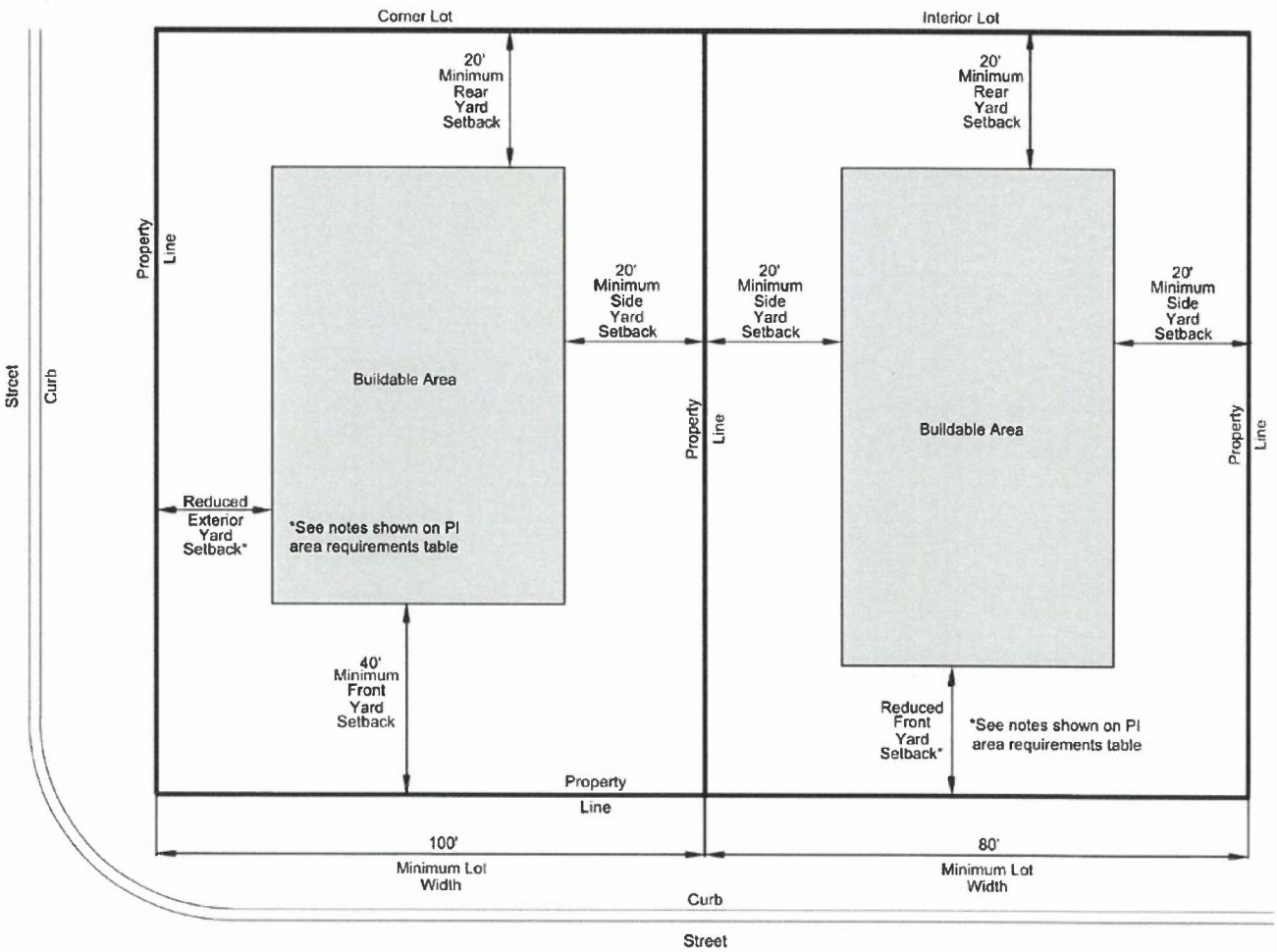
The PI: Public/Institutional District is established to provide for public and institutional facilities such as parks, public buildings, and large scale institutional uses. The district is marked by large sites and structures that convey a clearly public/institutional character in use and form.

A. Uses of Land and Buildings:

1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in this Zoning District.

2. All uses in this Zoning District shall comply with Section 3.4.

B. PI: Building Area Requirements Diagram:



C. PI: Area Requirements Table:

| Lot Requirements | Standard | Notes |
|---|---|---|
| Minimum Lot Width (Interior/Corner) | 80'/100' | Pipe stem lots are prohibited. |
| Minimum Lot Area | 10,000 sf | |
| Maximum Lot Coverage | 60% | Lot coverage shall include the principal building and all accessory structures. |
| ***Setbacks*** | 1. Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater.<br>2. Where platted building lines conflict with the required yard setback, the most stringent shall apply. | |
| Minimum Front Yard Setback | 40' | The setback may be reduced to the 25' when located along a MSP classified local street and when parking is placed at the side or rear of the principal building. |
| Minimum Exterior Yard Setback | 40' | The exterior yard is a side yard which is adjacent or parallel to a public or private right-of-way.<br>The setback may be reduced to the 25' when located along a MSP classified local street and when parking is placed at the side or rear of the principal building. |
| Minimum Side Yard Setback | 20' | When abutting a residential use or Zoning District, the setback shall be increased to 30'.<br>The side yard setback is measured at the front building line. |
| Minimum Rear Yard Setback | 20' | |
| Maximum Height | 60' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |

D. PI: Accessory Structure Requirements Table:

| Accessory Structure Requirements | Standard | Notes |
|---|---|---|
| Minimum Exterior Yard Setback | 40' | Yard setbacks shall be measured from the property line or projected Master Street Plan ROW, whichever is greater. |
| Minimum Side Yard Setback | 10' | |
| Minimum Rear Yard Setback | 10' | |
| Minimum Separation Distance from all Buildings | 10' | |
| Maximum Coverage (Rear Yard) | 20% | |
| Maximum Height | 30' | Height is measured from the highest point of the roof or parapet to the average ground elevation at the base of the structure. |
| Permitted Locations | Rear Yard | Accessory structures shall be permitted only within the rear yard. |

E. Parking and Screening:
See Article 6 for Parking requirements and Article 7 for Screening and Landscaping requirements

### *4.5.2: CON: Conservation District*

The CON: Conservation District is established to provide areas for the conservation of property subject to flooding hazards or areas which may be environmentally sensitive. Development in such areas should be limited with a primary focus on the preservation of the natural function and features of the land.

A. Uses of Land and Buildings:

   1. See the Table of Permitted Uses in Article 11 of this Ordinance for uses permitted in this Zoning District.

B. Structure Setbacks and Lot Coverage: All permitted structures must be setback at least thirty (30) feet from all street right-of-way lines, or as required under other ordinances, whichever is greater. The combined area of all structures on a single lot may not cover more than five (5) percent of the total area of the lot.

### *4.5.3: GR: Greenbelt Restricted*

The GR: Greenbelt Restricted District is established to provide for the preservation of open space areas such as wetlands in an undisturbed state. This district may also be used to provide open space buffers between uses or Zoning Districts which are not compatible.

A. Uses of Land and Buildings:

   1. This Zoning District is intended solely for greenspace and open space preservation.

## Section 4.6 – Overlay Districts

### *4.6.1: Application and Enforcement*

The regulations of the overlay districts shall be in addition to and shall overlay all other Zoning Districts and provisions of this Ordinance. Therefore, all property within an overlay district shall be bound to the Zoning Ordinance, the Regulations to Control Development and Subdivision of Land, and the Master Street Plan in addition to being bound by regulations of the overlay district. In case of conflicting standards between the overlay district requirements and other City ordinances, the overlay requirements shall control. Where any portion of a property falls within the boundary of an overlay district, the requirements and standards of the overlay district shall apply to the entire property.

### *4.6.2: Argenta Quiet Commercial Overlay District*

A. Purpose: The purpose for creating this overlay district is to impose certain land development and environmental controls to increase compatibility between the uses and buildings of the district and the bordering residential neighborhood. These regulations are intended to serve the general health, safety and welfare of the downtown community; to retain residential uses in the downtown area by providing a more harmonious setting for residential uses; to promote a viable commercial setting; and to avoid urban blight.

B. Application: These regulations shall be applied to all buildings, additions to existing buildings, and major exterior alterations to existing buildings.

C. District Boundary: The district encompasses all property as illustrated in the Argenta Quiet Commercial Overlay District map.

D. Design Standards and Regulations:

1. Hours of Operation: No business may operate between the hours of 10 p.m. and 6 a.m.

2. Noise Limitations: Businesses shall limit outdoor noise to promote a quiet setting. Use of outdoor speaker systems or amplified sound is not permitted in the district.

3. Exterior Illumination: All illumination shall be shielded and directed away from adjacent property.

# City of North Little Rock

# Argenta Quiet Commercial Overlay District

### *4.6.3: Main Street Overlay District*

A. Purpose: The purpose of this overlay district is to promote quality redevelopment with a strong sense of place and walkability. The district is intended to foster a mix of office, retail, cultural, residential, and entertainment functions that encourage economic expansion, promote increased property values, and reinforce the historic significance of the district.

B. Application: These regulations shall apply to new buildings, exterior alterations of existing buildings, additions to existing buildings, or any change of site improvements. The regulations shall be implemented when a building permit is requested. Routine repairs, maintenance and interior alterations shall not trigger the application of these regulations.

C. Legal Nonconforming Status: Structures and features of property existing on the effective date of the regulations of this section that do not conform to the standards of the regulations, shall be treated as nonconforming according to the provisions of the Zoning Ordinance. City maintenance activity within the public right-of-way is a recognized exemption. Nonconforming status is not permitted for any activity that may be injurious to the public health or welfare.

D. District Boundary: The district encompasses all property as illustrated in the Main Street Overlay District map.

E. Design Review Committee of the Planning Commission: The Design Review Committee (DRC) of the Planning Commission shall serve as the design review board for the District. The DRC is established to help ensure compliance with the intent of the regulations.

F. Review Procedure: The applicant shall meet with the Design Review Committee (DRC) at one of its regularly scheduled meetings prior to a request for a building permit. No building permit shall be issued without approval of the DRC.

   1. For those proposals located in the Main Street Overlay District and located in a Historic District, a letter of recommendation from the Historic District Commission will be required before review by the DRC.

   2. For those proposals located in the Main Street Overlay District and being reviewed by the Board of Zoning Adjustment, a letter of recommendation from the DRC will be required before review by the Board of Zoning Adjustment.

G. Design Standards and Regulations: Buildings, street furnishings, and landscaping shall be designed to be oriented to the pedestrian rather than the automobile.

   1. Buildings: Since this overlay district includes the Argenta Historic District, it is the intent to preserve and enhance the area with improvements to existing buildings of significant character and to construct new buildings and additions that are compatible with adjacent buildings and design.

      a. Existing Buildings.

1) If buildings in the district are in the Argenta Historic District, then the Historic District Commission shall have authority over the renovations and character of the building.

2) If replacement of the original storefront is due to significant deterioration, it shall be replaced with features to match the original storefront in design and materials.

3) Historic materials or distinctive architectural features shall not be removed or hidden.

b. New Buildings.

1) New construction of primary buildings shall maintain, not disrupt, the existing pattern of surrounding buildings along the street by being similar.

2) Buildings shall maintain the distinction between the ground level and all upper floors.

3) The primary façade of a building shall be oriented parallel with the street.

4) New construction shall be designed to preserve consistency of front building setback.

c. Balconies.

1) Objects shall not project from the building façade over the public right-of-way except for awnings and balconies.

2) Balconies shall not project more than seven (7) feet from the building façade and maintain a distance of four (4) feet from the edge of curb.

3) Balconies over the public rights-of-way shall have a minimum clearance of ten (10) feet above the sidewalk.

d. Awnings.

1) Awnings shall have a vertical distance of eight (8) feet from the sidewalk of any part of the awning.

2) Awnings shall not project more than seven (7) feet from the building façade and maintain a distance of four (4) feet from the edge of curb.

3) Awnings shall be composed of canvas, vinyl coated canvas, acrylic fabrics or other architectural materials compatible with the building and shall be located on the ground level.

4) Awnings shall cover only the store front display windows, balconies or transom above the main entrance; upper façade details shall not be obscured.

e. Mechanical Systems and Site Utilities.

1) HVAC units and other mechanical systems shall be located where they are not visible from the street.

2) Screening material/type for mechanical systems and site utilities shall be determined by the Design Review Committee.

2. Sidewalk Improvements:

a. Sidewalks shall be reviewed by the City Engineer for compliance with this Ordinance, any other applicable ordinance and/or with the design standards of the 300 and 400 blocks of Main Street. The City Engineer shall provide a compliance letter to Design Review Committee.

b. Sidewalks shall be located along both sides of all streets and sidewalk connectivity is encouraged throughout the area to promote a pedestrian friendly district.

c. Sidewalks having a width of eleven (11) feet, are to be established on Main Street and Broadway within the District. Other streets shall have sidewalks of minimum five (5) feet in width.

d. The design of sidewalks along Main Street and Broadway shall follow the design standards of the 300 and 400 blocks of Main Street. At a minimum these standards include: sidewalk pavement pattern, sidewalk pavers, curbs, gutters, curb ramps, crosswalks and streetlights.

3. Landscaping:

a. Landscaping shall be reviewed by the Design Review Committee for compliance with this Ordinance, any other applicable ordinance and/or with the design standards of the 300 and 400 blocks of Main Street.

4. Other Street Furnishings and Elements:

Street furnishings are defined as benches, planters, clocks, trash receptacles, and other street fixtures. Placement of all street furnishings shall be approved by the Historic District Commission for compliance with historic guidelines and the DRC within the Historic District. The street furnishings shall be clustered for patron use, ease of maintenance, shopkeeper convenience, and vandal resistance. Locations facing the street, or in shady areas are preferred. Locations are negotiable with property and/or shop owners.

5. Automobile Parking:

a. Location. The following are design guidelines to regulate parking within the District.

1) Parking lots shall not surround a building on more than two (2) sides.

2) Buildings shall not be removed to provide surface parking unless no other economically viable alternative is available.

3) Parking shall be clustered or located behind or to the side of buildings.

b. Parking lot lighting and design.

1) Parking lot lighting shall match the style used on the adjacent streetscape.

2) Parking lot design shall be sensitive to the purpose and intent of the district.

3) Handicapped accessible parking and passenger loading zones shall be provided pursuant to ADAAG standards.

6. Alleys: Alleys shall serve as efficient service access for vehicles and have adequate lighting compatible with the Main Street Streetscape.

7. Fences:

a. Chain-link fences and razor or barbed wire are prohibited within the district.

b. Ornamental iron fences may be appropriate where compatible with the style of adjoining buildings.

8. Environmental Controls: The Main Street Overlay District was established to create a quality, pedestrian friendly setting conducive to supporting regional entertainment objectives. Environmental control measures are needed to achieve this objective.

a. Hours of operation: Commercial business hours for businesses shall be from 5 a.m. to 2 a.m. Use exceptions to this regulation include hotels, motels and bed and breakfast businesses. Legal, existing uses operating later than the 2 a.m. closure restriction at the time of adoption of this overlay district (Ord. #7175 on October 26, 1998) are recognized as nonconforming uses. Nonconforming status is not permitted for any activity that may be injurious to the public health or welfare.

b. Businesses within the district are prohibited from using outdoor speaker systems or amplified sound.

c. The ground floor businesses on Main Street shall be retail, entertainment, residential, professional, and/or personal services to promote a pedestrian friendly environment. For this reason, new parking decks on Main Street shall establish retail operations on the ground floor fronting Main Street.

# City of North Little Rock

# Main Street Overlay District

### *4.6.4: Argenta Historic District*

A. Reference: The Argenta Historic District is adopted by separate ordinance and is administered by the City of North Little Rock Historic District Commission.

B. District Boundary: The district encompasses all property as illustrated in the Argenta Historic District map.

C. Any development that is required to be reviewed by the Planning Commission shall have been approved by the Historic District Commission (HDC) first.

D. Special Provisions:

1. Any structure contributing to the Argenta Historic District or any residence located in the Argenta Historic District may be rebuilt within the limits of its current foundation. Setbacks and building lines established by the structure when it existed shall apply without conformance to the lot development provisions of its zoning under the following conditions:

    a. Proof of property ownership. The primary structure may be rebuilt as long as the structure does not encroach onto a property owned by a different person or entity.

    b. Proof of the historic boundaries of the lot. A survey, deed, plat, county records, tax parcel, or other evidence may be used to establish the boundary.

    c. Proof of the outline of the foundation. A survey, deed, plat, county records, tax parcel, or other evidence may be used to establish the location of the foundation.

    d. Proof of approval from the Historic District Commission (HDC) for reconstruction of the building. After receiving a Certificate of Appropriateness, the applicant shall apply for a building permit from the City of North Little Rock for construction of the structure as approved by the HDC.

2. Lot splits that create lots less than 7,000 square feet shall not be permitted.

3. Lot replats that combine two (2) or more lots shall not be permitted. Land locked parcels may be combined with other lots if approved by the Historic District Commission and the Planning Commission.

E. Application:

1. No building or structure, including but not limited to stone walls, fences, light fixtures, steps, paving or other appurtenant fixtures shall be erected, altered, restored, moved, or demolished within the Historic District until an application for a Certificate of Appropriateness has been submitted and approved by the Historic District Commission.

2. An application for a Certificate of Appropriateness shall have been issued by the Historic District Commission prior to the issuance of a building permit or other permit granted for the purpose of constructing or altering structures.

3. A Certificate of Appropriateness shall be required whether or not a building permit is required.

# City of North Little Rock

# Argenta Historic District

### *4.6.5: Washington Avenue Overlay District*

A. Maximum Height: No building South of Washington Avenue, between Willow and Cypress Streets, shall be allowed to exceed the height of five (5) stories or sixty (60) feet in order to protect area views of the Arkansas River.

## ARTICLE 5: USE STANDARD AND SPECIAL PROVISIONS

### Section 5.1 – General

Permitted uses, Conditional Uses, and Special Uses shall be subject to the requirements in this Article.

### Section 5.2 – Accessory Dwelling Units

***5.2.1: Purpose***
The intent of this section is to establish requirements for an accessory dwelling unit that require a Conditional Use.

***5.2.2: Conditions***
The following are Conditional Use requirements for all accessory dwelling units. Accessory dwelling units shall:

A. Building Codes: meet all residential building codes listed in Chapter 4, Section 1.1.1 of the North Little Rock Municipal Code.

B. Zoning Districts: only be permitted within R1, R2, R3, and R4 Zoning Districts.

C. Existing Dwelling: only be permitted on a platted lot with one (1) existing owner occupied single-family dwelling.

D. Lot Size: only be permitted on platted lots of nine thousand (9,000) square feet or greater.

E. Location: be located in the rear yard of the platted lot.

F. Setbacks: be located ten (10) feet from any other structure or property line.

G. Lot Coverage: be limited to no more than fifty (50) percent lot coverage of the rear yard buildable area.

H. Construction Limitation: only be permitted within a single-story structure designed and constructed for the intended use as an accessory dwelling unit and must contain kitchen and bath facilities to facilitate habitation independent from the principal building.

I. Maximum Occupancy: be limited to an occupancy of one (1) family.

J. Number Allowed: be limited to one (1) accessory dwelling unit per platted lot.

K. Parking: provide one (1) off-street parking space that is located adjacent and abutting to the existing required parking area for the owner occupied single-family dwelling.

L. Utilities: require gas, water and electric utilities to be metered with the owner occupied single-family dwelling.

M. Requests to vary from the above requirements shall be heard by the City Council.

## Section 5.3 – Adult Daycares

Adult Daycares shall be subject to the following conditions:

A. When reviewed as a Special Use, the Planning Commission shall determine the number and spacing of adult daycare facilities so that no adverse impact is created in a neighborhood.

B. A letter of inspection from the Fire Marshal must be provided to receive a business license.

C. A letter from Department of Human Services approving the facility must be provided to receive a business license.

D. All adult daycares shall conform to applicable building and fire regulations.

## Section 5.4 – Alternative Energy Systems (AES)

### *5.4.1: Purpose and Intent*

The purpose of this section is to regulate the appearance and reduce the negative effects, such as offensive glare and noise, with the use of alternative energy systems (AES) that may include solar panels or solar water heating systems, solar radiant devices, wind turbines, wind mills, and other associated devices.

### *5.4.2: Conditions applying to all Alternative Energy Systems (AES)*

A. Permits are required for an AES. Any AES located in a Historic District shall have approval from the North Little Rock Historic District Commission before applying for a permit from the Planning Department.

B. No AES shall be connected to the utility grid until written authorization from the local utility company is provided to the Planning Department, which will then be attached to the building permit. The local utility company may require a representative to be present at the time of connection.

C. All power transmission lines and power lines to and from a detached AES structure shall be located underground.

D. All electrical and plumbing components of an AES shall conform to the relevant and applicable City, County, State, and Federal codes.

E. Photovoltaic shingles, siding, or other non-glare, stealth type and unobtrusive components of an AES are permitted in all Zoning Districts.

### *5.4.3: Conditions applying to Solar Panels and Solar Water Heating Systems*

The following shall apply equally to solar panels and solar water heating systems regardless of terminology used:

A. Detached or ground mounted solar panels or solar water heating systems shall be treated and regulated as an accessory structure in all Zoning Districts.

B. In Residential and Commercial Zoning Districts and uses, detached or ground-mounted solar panels or solar water heating systems shall only be permitted in rear yards, and the following restrictions shall apply to these systems:

1. The maximum height of any ground mounted solar panels or solar water heating systems shall be eight (8) feet.

2. Solar panels or solar water heating systems are not exempt from lot coverage and setback restrictions. The total coverage of a lot shall not exceed fifty (50) percent and shall include the calculation of the principal building and all accessory structures, including the detached AES component.

3. All ground mounted solar panels or solar water heating systems shall be located at least five (5) feet from any property line and ten (10) feet from the principal building and/or accessory structures.

4. Solar panels or solar water heating systems should be placed such that potential glare onto nearby properties or roadways is minimized to the extent possible while still maintaining adequate performance from the solar panels or solar water heating system.

5. Residential roof-mounted panels which are installed such that they are visible from the street shall be flush-mounted on the roof. The following shall apply to roof mounted panels that are visible from the street:

   a. Solar panels or solar water heating systems arrangement and design shall be considered when locating panels.

   b. Panels shall be consolidated to form an array of panels as opposed to individual panels being located on roofs.

6. Residential roof-mounted panels which are installed such that they are not visible from the street shall either be flush-mounted on the roof or, if not flush-mounted, installed no more than two (2) feet from the roof plane surface.

7. Other parameters relative to the installation of solar panels or solar water heating systems in all districts:

   a. All roof mounted solar panels or solar water heating systems shall be set back at least three (3) feet from any edge, peak, ridgeline, eave or valley of the roof to maintain pathways of accessibility.

   b. All conduit, wiring and piping shall not be visible and shall be fully concealed.

***5.4.4: Conditions applying to Wind Turbines and Wind Mills***

A. Wind turbines and wind mills shall be reviewed through the Site Plan Review process.

B. Wind turbines and wind mills are allowed in all Industrial Zoning Districts both on buildings and on detached, ground mounted structures when located five hundred (500) feet from Residential Zoning Districts.

C. The height of any wind turbine or wind mill shall not exceed the height requirement for the Zoning District within which the location of the tower is proposed. The height of the wind mill or wind turbine is the average ground elevation to the tip of the extended blade.

D. The wind mills shall be setback one and one half (1.5) times the height of the tower from any principal building or property line.

E. The wind turbines and wind mills shall be permitted only in rear and side yards, except as otherwise permitted.

F. The maximum number of ground mounted wind turbines is one (1) per lot.

G. A six (6) foot fence with a locking gate shall be required around all wind mills to prevent potential climbing hazards.

H. All wind mills or wind turbines shall have a braking system when winds reach speeds in excess of forty (40) miles per hour.

I. The minimum height of the lowest position of the blade shall be fifteen (15) feet above the ground.

J. The landowner shall complete decommissioning of the wind mill or wind turbine within twelve (12) months after the end of the useful life of the device. It shall be presumed that the wind mill or wind turbine is at the end of its useful life when no electricity is generated for a period of twelve (12) months.

K. Wind mills shall have emergency contact identification posted on the fence near the gate.

L. Blades may only be painted uniformly in one shade of white or neutral color with all blades and mechanisms being painted the same.

***5.4.5: Conditions applying to Solar Farms***
All Solar Farms shall be reviewed through the Site Plan Review process.

***5.4.6: Other Requirements***
All waivers or variances of these AES requirements shall be considered through the Special Use process with City Council providing final approval and not directed to the Board of Zoning Adjustment variance hearing process.

**Section 5.5 – Automobile/Vehicle Outdoor Sales and/or Leasing Lots**

***5.5.1: Purpose***
The intent of this section is to establish requirements for any automobile/vehicle outdoor sales or leasing lot that requires a Conditional/Special Use.

***5.5.2: Conditions***

The following are requirements for Conditional/Special Uses granted to automobile/vehicle outdoor sales and/or leasing lot applicants:

A. These requirements only apply to Conditional/Special Uses applications made on or after January 24, 2011.

B. Fences shall not be allowed in the front yard of an automobile/vehicle outdoor sales or leasing lot, except as otherwise required by separate regulation.

C. Existing fences located in the front yard of an automobile/vehicle outdoor sales or leasing lot shall be removed, unless required when adjacent to residential use.

D. A six (6) foot opaque privacy fence or a solid masonry wall shall be required when automobile/vehicle outdoor sales or leasing lot abuts a residential use or Zoning District. Fences or walls shall not extend beyond the front building line of the abutting residential use or Zoning District.

E. Automobile/vehicle outdoor sales or leasing lots shall not utilize barbed wire or razor wire. Any existing barbed wire or razor wire shall be removed.

F. All exterior automobile/vehicle outdoor sales or leasing lot lighting, located on a building or free standing, shall be shielded and directed downward. Lighting shall be directed away from abutting residential use or Zoning District.

G. Sales or lease vehicles shall be displayed on one (1) of the following surfaces: asphalt paving or concrete. Asphalt paving shall meet the standards of Article 6 and the City Engineer. Sales or lease vehicles shall not be displayed on grass or gravel surfaces.

H. Automobile/vehicle outdoor sales or leasing lots and any structures located on the lot shall meet all applicable City, County, State and Federal requirements and codes.

I. The Planning Department shall perform an inspection that confirms that all requirements have been met.

J. By receipt of the City of North Little Rock business license, the holder shall acknowledge that failure to comply with these conditions may result in loss of the Special/Conditional Use.

**Section 5.6 – Temporary Carnival**

This activity may operate upon meeting the following conditions:

A. A zoning certificate has been submitted and received approval from the Planning Department.

B. The location shall be allowed by right in a C3 Zoning District shopping center parking lot where there are two hundred (200) or more parking spaces. The carnival or rides shall not occupy more than half the spaces.

C. The applicant shall provide the following items to the City Clerk to obtain a business license: an approved zoning certificate, a certificate of insurance, certificate of inspection by the Department of Labor, proof that all Fire Marshal requirements have been met.

**Section 5.7 – Communication Towers**

This section shall be intended to govern all wireless communication facilities not defined as "small cells" or those communication facilities located within a dedicated or prescriptive street right-of-way or easement. Small cell facilities are governed by a separate ordinance.

***5.7.1: General Requirements***

The following shall apply to communication towers and wireless communication facilities:

A. Require co-location of wireless communication facilities of competing providers on communication towers.

B. Require any wireless service provider or entity installing a new communication tower to make appropriate provisions to allow for the future addition of at least one (1) other provider on a private rental basis.

C. Require the wireless service provider or entity installing a new communication tower to agree to refrain from generating unreasonable obstacles to such collocation arrangements.

D. Requests for communication towers outside of the permitted Zoning Districts shall require a rezoning or a Special Use.

E. Any communication tower permitted in a Zoning District over seventy-five (75) feet in height, will be directed to the Board of Zoning Adjustment before the request may be reviewed by the Design Review Committee.

F. New communication towers shall be reviewed through the Site Plan Review process after any necessary variances.

G. Communication towers shall be subject to all other applicable local regulations and shall be treated as the principal building on the lot on which it is located.

***5.7.2: Dimensional and Development Requirements:***

A. A reasonable separation of individual communication towers shall be required by maintaining a physical separation of two-thousand (2,000) feet between communication towers.

B. The tower shall be located on a platted lot not less than five-thousand six hundred and twenty-five (5,625) square feet.

C. The tower shall be located within a fenced area. The fence shall be six (6) feet in height.

D. The tower shall be located in the center of the lot.

E. All accessory structures and buildings shall be placed within a fenced area and at least fifteen (15) feet from any fence.

F. A planted buffer with a minimum depth of ten (10) feet with plant materials to reach a height of twenty (20) feet at maturity shall be required around the exterior perimeter of the fence.

**Section 5.8 – Community Gardens**

***5.8.1: Purpose***

The intent of this section is to allow community gardening and limited agricultural activity to build social connections; offer recreation, education, and economic development opportunities; to provide open space; and to generate a local food source.

***5.8.2: Conditions***

Registered community gardens are permissible uses of property in all Zoning Districts and no rezoning or variance is required to initiate a registered community garden. All community gardens must be registered with the City listing the property owner and the gardening coordinators contact information.

At the point in time the gardening function is abandoned for a period of twelve (12) months, the property owner shall be responsible for removing all community garden improvements and restoring the property to where it may be maintained and mowed.

Registered community gardens may include the following features:

A. Water meters shall be allowed to serve a registered community gardens.

B. There shall be no retail sales allowed at registered community gardens, except plants, whole fresh produce, and honey grown or produced on the site.

C. Accessory structures allowed on registered community garden lots include tool sheds, hoop houses, greenhouse, compost bins, and beehive structures so long as the combined area of all accessory structures shall not exceed fifteen (15) percent of the garden lot. These accessory structures are restricted from the front property line and the established front yard setback for the zone and no closer than five feet (5) of any side or rear lot line. Permits are required for sheds, hoop houses and greenhouses and may be obtained from the Planning Department. Accessory structures shall not be used as an office, or have the appearance of an office. Any permit issued for an accessory structures located in the Argenta Historic District shall have approval from the district before applying for a permit.

D. Appurtenance structures allowed on registered community garden lots include: benches, raised beds, seasonal farm stands, cold frames, row covers, garden art, rain barrels, sinks, irrigation systems, or other agricultural related item.

E. No more than two (2) beehives shall be allowed on registered community garden lots smaller than one (1) acre in size.

F. Chain-link fences up to a height of four (4) feet are allowed around the perimeter of a registered community garden. A permit is required for fences and may be obtained from the Planning

Department. The fence shall be removed from an empty lot once the community garden is no longer utilized. Any permit issued for a fence located in the Argenta Historic District shall have approval from the district before applying for a permit.

G. No more than ten (10) percent of the lot may be used for off-street parking.

**Section 5.9 – Daycare Centers and Home Daycares**

Daycare Centers and Home Daycares shall be subject to the following conditions:

A. The facility shall meet all requirements of the Arkansas Child Care Licensing Act as may be amended, updated, or replaced and all other requirements imposed by the State of Arkansas.

B. All daycare centers/home daycares are prohibited in R1 Zoning District.

C. All daycare centers/home daycares shall conform to applicable building and fire regulations.

D. All daycare centers/home daycares shall provide an opaque six (6) foot solid wood fence around the playground area.

E. All daycare centers/home daycares shall be reviewed by the Design Review Committee before being reviewed by the Planning Commission and the North Little Rock City Council.

F. All daycare center/home daycare playground areas shall meet DHS requirements.

G. All daycare center/home daycare playground areas shall have direct access from the building to the fenced playground area.

H. All home daycares shall be operated in a single-family dwelling which is the full-time residence of the caregiver.

I. Keeping more than five (5) children (excluding family members) constitutes a home daycare. The number of children cared for in a home daycare, including the caregiver's own children, shall not exceed ten (10) children.

J. Keeping more than eleven (11) or more children under the age of sixteen (16) years constitutes a daycare center.

K. All daycare centers/home daycares shall perform a sex offender residence check through the North Little Rock Police Department according to their rules and procedures, to determine if a Level 3 or Level 4 registered sex offender resides within two-thousand (2,000) feet of the proposed site for the daycare center/home daycare facility.

**Section 5.10 – Decks**

***5.10.1: Materials***

All decks shall be constructed of durable exterior grade materials, such as treated pine, cypress, cedar, redwood, or other exterior materials.

***5.10.2: Permits***
All decks shall require a building permit and shall be built to meet the Arkansas Fire Prevention Code. Decks located in Industrial or Commercial Zoning Districts shall require Commercial Plan Review.

***5.10.3: Requirements***

A. Decks over three (3) feet in height and attached to the principal building shall be considered part of the principal building and be constrained by established building line setbacks and lot coverage requirements.

B. Rear and side yard decks under three (3) feet in height and attached to the principal building shall not be constrained by established building line setbacks and lot coverage requirements.

C. Decks not attached to the principal building shall be treated as an accessory structure.

D. Any deck located in the front yard and attached to the principal building shall be considered part of the principal building and be constrained by established building line setbacks and lot coverage requirements.

E. Deck height shall be measured at the tallest part of the deck and structure. Deck height is determined by measuring from the surface of the deck to the ground immediately below that point (railings are not included when measuring deck height).

**Section 5.11 – Fences and Dumpster Enclosures**

***5.11.1: Materials***
All fences shall be constructed of durable exterior grade materials, such as treated pine, cypress, cedar, redwood, or other exterior materials.

***5.11.2: Permits***
All fences shall require a building permit and shall be built to meet the Arkansas Fire Prevention Code. Fences located in Industrial or Commercial Zoning Districts shall require Commercial Plan Review. Fences around the perimeter of an apartment complex or residential subdivision or gated community shall require Commercial Plan Review. No permit may be issued for construction of a fence on a lot without a principal building without Board of Zoning Adjustment approval.

***5.11.3: Fence Restrictions for all Zoning Districts***

A. Fences shall not encroach into a sight triangle.

B. Fences shall not be allowed within three (3) feet of a fire hydrant.

C. Fences placed on a vacant lot or a lot without a primary structure shall require approval from the Board of Zoning Adjustment.

***5.11.4: Residential Zoning Districts Requirements***

A. Front Yards of Residential Zoning Districts:

1. Front yard fences shall be picket or ornamental iron styles and not exceed three and a half (3.5) feet in height.

2. Front yard fences shall not be solid or opaque in appearance.

3. Front yard fences shall not be chain-link.

B. Side Yards of Residential Zoning Districts:

1. Fences constructed in a side yard shall not exceed six (6) feet in height.

2. Fences shall maintain a distance of at least three (3) feet from the parallel surface of a building's façade except when tying to the building façade in a perpendicular manner for the purpose of enclosing a yard.

3. Fences constructed in a manner parallel to a building's side façade that are within three (3) feet of the side property line shall be limited to a maximum height of four (4) feet with an additional two (2) feet of height allowed, provided the upper two (2) feet of the fence area has an open area of at least forty (40) percent.

C. Rear Yards of Residential Zoning Districts:

1. Fences up to eight (8) feet in height may be erected around the rear yard. (exception, see D below)

D. Corner Lots of Residential Zoning Districts:

1. Fences in the side and rear yards of corner lots may not be any closer to a street than the established front building line of any abutting property.

2. Fences that face a street in the side and rear yards of corner lots shall be limited to a maximum height of six (6) feet.

3. Fences that face a street in the side and rear yards of corner lots shall be constructed with the finished side facing the street.

1) Fences in the rear yards are permitted up to 8 feet in height.
2) Fences in the side yards are permitted up to 6 feet in height.
3) Fences in the front yards are permitted up to 3.5 feet in height.
4) Fence heights are permitted as shown on corner lots. Any corner lot fence that faces a street must have the finished side face the street.
5) Fences in this area that are in front of the abutting property's front building line, must have approval from the Board of Zoning Adjustment.
6) Unobstructed vision at street intersections – See drawing in Article 5

### *5.11.5: Commercial Zoning Districts and Public/Institutional Zoning Districts Requirements*

A. Side yard fences shall not exceed six (6) feet in height.

B. Rear yard fences shall not exceed eight (8) feet in height.

C. Front yard fences are not allowed.

D. Fences in Commercial and/or Public/Institutional Zoning Districts shall require Commercial Plan Review.

### *5.11.6: Industrial Zoning Districts Requirements*

A. Side yard fences shall not exceed six (6) feet in height.

B. Rear yard fences shall not exceed eight (8) feet in height.

C. Front yard fences are not allowed.

D. Fences in Industrial Zoning Districts shall require Commercial Plan Review.

### *5.11.7: Industrial Subdivision Requirements*

A. An industrial subdivision is a subdivision designed and platted for industrial uses, and all lots in the subdivision are zoned I1, I2, or I3.

B. Rear and side yard fences shall not exceed eight (8) feet in height.

C. Front yard fences are allowed and shall be chain-link or ornamental styles and not exceed six (6) feet in height. Front yard fences shall not be solid or opaque.

D. Fences in Industrial Subdivisions shall require Commercial Plan Review.

### *5.11.8: Barbed Wire Fences*

A. Barbed wire may be permitted in the rear and side yards of Industrial Zoned Districts and C4 Zoning Districts.

B. Barbed wire shall be vertical or inclined inward to the property when it is located on a property line.

C. The total height, including the barbed wire shall not exceed the permitted total height allowed by the Zoning District.

D. Fences in Industrial and Commercial Zoning Districts shall require Commercial Plan Review.

### *5.11.9: Concertina or Razor Wire Fences*

A. Concertina wire shall be only located at the top of the fence. A second row of concertina wire located below the top of the fence shall not be permitted.

B. Concertina wire or razor wire may be permitted in the rear yards of Industrial Zoning Districts.

C. Concertina wire or razor wire may be permitted on top of fences seven (7) feet in height. The total height, including the wire, cannot exceed eight (8) feet.

D. Concertina wire shall not extend over a property line.

E. Fences in Industrial Zoning Districts shall require Commercial Plan Review.

***5.11.10: Electric Fences***

No electric fence shall be installed, operated or maintained except as a Conditional Use approved by City Council, and shall be subject to the following standards:

A. Unless otherwise specified herein, electric fences shall be constructed or installed in conformance with the specifications set forth in International Electro technical Commission (IEC) Standard No. 60335-2-76.

B. The energizer for electric fences must be driven by a commercial storage battery not to exceed twelve (12) volts DC. The storage battery is charged primarily by a solar panel. However, the solar panel may be augmented by a commercial trickle charger.

C. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of IEC Standard No. 60335-2-76.

D. When abutting a residential zoned property or a residential used property, the perimeter fence shall be an opaque wood privacy fence with the finished side facing the abutting property.

E. There shall be a disarm switch or other device (approved by the Police and Fire Departments) on the outside of the perimeter fence within two (2) feet of the primary gate or opening.

F. Electric fences shall be permitted in the rear and side yards of industrial zoned properties with areas of outdoor storage or display.

G. Electric fences shall be installed on the interior of a perimeter fence and be located six (6) inches from the perimeter fence.

H. No electric fence shall be installed or used unless it is surrounded by a perimeter fence that is not more than eight (8) feet in height.

I. The maximum height for a perimeter fence in the rear or side yard shall be eight (8) feet.

J. Electric fences shall be allowed to extend two (2) feet above the perimeter fence with the maximum height of ten (10) feet.

K. Fences shall not utilize barbed wire or concertina wire.

L. Warning signs: Electric fences shall be clearly identified with warning signs that read: "Warning-Electric Fence" at intervals of thirty (30) feet with at least one (1) sign on each exterior perimeter side of the fence.

M. No electric fence shall be installed until after commercial plans review from the City that the plans for the fence meet the requirements of this ordinance and an electric fence permit is obtained. The commercial plans review for an electric fence shall be $30.00. An electric fence permit shall cost $150.00.

N. Requests to vary from the above requirements shall be heard by the North Little Rock City Council.

***5.11.11: Dumpster Enclosures***

During the Site Plan Review process, the following standards apply to the placement of any dumpster on a site:

A. Dumpsters shall be located within a rear yard.

B. Dumpsters shall be placed within a solid masonry enclosures with gates composed of solid opaque and durable materials.

C. Dumpsters shall be placed on a concrete pad with a loading zone designed to support a heavy duty vehicle.

D. If visible from a public street, such dumpster shall be screened with an evergreen vegetative planting capable of obscuring view of the dumpster.

**Section 5.12 – Mobile Food Vehicle Courts**

***5.12.1: General Description***

Mobile Food Vehicle Courts shall be allowed as a Conditional Use on private property. All applicants shall provide a scaled detailed site plan of the Mobile Food Vehicle Court showing the location and dimensional relationships of the property lines, all proposed food vehicle locations in relation to the parking stalls, building setbacks, vehicle parking, sidewalk locations and proposed dining or sitting areas.

***5.12.2: Mobile Food Vehicle Court Conditions***

All Mobile Food Vehicle Courts are subject to the following conditions:

A. Mobile Food Vehicle Courts shall provide on-site sanitary restroom facilities. Temporary portable restrooms do not meet this requirement.

B. Mobile Food Vehicle Courts shall be allowed to operate between the hours of 7am and 8pm if abutting a Residential Zoning District or residential use. If not abutting a Residential Zoning District or residential use, the hours of operation shall be between 7am to 10pm.

C. Mobile Food Vehicle Courts shall provide per mobile food vehicle a minimum of 900 square feet of area which shall be located on a hard surface paving (asphalt or concrete).

D. Mobile Food Vehicle Courts shall close continuous curb cuts to improve pedestrian conditions with temporary material such as planters, benches, pavers, and/or other furniture.

E. Mobile Food Vehicle Courts shall provide all necessary improvements to provide permanent utility connections. This shall include permanent water and electrical connections. Above ground utility connections shall not interfere with pedestrian or vehicular safety and shall not be located in customer service areas or customer parking areas.

F. Mobile Food Vehicle Courts shall not allow hoses, cords and/or other apparatus across a pedestrian or vehicular pathway.

G. Mobile Food Vehicle Courts shall not allow the operation of any generators at the site.

H. Mobile Food Vehicle Courts shall furnish one (1) trash receptacle to be located no more than ten (10) feet from each mobile food vehicle.

I. Mobile Food Vehicle Courts shall clean the site of all litter produced by the mobile food vehicle at the close of business each day of operation.

J. Mobile Food Vehicle Courts shall provide sufficient off-street customer parking for three (3) vehicles per mobile food vehicle.

K. Mobile Food Vehicle Courts shall make site improvements which include: paving, striping for parking spaces and/or driving lanes and the designation of required handicapped parking spaces.

L. Mobile Food Vehicle Courts shall not allow mobile food vehicles to be parked, stored or left overnight.

M. Mobile Food Vehicle Courts shall conduct their business in such a manner as not to restrict or interfere with the ingress or egress of abutting property owners or tenants, create a nuisance, increase traffic congestion or delay, constitute a hazard to traffic, life or property or obstruct adequate access to emergency services.

N. Mobile Food Vehicle Courts shall not allow mobile food vehicles to have a drive-thru.

O. Mobile Food Vehicle Courts shall not allow mobile food vehicles to sell anything other than food and nonalcoholic beverages.

P. Mobile Food Vehicle Courts shall not allow mobile food vehicles to discharge any waste used in the operation of the mobile food vehicle.

***5.12.3: Mobile Food Vehicle Location Restrictions***

All mobile food vehicles located in a Mobile Food Vehicle Court are subject to the following restrictions. Mobile Food Vehicles shall **not** be operated and/or located:

A. Within twenty (20) feet of any residentially zoned and/or used property.

B. Within ten (10) feet of any fire hydrant, fire lane and/or fire exit.

C. Within twenty-five (25) feet of any street intersection.

D. Within ten (10) feet of any driveway, loading zone and/or bus stop.

E. Within ten (10) feet of any parking space or access ramp designated for persons with disabilities.

F. Within fifteen (15) feet of any building entrance.

G. Within fifty (50) feet of the principal public entrance to any food service business not owned by the food court operator.

H. Within the sight triangle or any required landscaping buffer.

I. Within five hundred (500) feet of any primary or secondary school property while the school is in session.

J. Within parking spaces that are otherwise required by the North Little Rock Zoning Ordinance for any permanent businesses operating on the property.

***5.12.4: Exceptions***
Concession operations and agreements managed by the City of North Little Rock and/or its departments are not subject to these regulations.

**Section 5.13 – Home Offices**

***5.13.1: General Description***
Home offices are business activities conducted principally by telephone, computer, facsimile, or mail; with no customers or clients visiting the residence or home office.

***5.13.2: Conditions***
Home offices are permitted in residences subject to the following conditions:

A. Home offices shall be located completely within the principal dwelling unit.

B. Home offices shall not have a separate entrance.

C. Home offices shall not alter the external appearance of the principal dwelling unit.

D. Home offices shall have no customers or clients coming to the property.

E. Home offices shall be solely operated by the owner(s) and occupant(s) of the dwelling. Non-resident employees are not permitted.

F. Home offices shall not allow the storage of equipment, materials or retail goods, in a vehicle, or on a trailer located on the property of the residence.

G. The authority to operate a home office shall not be interpreted to waive any law or regulation of the City, County, State, or Federal government relating to the operation of a business, including without limitations: business licenses, facility licenses, professional certificates, inspection and similar requirements.

***5.13.3: Prohibited Home Offices***
The following uses are specifically prohibited from being considered home offices:

A. Federal Firearms License (FFL) dealers.

B. Sales or leasing of vehicles.

C. Any use that requires a building code upgrade (from residential standards to commercial or public assembly standards) to accommodate the home office.

**Section 5.14 – Home Occupations**

***5.14.1: General Description***
Home occupations are business that allow a minimal amount of customer traffic.

***5.14.2: Permitted Home Occupations***
Permitted home occupations:

A. Apparel alterations (Limited to two (2) customers/clients at a time).

B. Instructing, teaching, tutoring (Limited to four (4) customers/clients at a time).

C. Physical therapy (Limited to two (2) customers/clients at a time).

D. Tours of owner-occupied homes listed on the National Register of Historic Places (Visitor limit determined by the Fire Marshal).

***5.14.3: Conditions***
Home occupations shall be subject to the following conditions:

A. Home occupations shall be located completely within an enclosed structure.

B. Home occupations shall not alter the external appearance of the principal dwelling unit or any other structure.

C. Home occupations shall be solely operated by the owner(s) and occupant(s) of the dwelling. Non-resident employees are not permitted.

D. Any use that requires a building code upgrade (from residential standards to commercial or public assembly standards) to accommodate the home occupation is not permitted.

E. The authority to operate a home occupation shall not be interpreted to waive any law or regulation of the City, County, State, or Federal government relating to the operation of a business, including

without limitations: business licenses, facility licenses, professional certificates, inspection and similar requirements.

***5.14.4: Prohibited Home Occupations***

The following uses are specifically prohibited from being considered home occupations:

A. Bed and Breakfast.

B. Eating and drinking establishments.

C. Kennels.

D. Sales or leasing of vehicles.

E. Doctor, or Dentist Office.

F. Federal Firearms License (FFL) dealers.

**Section 5.15 – House Moving**

A. Permit Requirement: Any person desiring to move any building or structure over the streets of the City of North Little Rock which, under the laws of the State of Arkansas requires a state permit, shall also secure a permit from the City, unless specifically exempted from local permits by State Law.

   Application for a permit required by this section shall be secured from the Planning Department a minimum of 48 hours in advance of the time in which the building or structure is to be moved. The person securing the permit shall designate in the application the time and route over which such materials or objects will be moved.

B. Approval Process: Prior to the issuance of the required permit, an applicant shall obtain the approval of the North Little Rock Planning Commission for any structure to be placed permanently in the City of North Little Rock. Prior to consideration by the Planning Commission, the applicant shall file an application including the following items:

   1. Inspection Report. An inspection report by a certified and registered Home Inspector stating that the house is capable of being moved safely. The report shall include exterior photos of the house in its present location that accurately indicates the current state of repair of the structure.

   2. Development Plan. A development plan for the anticipated location of the house must be included in the application. The plan will include a site plan of the proposed location, an estimate of the cost of remodeling, a statement of what type of remodeling is proposed, the estimated date of completion of such remodeling, and a bond to ensure timely compliance with local building codes.

      The applicant will have ninety (90) days to complete the foundation and exterior of the site. The date of completion for the Development Plan shall be within six (6) months of the issuance

of the permit, unless the Planning Commission expressly grants an extension of time. Should the Development Plan not be completed in time, or should the work performed fail to substantially conform to applicable building codes, the City may start the condemnation process of the structure.

**Section 5.16 – Ice Vending Machines**

***5.16.1: Conditions***

A. Ice vending machines may be authorized as a principal use on the property.

B. Ice vending machines may be physically attached to the structure housing the principal use on the subject property or as a stand-alone accessory or principal building. If located in front of the principal building, the ice vending machine must meet the setback of the Zoning District in which it is located.

C. Ice vending machines shall be painted a similar and complimentary color to the principal building(s) located in the area.

D. The ice vending machine unit shall be placed on a continuous solid brick or stone foundation. The foundation shall be a minimum of two (2) feet in height.

E. Exterior walls of the ice vending unit shall be masonry or dryvit material(s).

F. Any mechanical/condensing units associated with the ice vending machine shall be located on the roof of the unit and hidden by a parapet wall. Parapet wall(s) will be of the same material and color of the structure and be a continuation of the vertical wall.

G. Dispensing areas of the ice machine unit will be covered by metal awnings extending a maximum of four (4) feet from the wall of the structure. Awnings shall have a minimum of nine (9) feet clearance from the ground.

H. Exterior lighting shall be located under the awnings at the dispensing areas.

I. Two (2) shade trees shall be provided for each unit. Trees shall have an automated underground irrigation system.

J. Bollards shall be placed to prevent a vehicle from damaging the ice machine unit or awnings.

K. The applicant must meet all applicable City, County, State and Federal requirements.

L. The Planning Department shall perform an inspection that confirms that all requirements have been met.

M. By receipt of the City of North Little Rock business license, the holder shall acknowledge that failure to comply with these conditions may result in loss of the Special/Conditional Use.

## Section 5.17 – Liquor Store (Retail) Location Restraints

The location of retail liquor store businesses shall be located under the following conditions:

A. Permits for New Establishments: The business using the new permit shall be at least one-thousand (1,000) feet from any place of worship/church or public or private school.

B. Existing Retail Permits: No existing retail liquor store permit may be transferred to a location within one-thousand (1,000) feet of any place of worship/church or public or private school.

C. Measurement Method: Distances shall be measured from the nearest point of the property line of the site under consideration to the nearest point of the property line of the place of worship/church or public or private school.

D. Arkansas Law: These requirements shall be invalidated if applicable State Law, the Arkansas Code Annotated § 3-4-206, is revised to be more stringent than these requirements.

## Section 5.18 – Mobile Storage Containers and Roll-Off Dumpsters

### *5.18.1: Residential Areas*

A. There shall be no more than one (1) mobile storage container or roll-off dumpster per site.

B. No mobile storage container or roll-off dumpster shall remain on a lot in excess of thirty (30) consecutive days.

C. No mobile storage container shall be placed at any one (1) lot in excess of thirty (30) days in any calendar year.

D. Where possible, mobile storage containers or roll-off dumpsters should be placed in the rear yard.

E. A no-fee permit shall be required for the placement of a mobile storage container or roll-off dumpster on a lot. A site plan shall be required to obtain a permit.

F. The following setback requirements shall be maintained to obtain and hold a permit:

1. Mobile storage containers and roll-off dumpsters shall be setback from any principal building and/or accessory structure a minimum of ten (10) feet.

2. Mobile storage containers and roll-off dumpsters shall be setback from any property line a minimum of five (5) feet.

3. Mobile storage containers and roll-off dumpsters are not permitted in a sight triangle.

4. Mobile storage containers and roll-off dumpsters are not permitted in the right-of-way or allowed to block a sidewalk.

G. Requests to vary from these requirements shall be heard by the Board of Zoning Adjustment.

***5.18.2: Commercial Areas***

A. There shall be no more than one (1) mobile storage container or roll-off dumpster per site.

B. Mobile storage containers shall not be located on a vacant/empty lot.

C. A no fee permit shall be required for the placement of a mobile storage container or roll-off dumpster on a lot. A site plan shall be required to obtain a permit.

D. Mobile storage containers and roll-off dumpsters shall not be located in any required parking areas.

E. Mobile storage containers and roll-off dumpsters are not permitted in front or side yards.

F. The following setback requirements shall be maintained to obtain a permit:

1. Mobile storage containers and roll-off dumpsters shall be setback from any principal building and/or accessory structure a minimum of ten (10) feet.

2. Mobile storage containers and roll-off dumpsters shall be setback from any property line a minimum of five (5) feet.

3. Mobile storage containers and roll-off dumpsters are not permitted in a sight triangle.

4. Mobile storage containers and roll-off dumpsters are not permitted in the right-of-way or to block a sidewalk.

G. Requests to vary from the above requirements shall be heard by the Board of Zoning Adjustment.

H. No mobile storage container or roll-off dumpster shall remain on a lot in excess of sixty (60) consecutive days, and storage containers shall not be placed on any one lot in excess of sixty (60) days in any calendar year. Placement of a mobile storage container for greater than sixty (60) days shall require an approved Special Use.

***5.18.3: Industrial Areas***

A. Any business that rents, distributes or stores mobile storage containers, shall be exempted from the requirements of this Section.

B. Any business that is currently utilizing multiple mobile storage containers on or before October 1, 2007, shall be exempt from the requirements of this Section.

C. There shall be no more than one (1) mobile storage container or roll-off dumpster per site.

D. A no fee permit shall be required for the placement of a mobile storage container or roll-off dumpster on a lot. A site plan shall be required to obtain a permit.

E. Mobile storage containers and roll-off dumpsters shall be setback from any principal building and/or accessory structure a minimum of ten (10) feet.

F. Mobile storage containers and roll-off dumpsters are not permitted in front yards.

G. Requests to vary from these requirements shall be heard by the Board of Zoning Adjustment.

***5.18.4: Construction Areas***

Mobile storage containers and roll off dumpsters are allowed on construction sites with the issuance of a building permit. Such containers shall be removed from the property upon the expiration of the building permit or thirty (30) days after issuance of the Certificate of Occupancy/Completion, whichever date is sooner. Such structures shall be placed in a manner that will minimize impacts on adjacent property.

**Section 5.19 – Outdoor Display in C6 Zoning Districts**

A. Businesses in C6 Zoning Districts are permitted to display merchandise outdoors during normal hours of operation. Items for display shall be located on their premises and not in the City right-of way.

B. Appliances, mattresses, automobiles, and vehicle trailers are not permitted to be displayed outdoors. Automobiles may only be displayed outdoors at an existing automobile outdoor sales lot.

**Section 5.20 – Retaining Walls**

A. The height of a retaining wall is measured from the top of the retaining wall to the existing grade or finished grade, whichever is lower, directly below the retaining wall.

B. The allowable height of a retaining wall is three and a half (3.5) feet or less in front and side yards, five (5) feet or less in rear yards.

C. Rear yard retaining walls greater than three and a half (3.5) feet in height require a three (3) foot fence and the combination of retaining wall and fence shall not exceed eight (8) feet in height.

D. Retaining walls greater than five (5) feet in height shall require stamped engineered drawings.

E. Retaining walls not located on a single-family or two-family lot shall require Commercial Plans Review.

**Section 5.21 – Roadside Vending**

Roadside vending takes place in locations that may be temporary and changeable, may utilize structures or vehicles that are either permanent or mobile, and are subject to seasonal activity. The following regulations shall apply:

***5.21.1: Roadside Produce Stands***

Roadside produce stands are generally mobile and may use a temporary display table, the back of a pick-up truck, a car truck or similar such arrangements. Produce stands are subject to the following provisions:

A. The roadside produce stand may be allowed if: no traffic or pedestrian hazard is created, the vendor has written permission of the property owner, and a site plan has been approved by the Planning Department and the use is permitted in the Zoning District.

B. Meet parking and setback requirements of the Zoning District.

***5.21.2: Snow Cone Vendors***
Snow cone vendors are subject to the following provisions:

A. The snow cone vendor may be allowed if: no traffic or pedestrian hazard is created, the vendor has written permission of the property owner, and a site plan has been approved by the Planning Department and the use is permitted in the Zoning District.

B. Be licensed by the State Health Department.

C. Maintain a permanent structure appearance with underpinning.

D. Meet parking and setback requirements of the Zoning District.

***5.21.3: Christmas Tree Vendors***
Christmas tree vendors are subject to the following provisions:

A. The Christmas tree vendor may be allowed if: no traffic or pedestrian hazard is created, the vendor has written permission of the property owner, and a site plan has been approved by the Planning Department and the use is permitted in the Zoning District.

B. Meet parking and setback requirements of the Zoning District.

**Section 5.22 – Sexually Oriented Businesses**

***5.22.1: Purpose***
It is the purpose of this section to regulate sexually oriented businesses or as referenced in State Law, adult-oriented businesses to promote the health, safety and general welfare of the citizens of the city, and to establish reasonable and uniform regulations to prevent the concentration of sexually oriented businesses within the City.

The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market, unless otherwise restricted by law.

These provisions are intended to be compliant with the minimum requirements of A.C.A § 14-1-303.

***5.22.2: Classification***
Sexually oriented businesses are classified as follows: adult arcade, adult bookstores, adult video store, adult cabaret, adult live entertainment establishment, adult motion picture theater, adult oriented

business, adult theater, escort, escort agency, massage establishment that offers adult services, or nude model studio.

***5.22.3: Location***

A person shall commit an offense if he/she operates or allows to be operated a sexually oriented business in any Zoning District not classified as I2 or I3, or regardless of classification within one-thousand (1,000) feet of: church, place of worship, school, boundary of a Residential Zoning District or dwelling, park, playground, recreational area/facility, hospital, medical facility, properties listed on the National Register of Historic Places, local historic districts as identified in the Arkansas Historic Preservation Program, child care facility, recreational trail, public library, or another sexually oriented business.

For the purposes of this section, measurement shall be made in a straight line in all directions, without regard to intervening structures or objects, from the nearest point on the property line of a parcel containing an adult oriented business, to the nearest point on the property line of a parcel containing one (1) of the restricted uses.

***5.22.4: Non-conforming Sexually Oriented Businesses***

A. Any sexually oriented business lawfully operating on May 28, 2002, which is in violation of this ordinance shall be deemed a non-conforming use. Such non-conforming uses shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use. If two (2) or more sexually oriented businesses are within one-thousand (1,000) feet of one another and otherwise in a permissible location, the sexually oriented business which was first established and continually operating at a particular location is the conforming uses and the later-established business(s) is non-conforming.

B. A sexually oriented business lawfully operating as a conforming use shall not be rendered a non-conforming use by the subsequent location of a church, a place of worship, a school, a residentially zoned property, a residence, a public park, a hospital, a medical facility, properties listed on the National Historic Register, a local Historic District as identified by the Arkansas Historic Preservation Program, a child care facility, a park, a playground, a public library, a recreational area, or a recreational trail within one-thousand (1,000) feet of the sexually oriented business. This provision applies only to an ongoing sexually oriented business, not to a sexually oriented business that has been terminated for any reason or discontinued for a period of ninety (90) days or more subsequent to the location of a church, a place of worship, a school, a residentially zoned property, a residence, a public park, a hospital, a medical facility, properties listed on the National Historic Register, a local Historic District as identified by the Arkansas Historic Preservation Program, a child care facility, a park, a playground, a public library, a recreational area, or a recreational trail.

***5.22.5: Enforcement***

A. Any person violating any part of this section, upon conviction, is punishable by a fine not to exceed five hundred (500) dollars.

B. If the violation is, in its nature, continuous in respect to time, the penalty for allowing the continuance is a fine not to exceed two hundred fifty (250) dollars for each day that the same is unlawfully continued.

## Section 5.23 – Single-Family and Duplex Appearance Standards

A. Design Requirements:
   1. Residences shall be oriented in such a way that the front entrance is readily apparent from the street.

   2. Residences shall maintain a minimal dimension such that no facade is less than twenty (20) feet in width.

   3. The foundation of residences shall be solid and continuous around the perimeter of the building.

B. Site Requirements:

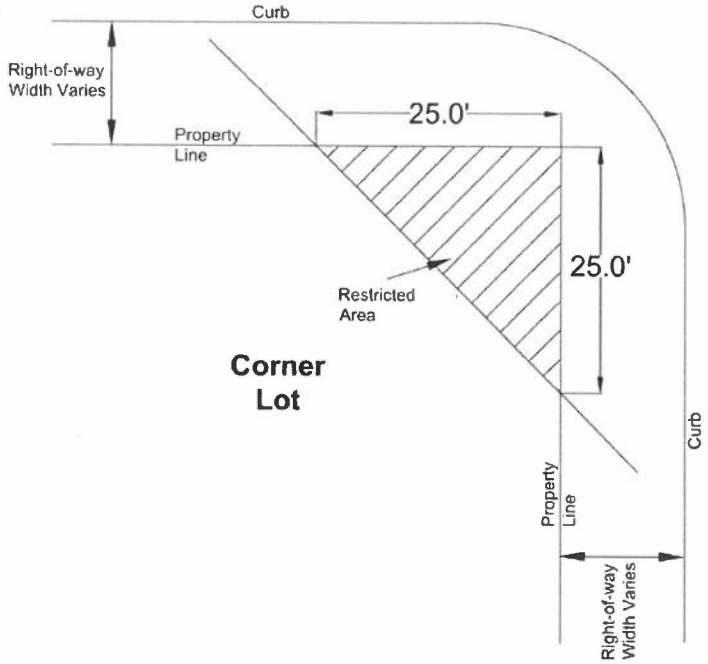
   1. No more than fifty (50) percent of the front yard shall be impervious or paved surfaces.

   2. Front yard driveway surfaces shall be of concrete, asphalt, or other solid masonry materials. Gravel is not permitted as a front yard driveway surface.

## Section 5.24 – Unobstructed Vision at Street Intersections (Sight Triangle)

A. Public safety requires clear views near street intersections. Within this sight triangle there shall be no obstruction to vision between a height of two (2) feet and a height of nine (9) feet above the average grade of each street at the centerline of the street. Street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.

B. The sight triangle is measured from the intersection of the two (2) property lines, a distance of twenty-five (25) feet along each property line.


Curb
Right-of-way
Width Varies
25.0'
Property
Line
25.0'
Restricted
Area
Corner
Lot
Curb
Property
Line
Right-of-way
Width Varies

## ARTICLE 6: OFF-STREET PARKING REQUIREMENTS

### Section 6.1 – Applicability and General Requirements

#### *6.1.1: Applicability of Requirements*

Off-street parking areas shall be required for all uses in all Zoning Districts except the C6 Zoning District. The C6 Zoning District does not have parking requirements for non-residential uses. Parking requirements for residential uses located in a C6 Zoning District shall be one (1) off-street parking space per dwelling unit.

Off-street parking areas shall be required to meet the standards of this Article when:

A. A building or structure is built, expanded, and/or enlarged.

B. A change of occupancy to an assembly use.

C. A nonconforming use or structure is otherwise required to come into compliance with the provisions of the Zoning Ordinance.

Once established, required off-street parking areas shall meet all the requirements of this Article and shall not be diminished in number or reduced in size below the requirements for its attached use or building occupancy type. Such off-street parking areas shall be located on the same property or lot as its attached use or structure, unless specifically allowed in this ordinance.

#### *6.1.2: Establishment of Parking*

Off-street parking areas shall be considered to be established when paved and marked for use or when used on a permanent basis. A permanent basis shall be considered once (1) per seven (7) days for a period of at least thirty (30) days or as evidenced by signs of consistent use for parking by creation of a barren spot on the ground or presence of a graveled surface. Parking areas not considered permanent shall not be subject to the requirements of this Article.

#### *6.1.3: Review Requirements*

All parking improvements shall be reviewed through the Site Plan Review process. Single-Family dwellings, and Two-Family dwellings are exempted from this requirement unless Site Plan Review is otherwise required.

### Section 6.2 – Parking Space Requirements

#### *6.2.1: Calculation of Requirements*

Where a fractional space results, any fraction more than one-half (1/2) shall be counted as one (1) parking space.

When calculating the number of required spaces for a property or site with multiple uses or building occupancies, the requirements for each use or building occupancy type must be met in accordance with the portion of the property or site devoted to each use or building occupancy. This shall not apply to uses or building occupancies that are active or occupied at different times of day or days of the week. In such instances, the number of required spaces shall be determined by the use or occupancy type which requires the greatest number of required spaces.

### *6.2.2: Stacking Requirements*

Drive-through facilities shall provide not less than three (3) stacking spaces for each service window. No use shall be permitted to be designed or configured in a manner to allow stacking of vehicles onto a public right-of-way or private street/access that is primarily used for through-access. The City Engineer, Traffic Engineer and/or Planning Commission shall have the authority to require a traffic study when, in the judgment of the City, it is anticipated that a use may result in such prohibited stacking conditions. Where such prohibited stacking occurs after a use is established, the City shall have the authority to cause the owner of the property/structure to remedy the condition through modification of the site.

### *6.2.3: Requirements by Parking Use Type*

The following table references the Parking Type (PT) by use shown in the Permitted Use Table in Article 11.

| Parking Type | Parking Spaces |
|---|---|
| 1. | 1 space per dwelling unit (C6 Zoning District only) |
| 2. | 2 spaces per dwelling unit |
| 3. | 0 to 250 dwelling units, 1.8 spaces per dwelling unit; then 1.5 spaces for every dwelling unit over 250 |
| 4. | Under 20 guest rooms: 5 spaces + 1 space per guest room<br>20 or more guest rooms: 5 spaces + 1.2 spaces per guest room |
| 5. | 1 space per 6 patients beds + 0.5 spaces per employee at maximum shift |
| 6. | 1 space per 2 beds + 1 space per employee at maximum shift |
| 7. | 1 space per 5 seats or maximum capacity determined by Fire Marshal, whichever is greater |
| 8. | 1 space per 4 seats or maximum capacity determined by Fire Marshal, whichever is greater |
| 9. | 1 space per employee at maximum shift |
| 10. | 1 space per employee + 1 space per classroom |
| 11. | 1 space per employee + 0.33 spaces per student |
| 12. | 1 space per 150 sf of gross floor area of that use + 1 space per employee at maximum shift |
| 13. | 1 space per 250 sf of gross floor area of that use + 1 space per employee at maximum shift + 1 space per work bay (Spaces at fuel pumps count as 0.5 spaces) |
| 14. | 1 space per 500 sf of gross floor area of that use + 1 space per employee at maximum shift |
| 15. | 1 space per 100 sf of gross floor area of that use |
| 16. | 1 space per 200 sf of gross floor area of that use |
| 17. | 1 space per 250 sf of gross floor area of that use |
| 18. | 1 space per 300 sf of gross floor area of that use |
| 19. | 1 space per 400 sf of gross floor area of that use |

| Parking Type | Parking Spaces |
|---|---|
| 20. | 1 space per 500 sf of gross floor area of that use |
| 21. | 1 space per 500 sf of gross floor area of that use + 1 space per 5,000 sf of indoor or outdoor area devoted to sales or storage |
| 22. | 1 space per 250 sf of gross floor area of that use<br>Over 10,000 sf (requirement reduced)<br>10,000-20,000 sf – 95%<br>20,000-30,000 sf – 90%<br>30,000-40,000 sf – 85%<br>40,000 sf and up – 80% |
| 23. | 1 space per 500 sf of gross floor area of that use<br>Over 10,000 sf (requirement reduced)<br>10,000-20,000 sf – 95%<br>20,000-30,000 sf – 90%<br>30,000-40,000 sf – 85%<br>40,000 sf and up – 80% |
| 24. | 5 spaces + 1 space for every 100 units |
| 25. | 3 spaces + 1 space for each 2,000 sf up to 50,000 sf, then 1 space per 10,000 sf above 50,000 sf |
| 26. | 5 spaces + 1 space per 400 sf of gross floor area of that use |
| 27. | Determined through review procedure by PC following a general guideline of 1 space per 300 sf of gross floor area |
| 28. | Determined through review procedure or by PC |

### *6.2.4: Parking Design and Surface Standards*

A. Accessibility: Accessibility for persons with disabilities in parking areas and building approaches shall be required in line with current Americans with Disabilities Act Accessibility Guidelines.

B. Parking Design: The following parking space types are allowed:

| Type | Width | Depth | Parking Aisle |
|---|---|---|---|
| Parallel | 22 feet | 9 feet | 11 feet |
| Right Angle | 9 feet | 18 feet | 24 feet |
| Sixty Degrees Angle | 9 feet | 18 feet | 20 feet (one way) |
| Forty-five Degree Angle | 9 feet | 18 feet | 12 feet (one way) |

The design of any parking area must conform to the access provisions and required spaces of the Arkansas Fire Prevention Code.

No parking area, excluding a Single-Family dwelling or Two-Family dwelling, for new development shall be designed in a manner to permit or require the backing of a vehicle directly into a public right-of-way or public access.

All parking areas shall utilize a parking surface described in Section 6.2.4.E with specifications to eliminate dust and maintain a passable surface at all times for the parking and loading areas. The Planning Commission may approve a low impact development (LID) parking lot.

C. Wheel Stops: Wheel stops shall be required when parking areas abut sidewalks, landscaped areas or pedestrian areas. No portion of a vehicle shall encroach onto a sidewalk, landscaped area or pedestrian area.

D. Curbs: All parking areas shall utilize concrete curbs or other material approved by the Planning Commission.

E. Parking Surface: The minimum pavement requirements shall be designed for intense traffic use with asphaltic concrete hot mix surface, a double surface treatment, or concrete surface. Any off-street parking area, driveway, or vehicle maneuvering area shall be paved as specified above and shall be so graded and drained as to dispose of all surface water accumulated within the area, and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of vehicles. Where access by a fire apparatus vehicle is necessary such surfaces shall meet the requirements of the Arkansas Fire Prevention Code, Volume 1, Appendix D, Section D102 or the appropriate amended provision.

These pavement requirements shall not apply to areas that are used for the parking and storage of large equipment which could damage the parking surface.

F. Lighting: Lighting for new development shall be required for all off-street parking areas, excluding those for Single-Family and Two-Family dwellings. Any lighting used to illuminate any off-street parking area shall use a shielded or cut-off design as defined by the IESNA or comparable standard, and be arranged to direct the light away from adjoining property to minimize light trespass.

Reasonable amounts of lighting shall be allowed and provided within off-street parking areas. Lighting fixtures shall not exceed twenty-five (25) feet in height.

G. Driveway Aprons: All driveway aprons shall be concrete within the right-of-way and required to meet the design standards established by the City Engineer.

## ARTICLE 7: SCREENING AND LANDSCAPING

### Section 7.1 – Purpose and Intent

This article is designed and intended to promote the health, safety, and welfare of the public by requiring screening and buffers to reduce the transmission of noise, dust, and glare and to effectively buffer between dissimilar uses that could negatively impact one another and to provide parking lot shading to reduce the heat island effect.

### Section 7.2 – Specific Requirements

#### *7.2.1: Parking Lot Shading*

A. Trees from Table B or C shall be included in all new and expanded parking areas, and trees from Table D shall be used if beneath overhead power lines.

B. Trees shall be planted at one (1) tree per six (6) parking spaces.

C. Trees shall be irrigated by an automatic underground irrigation system.

D. Trees ten (10) feet from the edge of parking area may serve for the parking lot shading requirements, but may not satisfy more than fifty (50) percent of the overall requirement for the parking lot or area.

E. Trees shall be two and one-half (2.5) inch caliper or greater at time of planting. Caliper shall be measured at three (3) feet above the ground surface.

F. Only trees from the approved planting list will count toward any requirements unless approved by the Planning Commission.

G. All trees located within the parking area shall be planted in curbed landscape islands. The minimum size of a curbed landscape island, per tree, shall be at least eight (8) feet wide and at least eighteen (18) feet deep.

#### *7.2.2: Landscaping Strips*

A. Landscape strips shall be required along all front, side, and rear yards adjacent to parking areas, driveways, or vehicle maneuvering areas.

   1. Front yard landscape strips shall be at least four (4) feet in width unless facing a street, in which case, the strip shall be at least six (6) feet in width.

   2. Side and rear yard landscape strips shall be at least four (4) feet in width unless facing a street, in which case, the strip shall be at least six (6) feet in width.

B. A continuous screen of shrubs shall be required for any landscape strip adjacent to any parking area. Only shrubs from the approved planting list will count toward this requirement, unless approved by the Planning Commission. Shrubs shall be eighteen (18) inches in height at planting

and be planted a maximum three (3) feet apart and shall be irrigated by an automatic underground irrigation system.

C. Ground covers from Table J, grass, or mulch of shredded bark or stone shall be applied in all landscaped areas to reduce moisture loss and to improve the appearance of plantings near streets.

***7.2.3: Street Trees***

A. Trees from Table B shall be spaced every thirty (30) feet to achieve the required number of trees; trees from Table C shall be spaced every twenty-five (25) feet; or trees from Table D shall be used if beneath overhead power lines and spaced every fifteen (15) feet.

B. Trees shall be irrigated by an automatic underground irrigation system.

C. Trees shall be two and one-half (2.5) inch caliper or greater at time of planting. Caliper shall be measured at three (3) feet above the ground surface.

D. Only trees from the approved planting list will count toward any requirements, unless approved by the Planning Commission.

***7.2.4: Buffers Between Dissimilar Uses***

Buffers shall be established with new development activity to reduce the impact on existing neighborhoods and uses. The buffer provisions apply: (a) when different land uses or Zoning Districts abut each other, or (b) when different land uses or Zoning Districts are separated by rights-of-way of twenty (20) feet or less. Buffer area dimensional requirements shall be:

A. Trees two (2) inches or greater caliper, measured three (3) feet from the ground, shall not be removed from a required buffer. These trees shall be protected, and if damaged during development shall be replaced with a Class A – Full Screen type tree.

B. A required buffer shall not be used for accessory structures, garbage or trash collection, parking, or any other functional use.

C. The required buffer area depth shall not include any easements.

D. Each side and rear yard buffer areas shall be five (5) percent of the lot width and depth. Buffer areas shall not be less than six (6) feet or greater than forty (40) feet.

E. Under certain conditions the Planning Commission shall require, up to a one hundred (100) foot buffer when a new development or expansion of regional shopping center, major activity center or industrial district abuts an existing single-family, residential neighborhood.

F. A larger buffer area shall be required by the Planning Commission, between residential areas and commercial areas when the commercial development abuts a major roadway to reduce ambient noise levels.

***7.2.5: Tree Planting for Single-Family and Two-Family Dwellings***

A. Tree plantings shall be required for all new Single-Family and Two-Family dwellings.

B. One (1) tree shall be required for each lot and to be located within ten (10) feet of the front property line.

C. Trees shall be two and one-half (2.5) inch caliper or greater at time of planting. Caliper shall be measured at three (3) feet above the ground surface.

**Section 7.3 – Screen Types**

***7.3.1: Class A – Full Screens***

A. Trees from Table B or C shall be spaced every twenty (20) feet; or trees from Table E shall be spaced with no visual breaks; or trees from Table D shall be used if beneath overhead power lines and spaced every twenty (20) feet.

B. Only trees and shrubs from the approved planting list will count toward any requirements unless approved by the Planning Commission.

C. An eight (8) foot tall, continuous opaque screen shall be provided. An opaque screen may include one (1) of the following: wall, fence, site grading, or plantings. No fence, wall and/or site grading is required with evergreen trees from Table E. The opaque screen must be opaque within 4 seasons.

D. Trees shall be irrigated by an automatic underground irrigation system.

***7.3.2: Class B – Half Screens***

A. Trees from Table B or C shall be spaced every twenty (20) feet; or trees from Table D shall be used if beneath overhead power lines and spaced every twenty (20) feet.

B. Only trees and shrubs from the approved planting list will count toward any requirements unless approved by the Planning Commission.

C. A six (6) foot tall, continuous opaque screen shall be provided. An opaque screen may include one (1) of the following: wall, fence, site grading, or plantings. The opaque screen must be opaque in all seasons.

D. Trees shall be irrigated by an automatic underground irrigation system.

***7.3.3: Class C – Thin Screens***

A. Trees from Table D or F shall be spaced every twenty (20) feet; or trees from Table B, C, or E shall be spaced every forty (40) feet.

B. Only trees and shrubs from the approved planting list will count toward any requirements unless approved by the Planning Commission.

C. Trees shall be irrigated by an automatic underground irrigation system.

## Section 7.4 – Maintenance, Quality Standards and Enforcement

### *7.4.1: Maintenance*

All plantings required by this ordinance shall be maintained in a healthy, living state with normal care to keep plantings in an attractive state without the appearance of being overgrown or poorly maintained. When plantings become diseased or dead, they shall be replaced with new plants meeting the requirements of this Article. Tree topping is not permitted.

### *7.4.2: Quality Standards*

Plant quality shall be in compliance with the plant materials list and in compliance with the latest standards set forth by the American Nurseryman's Association and the Arkansas State Plant Board. All plant materials shall be delivered to the site with their individual identification labels attached and certification of size, species, and cultivar by the nursery from which they were purchased. Plant materials that do not meet plant schedule criteria; have broken limbs; scarred or scrapped trunks; are in poor health; have insects or disease; or loose in their containers shall be rejected.

Container plant materials shall meet the noted size standards, meet the specified container size, and have a stable root ball. Materials that have root balls that are loose in the containers or split containers shall be rejected.

Balled and burlapped plant materials shall meet the noted standards, be wrapped in biodegradable materials, and bound sufficiently tight to maintain the stability of the root ball. Materials that have loose root balls shall be rejected.

### *7.4.3: Modifications*

The North Little Rock City Council shall consider all requests for variance or modifications of this Article.

### *7.4.4: Enforcement*

All buffer areas and parking lot shading and screenings shall be installed during construction and shall be completed prior to the issuance of a Certificate of Occupancy/Completion except during severe summer or winter conditions. In such instances, a performance bond or cash security shall be provided which is sufficient to cover the cost of all required plantings, irrigation, delivery, and installation costs. Once these improvements have been installed the performance bond or cash will be returned.

## Section 7.5 – Buffering Types and Planting Lists

### *7.5.1: Table A: Buffer/Screening of Dissimilar Land Uses*

**New Development**

F = Full Screen H = Half Screen T = Thin Screen 0 = No Screen

| Abutting Property Zone or Use | R0 | RU | R1 | R2 | R3 | R4 | R5 | R6 | RT | C1 | C2 | C3 | C4 | C5 | C6 | I1 | I2 | I3 | CP | CL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| R0 | 0 | 0 | 0 | 0 | 0 | T | T | 0 | F | H | H | F | F | F | F | F | F | F | F | F |
| RU | 0 | 0 | 0 | 0 | 0 | H | T | 0 | F | H | F | F | F | F | F | F | F | F | F | F |
| R1 | 0 | 0 | 0 | 0 | 0 | F | T | 0 | F | H | F | F | F | F | F | F | F | F | F | F |
| R2 | 0 | 0 | 0 | 0 | 0 | H | T | 0 | F | H | F | F | F | F | F | F | F | F | F | F |
| R3 | 0 | 0 | 0 | 0 | 0 | H | T | 0 | F | H | F | F | F | F | F | F | F | F | F | F |
| R4 | T | H | F | H | H | 0 | 0 | 0 | F | H | H | F | F | F | F | F | F | F | F | F |
| R5 | T | T | T | T | T | 0 | 0 | 0 | F | H | H | F | F | F | F | F | F | F | F | F |
| R6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | H | H | F | F | F | F | F | F | F | F | F |
| RT | F | F | F | F | F | F | F | 0 | 0 | F | F | F | F | F | F | F | F | F | F | F |
| C1 | H | H | H | H | H | H | H | H | F | 0 | T | T | H | H | 0 | F | F | F | T | T |
| C2 | H | F | F | F | F | H | H | H | F | T | 0 | 0 | T | T | 0 | H | F | F | 0 | 0 |
| C3 | F | F | F | F | F | F | F | F | F | T | 0 | 0 | 0 | 0 | H | H | H | F | 0 | 0 |
| C4 | F | F | F | F | F | F | F | F | F | H | T | 0 | 0 | 0 | F | T | H | F | 0 | 0 |
| C5 | F | F | F | F | F | F | F | F | F | H | T | 0 | 0 | 0 | T | T | H | F | 0 | 0 |
| C6 | F | F | F | F | F | F | F | F | F | 0 | 0 | H | F | T | 0 | F | F | F | H | H |
| I1 | F | F | F | F | F | F | F | F | F | F | H | H | T | T | F | 0 | T | H | F | F |
| I2 | F | F | F | F | F | F | F | F | F | F | F | H | H | H | F | T | 0 | 0 | F | F |
| I3 | F | F | F | F | F | F | F | F | F | F | F | F | F | F | F | H | 0 | 0 | F | F |
| CP | F | F | F | F | F | F | F | F | F | T | 0 | 0 | 0 | 0 | H | F | F | F | 0 | 0 |
| CL | F | F | F | F | F | F | F | F | F | T | 0 | 0 | 0 | 0 | H | F | F | F | 0 | 0 |

F = Full Screen H = Half Screen T = Thin Screen 0 = No Screen

### *7.5.2: Table B: Deciduous Trees with an average height over 40-feet*

| Common Name | Botanical Name | Rec. Cultivars | Growth Rate | Avg. Hgt. |
|---|---|---|---|---|
| Red Maple (N) | Acer rubrum | 'Autumn Flame', Other Cultivars | Rapid | 40' – 60' |
| Sugar Berry or Sugar Hackberry (N) | Celtis laevigata | | Medium | 60' – 80' |
| Katsura Tree** | Cercidiphyllum japonicum | | Rapid | 40' – 60' |
| Katsura Tree** | Cercidiphyllum japonicum | | Rapid | 40' – 60' |
| Persimmon (N) | Diospyros virginiana | | Medium | 35' – 60' |
| American Beech (N) | Fagus grandifolia | | Slow | 50' – 80' |
| Maidenhair Tree or Ginkgo | Ginkgo biloba | 'Autumn Gold', 'Lakeview', 'Mayfield' | Slow | 40' – 80' |
| Kentucky Coffee Tree (N) | Gymnocladus dioicus | | Slow | 60' – 80' |
| Sweetgum (N) | Liquidambar styraciflua | 'Hapdell', 'Rotundiloba' | Rapid | 60' – 80' |
| Tulip Tree or Tulip Poplar* (N) | Liriodendron tulipifera | 'Aureo-marginatum' | Medium | 60' – 90' |
| Sycamore* (N) | Platanus occidentalis | | Medium | 75' – 100' |
| London Plane Tree | Platanus x acerfolia | | Rapid | 75' – 100' |
| Sawtooth Oak (N) | Quercus acutissima | | Slow | 40' - 60' |
| Scarlett Oak (N) | Quercus coccinea | | Rapid | 50' – 70' |
| Swamp Chestnut Oak (N) | Quercus michauxii | | Medium | 40' – 60' |
| Pin Oak (N) | Quercus palustris | | Rapid | 50' – 70' |
| Willow Oak (N) | Quercus phellos | | Rapid | 40' – 75' |
| Red Oak (N) | Quercus rubra | | Rapid | 50' – 75' |
| Shumard Oak (N) | Quercus shumardii | | Rapid | 40' – 60' |
| Bald Cypress (N) | Taxodium distichum | | Slow | 50' – 75' |
| Chinese Elm or Lacebark Elm | Ulmus parvifolia | | Medium | 40' – 60' |
| Japanese Zelkova | Zelkova serrata | 'Greenvase', 'Village Green' | Rapid | 50' – 80' |

*These large natives require space and should be planted where droppage of leaves is not objectionable.
**Katsura Tree – use single trunk only

Caliper growth rate: Slow – less than 1" per year; Moderate 1-2" per year; Rapid – more than 2" per year.
(N) Denotes Native Species Tree

*7.5.3: Table C: Deciduous Trees with an average height 30-feet to 40-feet*

| Common Name | Botanical Name | Growth Rate | Rec. Cultivars | Avg. Hgt. |
|---|---|---|---|---|
| River Birch (N) | Betula nigra | Rapid | | 30' – 40' |
| Honey Locust (N) | Gleditsia triacanthos var. inermis | Rapid | 'Skyline', 'Harve', 'Imperial' | 30' – 50' |
| Golden-rain Tree | Koelreuteria paniculata | Medium | | 30' – 40' |
| Black Gum (N) | Nyssa sylvatica | Medium | | 30' – 50' |
| Sassafras (N) | Sassafras albidum | Medium | | 30' – 50' |
| Littleleaf Linden | Tilia cordata | Medium | 'Greenspire' | 30' – 70' |
| Silver Linden | Tilia tomentosa | Medium | | 30' – 70' |

Caliper growth rate: Slow – less than 1" per year; Moderate 1-2" per year; Rapid – more than 2" per year.
(N) denotes native tree

*7.5.4: Table D: Deciduous Trees with an average height less than 30-feet*

| Common Name | Botanical Name | Growth Rate | Rec. Cultivars | Avg. Hgt. |
|---|---|---|---|---|
| Serviceberry (N) | Amelanchier arborea | Medium | | 15' – 25' |
| Japanese Maple | Acer palmatum | Medium | | 10' – 25' |
| Trident Maple | Acer buergerianum | Medium | | 20' – 30' |
| Red Buckeye (N) | Aesculus pavia | Medium | | 12' – 15' |
| Paw Paw (N) | Asimina triloba | Medium | | 15' – 30' |
| Devil's Walking Stick (N) | Aralia spinosa | Slow | | 10' – 20' |
| Ironwood (N) | Carpinus caroliniana | Slow | | 20' – 35' |
| Sasanqua Camellia | Camellia sasanqua | Rapid | | 6' – 10' |
| Eastern Redbud (N) | Cercis canadensis | Medium | | 15' – 25' |
| Fringe Tree (N) | Chionanthus virginicus | Slow | | 12' – 20' |
| Rough Leaf Dogwood (N) | Cornus drummondii | Medium | | 6' – 15' |
| Flowering Dogwood (N) | Cornus florida | Slow | | 15' – 30' |
| Cockspur Thorn Hawthorn | Crataegus crus-galli 'Cruzam Crusader' | Medium | Thornless | 25' – 35' |
| Washington Hawthorn | Crataegus phaenopyrum | Medium | 'Winter King' | 25' – 30' |
| Winter King Hawthorn | Crataegus viridis | Medium | | 20' – 35' |
| Eastern Red Cedar (N) | Juniperus virginiana | Medium | 'Taylor', 'Canaertii' | 15' – 20' |
| Sweet Bay Magnolia (N) | Magnolia virginiana | Medium | | 10' – 35' |
| Hop Tree (N) | Ptelea trifoliata | Slow | 'Aurea', 'Glauca' | 15' – 20' |
| Eastern Hop Hornbeam (N) | Ostrya virginiana | Slow | | 25' – 40' |
| Persian Ironwood | Parrotia persica | Medium | | 20' – 40' |
| Chinese Pistache | Pistacia chinensis | Medium | | 30 – 35' |
| Wild Plum (N) | Prunus americana | Rapid | | 15' – 25' |
| Chickasaw Plum (N) | Prunus angustifolia | Rapid | | 4' – 20' |
| Japanese Pagoda | Styphnolobium japonica | Rapid | 'Regent' | 15' – 25' |

Caliper growth rate: Slow – less than 1" per year; Moderate 1-2" per year; Rapid – more than 2" per year.
(N) denotes native tree

### *7.5.5: Table E: Evergreen Trees with an average height over 30-feet*

| Common Name | Botanical Name | Growth Rate | Avg. Hgt. |
|---|---|---|---|
| Japanese Cedar | Cryptomeria japonica | Medium | 50' - 60' |
| Eastern Red Cedar** (N) | Juniperus virginiana | Medium | 30' - 60' |
| Southern Magnolia (N) | Magnolia grandiflora | Medium | 60′ - 80′ |
| Short Leaf Pine (N) | Pinus echinata | Rapid | 50' - 60' |
| Slash Pine (N) | Pinus elliottii | Rapid | 60′- 80′ |
| Austrian Pine | Pinus nigra | Medium | 40' - 60' |
| White Pine (N) | Pinus strobus | Medium | 50′- 60′ |
| Scotch Pine | Pinus sylvestris | Rapid | 30' - 60' |
| Loblolly Pine* (N) | Pinus taeda | Rapid | 40' - 90' |
| Virginia (Scrub) Pine (N) | Pinus virginiana | Medium | 20' - 60' |
| Southern Live Oak | Quercus virginiana | Medium | 20' - 40' |

* Loses lower limbs, under plant with shrubs
** Easily transplanted, many cultivars, including 'Canaertii', 'Taylor'
Caliper growth rate: Slow – less than 1" per year; Moderate 1-2" per year; Rapid – more than 2" per year.
(N) denotes native tree

### *7.5.6: Table F: Evergreen Trees with an average height less than 30-feet*

| Common Name | Botanical Name | Growth Rate | Avg. Hgt. |
|---|---|---|---|
| Camellia | Sasanqua camellia | Rapid | 6' - 10' |
| Foster Holly #2 | Ilex x attenuata 'Fosteri #2' | Medium | 25′- 30′ |
| Savannah Holly | Ilex x attenuata 'Savannah' | Medium | 25′- 30′ |
| Buford Holly | Ilex cornuta 'Bufordii' | Medium | 6' - 8' |
| Nellie R Stevens Holly | Ilex 'Nellie R. Stevens' | Rapid | 15' - 25' |
| Yaupon Holly (Tree Form) | Ilex vomitoria | Slow | 12′ - 15′ |
| Chinese Photinia | Photina serrulata | Medium | 15′ - 25′ |
| Cherry Laurel | Prunus caroliniana | Rapid | 20′ - 30′ |

Caliper growth rate: Slow – less than 1" per year; Moderate 1-2" per year; Rapid – more than 2" per year.
(N) denotes native tree

### *7.5.7: Table G: Shrubs with an average height 8-feet to 15-feet*

| Common Name | Botanical Name | Sun | Shade | Rec. Varieties | Avg. Hgt. |
|---|---|---|---|---|---|
| False Indigo | Amorpha fruticosa | X | | | 8' – 12' |
| American Filbert | Corylus Americana | X | X | | 10' – 16' |
| Buford Holly | Ilex cornuta 'Dwarf Bufordii' | X | X | | 8' – 15' |
| Dahoon Holly | Ilex cassine | X | X | | 20' – 30' |
| Chinese Holly | Ilex cornuta | X | X | 'Burfordii, 'Nellie R. Stevens', 'Delcon' | 8' – 15' |
| Dr. Kassab Holly | Ilex x 'Dr. Kassab' | | X | | 8' – 10' |
| Yaupon Holly | Ilex vomitoria | X | X | | 10' – 20' |
| Fraser's Photinia | Photinia x fraseri | X | | | 8' – 12' |
| Smooth Sumac (N) | Rhus glabra | X | X | | 9' – 15' |
| Flameleaf Sumac (N) | Rhus lanceolata | | X | | 15' – 20' |
| Leatherleaf Viburnum | Viburnum rhytidophyllum | X | X | | 8' – 10' |

### *7.5.8: Table H: Shrubs with an average height 6-feet to 8-feet*

| Common Name | Botanical Name | Sun | Shade | Rec. Varieties | Avg. Hgt. |
|---|---|---|---|---|---|
| Groundsel Bush | Baccharis halimifolia | X | X | | 6' – 15' |
| Camellia | Camellia sasanqua | X | X | | 6' – 10' |
| Chinese Redbud | Cercis chinensis | X | X | 'Avondale', 'Don Egolf' | 6' - 15' |
| Parsley Hawthorn | Crataegus marshallii | | X | | 8' – 12' |
| Needlepoint Holly | Ilex cornuta | X | X | 'Willowleaf' | 8' – 15' |
| Brilliant Holly | Ilex 'Brilliant' | X | X | | 8' – 20' |
| Wax Myrtle | Morella cerifera | X | X | | 6' – 15' |
| Holly Olive | Osmanthus heterophyllus | X | X | | 8' – 10' |
| Chinese Photinia | Photinia serrulata | X | X | | 8' – 20' |
| Burkwood Viburnum | Viburnum x burkwoodii | X | X | 'Conoy', 'Mohawk' | 6' – 10' |
| Lantanaphyllum Viburnum | Viburnum × rhytidophylloides | | X | 'Alleghany' | 8' – 10' |

*7.5.9: Table I: Shrubs with an average height 3-feet to 4-feet*

| Common Name | Botanical Name | Sun | Shade | Rec. Varieties | Avg. Hgt. |
|---|---|---|---|---|---|
| Abelia Edwward Goucher | Abelia 'Edward Goucher' | X | X | | 3' – 5' |
| Glossy Abellia | Abelia x grandiflora | X | X | | 3' – 6' |
| Winter Barberry | Berberis julianae | X | X | | 4' – 6' |
| Japanese Boxwood | Buxus microphylla | X | X | 'National', 'Morris midget' | 3' – 12' |
| Dwarf Burford Holly | Ilex cornuta 'Dwart buford' | X | X | | 4' – 8' |
| Dwarf Chinese Holly (Horned Holly) | Ilex cornuta 'Rotunda' | X | X | | 3' – 4' |
| Japanese Holly (Boxed Leaf Holly) | Ilex crenata | X | X | 'Drops of gold', Sky pointer', 'Geisha', 'Hetzii', 'Golden gem' | 2' – 10' |
| Dwarf Yaupon Holly | Ilex vomitoria | X | X | 'Stokes', 'Nana' | 3' – 5' |
| Chinese Juniper | Juniperus chinensis | X | | 'Daniel's dwarf', Expansa Aureospicata' | 1 ½' – 2' |
| Andora Juniper | Juniperus horizontalis | X | | 'Plumosa' | 1' – 2' |
| Dwarf Nandina | Nandina domestica | X | X | 'Harbour dwarf', 'Firepower', 'Emerald sea' | 1' – 5' |
| Dwarf Azalea | Rhododendron (sp) | | X | | 2' – 3' |
| Coralberry | Symphoricarpos orbiculatus | X | X | | 2' – 5' |

*7.5.10: Table J: Climbing Vines, Ground Covers and Grasses*

| Common Name | Botanical Name | Rec. Varieties |
|---|---|---|
| Evergreen Clematis | Clematis | |
| Trumpet Vine | Campsis grandiflora | |
| Carolina Yellow Jessamine | Gelsemium sempervirens | |
| English Ivy | Hedera helix | 'Arborescens', 'Glacier', 'Midas Touch', 'Tango' |
| Japanese Honeysuckle | Lonicera japonica | 'Aureoreticulata' , 'Halliana' |
| Boston Ivy | Parthenocissus tricuspidata | 'Fenway Park', 'Ginza Lights', 'Lowii', 'Veitchii' |
| Mondo Grass | Ophiopogon japonicas (sp)<br>Ophiopogon planiscapus (sp) | |
| Liriope Grass | Liriope muscari (sp) | |
| Bermuda Grass | Cynodon dactylon | |
| Zoysia Grass | Zoysia japonica | |

## ARTICLE 8: CONDITONAL USES, SPECIAL USES, AND REZONES

### Section 8.1 – Conditional Use

The purpose of this section is to set forth procedures for processing Conditional Use applications and to establish standards by which Conditional Uses can be evaluated. The Planning Commission shall review all requests for Conditional Uses in accordance with provisions of this Article. Only those uses which are specifically listed as a Conditional Use within its respective Zoning District may be authorized for a Conditional Use. Conditional Uses run with the land, and are transferred with ownership of the property. However, a Conditional Use not operated in a manner consistent with its conditions of approval shall be considered a violation of this Article and may be revoked.

***8.1.1: Application Procedure***

An application shall be made by the property owner or the owner's authorized agent. The application may accompany a rezoning request. The application shall be submitted to the Planning Department.

A. The application shall be submitted to the Planning Department in accordance with the established calendar. The application shall consist of the following:

   1. A scaled development plan showing property boundaries, building locations, building outlines, driveways, parking lots, abutting streets, north arrow, applicant's information, and other pertinent information as may be required. The Administrative Official shall have the authority to require plans stamped by a licensed design professional.

   2. An accurate legal description of the property.

   3. The application shall not be accepted by the Planning Department unless accompanied by a development plan, legal description and payment of fees.

B. Upon receipt of the application, the Planning Department shall provide to the applicant the date of the public hearing when the Planning Commission will consider the application. Notice of the public hearing shall be published one (1) time, a minimum of fifteen (15) days prior to the public hearing in a newspaper of general circulation in the City of North Little Rock.

C. The City shall supply and the applicant shall post a sign or signs on the property not less than fifteen (15) days prior to the hearing. One (1) sign per five hundred (500) feet of street frontage shall be required.

D. The applicant shall provide a notice of the public hearing to all property owners falling within two hundred (200) feet of the property. If a property, within two hundred (200) feet, is owned by the same property owner as the property where the request is sought, then notice shall be given to the next abutting property. The list of property owners must be provided and certified by an abstract company. The notice shall be the form supplied by the City. Such notice shall be mailed by Certified Mail with return receipt requested a minimum of ten (10) days prior to the public hearing. The applicant shall provide the required mail certificates and list of property owners to the Planning Department at least ten (10) days prior to the public hearing. In the case where the City of North Little Rock is listed as a property owner, notice to the City shall be done by the Planning Department.

E. Failure to meet any of the required notification procedures shall result in deferral of the application to the next regularly scheduled meeting of the Planning Commission.

### *8.1.2: Review Procedure*

A. Planning Department/Design Review Committee Review (DRC): The Planning Department shall review the application and may provide conditions on the application. The Design Review Committee shall review the request along with staff's recommendation for conditions. The DRC shall forward each application to the Planning Commission for consideration.

B. Planning Commission Review: At a scheduled public hearing, the Planning Commission shall render a recommendation on the application by majority vote, which will be transmitted to the City Council. The Planning Commission may include such conditions or restrictions upon the construction, location, and operation of a Conditional Use, as deemed necessary to secure the general objectives of this ordinance, protect the surrounding area, or to protect the health, safety, and welfare of the community.

   If a negative recommendation is provided by the Planning Commission, the application shall not be heard by the City Council until all notification requirements have been met for a public hearing at City Council.

C. City Council Review: The Planning Commission shall report to the City Council their findings and their recommendations, including recommended conditions and/or restrictions. City Council, subject to the requirements of this Article, may grant or deny any application for a Conditional Use. Conditional Uses shall only become effective by an ordinance duly passed by the City Council.

### *8.1.3: Revocation and Limitations*

A. Variances: No Conditional Use shall be subsequently applied for as a variance to the Board of Zoning Adjustment. If an applicant seeks amendments or changes as to the use authorized by the Conditional Use process, the applicant must follow the same process as the original Conditional Use.

B. Expansions, Additions, Changes in Use: Expansions or additions to structures associated with a Conditional Use or changes in the character of the Conditional Use shall require approval of a new Conditional Use from the City Council.

C. Time Limitations: Conditions may include time limits for exercise of authorization. However, the maximum allowable time by which the applicant must use the property pursuant to the Conditional Use shall be limited to one (1) year from the date of approval by City Council. Required permits and/or business license must be obtained within the allotted period. Failure to obtain required permits and/or business license will result in notice of termination from City Staff. The notice shall set a time and place for a revocation hearing by the City Council.

D. Revocation: In the case where any of the specific restrictions and conditions of a Conditional Use have been violated, ignored, or otherwise not observed, the City Council may revoke the Conditional Use. Revocation shall prevent use of the property in a general manner as specified

within the original Conditional Use. The property shall revert to its use status prior to issuance of the Conditional Use.

E. Application Restrictions: No application for a Conditional Use which has been denied wholly or partly by the City Council shall be resubmitted for a period of one (1) year from date of said denial.

**Section 8.2 – Special Use**

Special Uses are intended to allow use exceptions without rezoning the property. There are Special Uses which, because of their unique characteristics, may be difficult to properly classify in any particular Zoning District. Special Uses shall not run with the land and a City of North Little Rock business license shall only be authorized to the person listed in the City Council approved ordinance. The Special Use shall cease once the before mentioned business license is no longer active or the authorized person is no longer involved in the approved use.

***8.2.1: Application Procedure***

An application shall be made by the property owner or the owner's authorized agent. The application may accompany a rezoning request. The application shall be submitted to the Planning Department.

A. The application shall be submitted to the Planning Department in accordance with the established calendar. The application shall consist of the following:

   1. A scaled development plan showing property boundaries, building locations, building outlines, driveways, parking lots, abutting streets, north arrow, applicant's information, and other pertinent information as may be required. The Administrative Official shall have the authority to require plans stamped by a licensed design professional.

   2. An accurate legal description of the property.

   3. The application shall not be accepted by the Planning Department unless accompanied by a development plan, legal description and payment of fees.

B. Upon receipt of the application, the Planning Department shall provide to the applicant the date of the public hearing when the Planning Commission will consider the application. Notice of the public hearing shall be published one (1) time, a minimum of fifteen (15) days prior to the public hearing in a newspaper of general circulation in the City of North Little Rock.

C. The City shall supply and the applicant shall post a sign or signs on the property not less than fifteen (15) days prior to the hearing. One (1) sign per five hundred (500) feet of street frontage shall be required.

D. The applicant shall provide a notice of the public hearing to all property owners falling within two hundred (200) feet of the property. If a property, within two hundred (200) feet, is owned by the same property owner as the property where the request is sought, then notice shall be given to the next abutting property. The list of property owners must be provided and certified by an abstract company. The notice shall be the form supplied by the City. Such notice shall be mailed by Certified Mail with return receipt requested a minimum of ten (10) days prior to the public hearing. The applicant shall provide the required mail certificates and list of property owners to the Planning

Department at least ten (10) days prior to the public hearing. In the case where the City of North Little Rock is listed as a property owner, notice to the City shall be done by the Planning Department.

E. Failure to meet any of the required notification procedures shall result in deferral of the application to the next regularly scheduled meeting of the Planning Commission.

***8.2.2: Review Procedure***

A. Planning Department/Design Review Committee Review (DRC): The Planning Department shall review the application and may require the application to be reviewed by the DRC before the request is heard by the Planning Commission. The DRC may review the request along with staff recommendation for conditions. The DRC shall forward each application to the Planning Commission for consideration.

B. Planning Commission Review: At a scheduled public hearing, the Planning Commission shall render a recommendation on the application by majority vote which will be transmitted to the City Council. To review the Special Use application, the Planning Commission shall consider the following:

1. The Special Use shall be consistent with the intent and purposes of this ordinance.

2. The approval of the Special Use will not be detrimental to the safety, health, and general welfare of the community.

3. The Special Use will not change the essential character of the surrounding neighborhood, and will not be harmful to the property or improvements in the vicinity and/or Zoning District in which the property is located.

4. The Special Use shall be designed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area.

5. The proposed use is properly located in relation to the other land uses in the vicinity and the use can be adequately served by essential public services and facilities, and street capacities without placing an undue burden on such facilities.

6. The proposed use will not create congestion in streets, roads, alleys and other public rights-of-way and places in the area and will not impair pedestrian safety.

7. The site shall be of a sufficient size to accommodate the proposed use and all the off-street required parking.

8. The site shall be accessible to fire, police and other emergency vehicles.

If a negative recommendation is provided by the Planning Commission, the application shall not be heard by the City Council until all notification requirements have been met for a public hearing at City Council.

C. City Council Review: The Planning Commission shall report to the City Council their findings and their recommendations, including recommended conditions and/or restrictions. The City Council, subject to the requirements of this Article may grant or deny any application for a Special Use. Special Uses shall only become effective by an ordinance duly passed by the City Council.

***8.2.3: Revocation and Limitations***

A. Location Limitations: No Special Use application shall be accepted by the Planning Department in a R1 Zoning District.

B. Construction Limitations: No Special Use application shall be accepted by the Planning Department that requires or involves an addition to a principle building or the construction of a principle building.

C. Residential Limitations: No Special Use application shall be accepted by the Planning Department that involves the additional placement of a residence(s) to a property.

D. Time Limitations: Conditions may include time limits for exercise of authorization. However, the maximum allowable time by which the applicant must use the property pursuant to the Special Use shall be limited to one (1) year from the date of approval by City Council. If the Special Use is not commenced within one (1) year from the date of its approval, approval shall be considered null and void.

E. Revocation: In the case where any of the specific restrictions and conditions of a Special Use are violated, ignored, or otherwise not observed, the City Council may revoke the Special Use. Revocation shall prevent use of the property as specified within the original Special Use approval. The property shall revert to its use status prior to issuance of the Special Use.

F. Application Restrictions: No application for a Special Use which has been denied wholly or partly by the City Council shall be resubmitted for a period of one (1) year from date of said denial.

**Section 8.3 – Amendments to the Official Zoning Map (Rezoning)**

The purpose of this section is to set forth procedures for processing rezoning applications. The Planning Commission shall review all requests for a rezoning in accordance with provisions of this Article.

***8.3.1: Application Procedure***

An application shall be made by the property owner or the owner's authorized agent. The application shall be submitted to the Planning Department.

A. The application shall be submitted to the Planning Department in accordance with the established calendar. The application shall consist of the following:

1. A scaled development plan showing property boundaries, abutting streets, north arrow, applicant's information, existing buildings/driveways/parking lots/landscaping and other pertinent information.

2. If the property is vacant a proposed development plan shall be provided. The proposed development plan shall include property boundaries, abutting streets, and proposed buildings, driveways, parking lots, landscaping and other pertinent information. The Administrative Official shall have the authority to require plans stamped by a licensed design professional.

3. An accurate legal description of the property.

4. The application shall not be accepted by the Planning Department unless accompanied by a development plan, legal description and payment of fees.

B. Upon receipt of the application, the Planning Department shall provide to the applicant the date of the public hearing when the Planning Commission will consider the application. Notice of the public hearing shall be published one (1) time, a minimum of fifteen (15) days prior to the public hearing in a newspaper of general circulation in the City of North Little Rock.

C. The City shall supply and the applicant shall post a sign or signs on the property not less than fifteen (15) days prior to the hearing. One (1) sign per five hundred (500) feet of street frontage shall be required.

D. The applicant shall provide a notice of the public hearing to all property owners falling within two hundred (200) feet of the property. If a property, within two hundred (200) feet, is owned by the same property owner as the property where the request is sought, then notice shall be given to the next abutting property. The list of property owners must be provided and certified by an abstract company. The notice shall be the form supplied by the City. Such notice shall be mailed by Certified Mail with return receipt requested a minimum of ten (10) days prior to the public hearing. The applicant shall provide the required mail certificates and list of property owners to the Planning Department at least ten (10) days prior to the public hearing. In the case where the City of North Little Rock is listed as a property owner, notice to the City shall be done by the Planning Department.

E. Failure to meet any of the required notification procedures shall result in deferral of the application to the next regularly scheduled meeting of the Planning Commission.

***8.3.2: Review Procedure***

Amendments by the City Council may be made in the following manner:

A. Planning Department Review: The Planning Department shall review the application and prepare a recommendation for the Planning Commission.

B. Planning Commission Review: At a scheduled public hearing, the Planning Commission shall render a recommendation on the application by majority vote, which will be transmitted to the City Council.

If a negative recommendation is provided by the Planning Commission, the application shall not be heard by the City Council until all notification requirements have been met for a public hearing at City Council.

C. City Council Review: The Planning Commission shall report to the City Council their findings and their recommendations. City Council, subject to the requirements of this Article, may grant or deny any application for a rezoning. A rezoning request shall only become effective by an ordinance duly passed by the City Council.

***8.3.3: Revocation and Limitations***

No application for a rezoning which has been denied wholly or partly by the City Council shall be resubmitted for a period of one (1) year from date of said denial.

## ARTICLE 9: BOARDS

### Section 9.1 – Board of Zoning Adjustment (BZA)

There shall be and hereby is created a Board of Zoning Adjustment (hereinafter called the "Board") consisting of five (5) members. The members of the Board shall be appointed by the Mayor with the approval of the City Council for a term of three (3) years and may be removed only for cause upon written charges and after public hearing. Any vacancy which occurs in the Board shall be filled by the Mayor with the approval of the City Council for the unexpired term of any member whose term became vacant. No member of the Board shall be on the staff of the City.

***9.1.1: Power of the Board***

The Board shall have the power to consider:

A. Appeals of a decision of an Administrative Official regarding the enforcement and application of the North Little Rock Zoning Ordinance.

B. Variances from the terms of the North Little Rock Zoning Ordinance.

C. Appeals from the enforcement and application of the North Little Rock Airport Zoning Ordinance.

D. Appeals from a decision of an Administrative Official regarding the enforcement and application of Chapter 4 (Building and Building Regulations) and Chapter 8 (Nuisance Abatement and Property Maintenance) of the North Little Rock Municipal Code.

E. Requests for reasonable accommodation as provided by the Federal Fair Housing Act and the Arkansas Fair Housing Act (hereinafter called "Fair Housing Laws").

F. Appeals as allowed in Sections 2.3.11, 2.4.5.7, 4.3.1, 6.5.2, 6.5.3, and 6.5.4 of the Small Wireless Communication Facility Regulation as set forth in Ordinance No. 9159 adopted by the North Little Rock City Council on or about August 12, 2019, as may be amended from time to time.

***9.1.2: Appeals***

The Board may hear appeals by an applicant of any decision made by an Administrative Official regarding the enforcement and application of the North Little Rock Zoning Ordinance, and Chapter 4 (Building and Building Regulations) and Chapter 8 (Nuisance Abatement and Property Maintenance) of the North Little Rock Municipal Code, and may affirm or reverse the decision, in whole or part depending on whether the Board finds the decision was correct at the time it was made. Appeals shall be made to the Planning Department on a form prescribed by the Planning Department when accompanied by such reasonable fee as may be established by the North Little Rock City Council.

***9.1.3: Variances***

The Board may authorize, upon appeal in specific cases, variance from the terms of the Zoning Ordinance. Variances may be sought by applying to the Planning Department on a form prescribed by the Planning Department when accompanied by such reasonable fee as may be established by the North Little Rock City Council. Conditions fixed by the Board will not be contrary to the public interest where, owing to exceptional and extraordinary circumstances, literal enforcement of the provisions of the Code will result in

unnecessary hardship; provided, however, that no variance shall be authorized unless the Board shall find that the following conditions exist:

A. The variance will not authorize the operation of a use other than the uses specifically permitted within the Zoning District of the property for which the variance is sought.

B. The development or use of the property for which the variance is sought, if limited by a literal enforcement of the provisions of the Code, cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same Zoning District.

C. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, that the unique circumstances were not created by the owner of the property and are not due to or the result of general conditions in the Zoning District in which the property is located.

D. The variance will not substantially or permanently injure the use of adjacent conforming property in the same Zoning District.

E. The variance will not alter the essential character of the Zoning District in which the property for which the variance is sought is located.

F. The variance will not weaken the general purposes of the Code or the regulations herein established for the specific Zoning District.

G. The variance will be in harmony with the spirit and purpose of the Code.

H. The variance will not adversely affect the public health, safety or general welfare.

***9.1.4: Requests for Reasonable Accommodation***

A request for reasonable accommodation may be made by an individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning, or building regulation, policy, practice or procedure restricts fair housing opportunities. In this context, "reasonable accommodation" means alleviating specific regulations, policies and procedures that restrict persons who are handicapped, as defined by the Fair Housing Laws, from housing opportunities. Application shall be made to the Planning Department on a form prescribed by the Planning Department when accompanied by such reasonable fee as may be established by the North Little Rock City Council. The Planning Department shall submit complete applications to the Board for determination within 30-days of submittal. The Board may approve any application that satisfies all of the following conditions:

A. The accommodation will ensure that the City complies with Fair Housing Laws and provides greater housing opportunities for individuals with disabilities.

B. The housing, which is the subject of the request for reasonable accommodation, will be used by one or more individuals with disabilities protected under Fair Housing Laws.

C. The requested accommodation is necessary to make housing available to one or more individuals with disabilities protected under the Fair Housing Laws.

D. The requested accommodation will not impose an undue financial or administrative burden on the City.

E. The requested accommodation will not require a fundamental and unreasonable change in the nature of:

1. The City's Land Use Plan;
2. The City's Zoning Plan;
3. Building Codes;
4. Any regulation necessary to protect the health and safety of occupants.

***9.1.5: Limitation of Powers of Board***

The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirements, decision or determination of any Administrative Official regarding the enforcement and application of the North Little Rock Zoning Ordinance or to decide in favor of the applicant on any matter upon which the Board is required to pass under this Article or to effect any variation in this Article. Nothing herein contained shall be construed to empower the Board to change the terms of the Code or to add to the specific uses permitted in any district. The powers of the Board shall be so construed that this Article is strictly enforced.

**Section 9.2 – Processes and Proceedings**

***9.2.1: Proceedings***

A. Public notice shall be given of all meetings and all meetings shall be open to the public.

B. Due notice of all meetings shall be given to interested parties.

C. At any public meeting any interested party may appear in person, by agent, or attorney, to offer information and provide comments.

D. All information and comments shall be presented publicly. For each case or matter heard, the Board shall cause minutes to be prepared. The minutes shall be kept by the Planning Department and shall be a public record.

E. At the time of the public meeting, the applicant may appear in his own behalf or be represented by counsel or by agent. The applicant shall be given an opportunity for a final rebuttal.

F. Final decision of any application or appeal to the Board shall be in the form of a motion. The Chairman shall vote on all matters and approval, in all cases, shall require a quorum of the membership of the Board.

***9.2.2: Appeals Process***

Appeals from the Board may be reviewed by a court of competent jurisdiction to the extent the same is permitted by Federal, State or Local law.

***9.2.3: Notice***

Any property owner seeking to appear before the Board shall adhere to the following:

A. Notice shall be given, in writing, to the property owners abutting the property where the variance is sought. Notice must be made either by (1) obtaining property owners signatures on the form supplied by staff or (2) by sending notices by certified mail, return receipt requested. Mailed notices shall be mailed certified mail with return, receipt requested a minimum of ten (10) days prior to the public hearing. The applicant shall provide the required mail certificates and list of property owner to the Planning Department at least ten (10) days prior to the public hearing.

    1. If the abutting property is owned by the same property owner as the property where the variance is sought, then notice shall be given to the next abutting property or properties beyond.

    2. In the case where the City of North Little Rock is listed as a property owner, notice to the City shall be done by the Planning Department.

B. A public notice of a variance shall be placed in the newspaper at least one (1) time seven (7) days prior to the meeting.

C. Any property owner seeking a variance shall place a sign designating the intent of a variance for the property, for a period of no less than fourteen (14) days prior to the meeting.

## ARTICLE 10: ADMINISTRATION AND ENFORCEMENT

### Section 10.1 – Nonconformities Generally

The purpose of this Article is to establish requirements, limitations, and exceptions for the continued existence of uses, lots, and structures that are established prior to annexation or the effective date of these regulations and which do not conform to the provisions of these regulations. Such nonconformities may continue, but the provisions of this Article are designed to curtail their enlargement or expansion and encourage their eventual elimination in order to preserve the integrity of the Zoning Districts and the requirements established by these regulations.

***10.1.1: Nonconforming Uses of Land***

A legally established land use that is prohibited and which existed prior to the effective date of this Ordinance or the date which the property was annexed as a nonconforming use of land, may continue, under the following conditions:

A. The nonconforming use shall not be made larger or increased, increase in intensity, or occupy a greater land area than it did prior to the effective date of this Ordinance, or the date which the land was annexed, if after the effective date of this Ordinance or any amendments hereto that cause such use to become nonconforming.

B. The nonconforming use shall not be resumed if it ceases for more than twelve (12) consecutive months. After a use has ceased for twelve (12) consecutive months, all uses of the land shall conform to the requirements of this Ordinance.

C. To remain legal the nonconforming use shall maintain a City of North Little Rock business license, if applicable.

***10.1.2: Nonconforming Structure***

A structure that was legally permitted to be constructed prior to the effective date of this Ordinance, or was constructed and annexed after the adoption date of this Ordinance, which would be prohibited because of restrictions on area, lot coverage, height, yard requirements, or other requirements, may continue, under the following conditions:

A. The nonconforming structure shall remain otherwise legal.

B. The nonconforming structure shall not be rebuilt or repaired if it is considered destroyed, unless it will be brought into conformance with this Ordinance. A structure shall be considered destroyed if the cost of damage to the structure exceeds more than sixty (60) percent of its replacement cost at the time of destruction. The property owner shall be required to provide evidence and information on the structure to the Administrative Official to assist in making his or her determination.

C. An addition to a nonconforming structure shall be allowed if the structure's use is conforming and the addition meets the area requirements of the Zoning District. An addition of this type shall require approval of the Board of Zoning Adjustment unless the addition does not increase the structure's nonconformity in any manner or affect those portions of the structure causing the nonconformity.

***10.1.3: Nonconforming Use of Structure***

The use of a structure or the use of a structure and premises that was legally established prior to the effective date of this Ordinance, or which was annexed as a nonconforming use of a structure or structure and premises may continue, under the following conditions:

A. The nonconforming use of a structure shall remain otherwise legal and maintain a current City of North Little Rock business license, if applicable.

B. A structure with a nonconforming use shall not be structurally altered unless the structure's use is changed to a conforming use.

C. A nonconforming use of a structure shall be allowed to expand or increase within the structure. The structure is required to have been designed or arranged for the nonconforming use prior to the effective date of this code, or the date it was annexed, if annexed after the effective date of this code. The nonconforming use shall not be allowed outside of the structure.

D. A nonconforming use of structure or structure and premises, if changed to a conforming use, shall from then on be required to conform to the requirements of this Ordinance. All future uses of the structure and premises shall be conforming uses.

E. A nonconforming use of a structure or structure and premises may not resume if considered abandoned. A nonconforming use of a structure or structure and premises shall be considered abandoned when it is discontinued for twelve (12) consecutive months. All future use of the structure and premises shall conform to requirements of this Ordinance.

**Section 10.2 – Limitations**

A. Limitations on all Lands and Structures: No land shall be used or occupied, and no structure shall be designed, erected, altered, used or occupied except in conformity with all regulations herein established and upon performance of all conditions herein set forth in this Ordinance.

**Section 10.3 – Zoning Certificates**

A. Zoning Certificate Requirement: No new business or use or change of use shall be authorized without first having been issued a Zoning Certificate approved and issued by the Planning Department. Compliance with all provisions of the uses permitted in this Ordinance shall be required to be confirmed prior to issuance of a Zoning Certificate.

**Section 10.4 – Site Plans for Single-Family and Two-Family Uses**

A. Site Plans: All applications for building permits (building and structures) on single-family and two-family used lots, shall be accompanied by an accurate scaled site plan. Accurate dimensions and such other information are necessary to provide for the enforcement of these regulations. The Planning Department shall require a survey if an accurate scaled site plan is not provided. The site plan and original copy of such applications shall be kept by the Planning Department, and the

duplicate copy of such application shall be kept at the building site at all times during construction. The following items are required, if applicable, on a site plan:

1. property lines,
2. primary building,
3. accessory structure(s),
4. fences,
5. walls and retaining walls,
6. easements,
7. sidewalks,
8. driveways,
9. edges of streets.

## Section 10.5 – Violations

### *10.5.1: Violation and Enforcement Procedure*

A. Violations: Any person or corporation who shall violate any of the provisions of this Ordinance or fail to comply with any of the requirements, or who shall build or alter any building in violation of the detailed statement of plans submitted and approved hereunder shall be cited and tried in District Court. If found guilty, such person may be liable for a fine of not more than one hundred (100) dollars. Each day such violation is permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part of a building/premises, where anything in violation of these regulations shall be placed, or shall exist; and any architect, builder, contractor, agent, engineer, person, or other corporation employed in connection with and who may have assisted in the commission of any such violation, shall be deemed guilty of a separate offense and upon conviction may be fined.

   Any person who fails to give full and correct information when applying for a permit shall be subject to a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars, and the Court, in its discretion, may require that the violation be corrected to comply with this Ordinance. Any permit issued upon an incomplete application, regardless of the intent of the applicant, shall be wholly void as though said permit had never been issued, and any construction based upon or resulting from such permit shall be deemed to be construction without a permit.

B. Complaints: Whenever a violation of these regulations occurs, or is alleged to have occurred, any person may file a complaint. Such complaint shall provide the causes and basis of the complaint, and shall be provided to the Administrative Official. He or she shall properly record such complaint, investigate, and take action as provided by these regulations.

C. Enforcement Responsibilities: If the Administrative Official shall find that the provisions of these regulations are being violated, he or she may issue a citation for the violation. The Administrative Official alternatively may notify, in writing, the person or corporation responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct the violation. If the person or corporation responsible for the violation fails to take necessary action after being notified in writing, the person or corporation may be issued a citation by the Administrative Official or be prosecuted by the City Attorney to cause remedy of the violation.

### *10.5.2: Pending Actions and Preservation of Offenses*

A. Offenses and Liabilities Preserved: All offenses committed and all liabilities incurred prior to the effective date of this Ordinance shall be treated as though all prior applicable Zoning Ordinances and amendments thereto were in full force and effect for the purpose of sustaining any proper suit, action or prosecution with respect to such offenses and liabilities.

B. Effect of Other Ordinances and Regulations: The provisions of this Ordinance are not intended to defeat or override the provisions of other ordinances, regulations, or statutes. Wherever higher or more restrictive standards are established by other statute, ordinance or regulation the more restrictive standards shall apply.

## Section 10.6 – Statute of Limitations

All actions by the City of North Little Rock to restrain, correct, enforce, or abate a violation of this Ordinance shall be brought within three (3) years after the date which the violation occurred, construction of the structure causing the violation, or commencement or expansion of the use causing the violation.

## Section 10.7 – Administrative Official

The Administrative Official shall be the person or persons responsible for the enforcement and administration of this Ordinance. The Administrative Official(s) shall be appointed by the Mayor.

The administrative duties of the Administrative Official(s) shall include but not be limited to the following:

A. Intervene, for and on behalf of the municipality, in all public hearings, present facts and information to assist the Planning Commission, Board of Zoning Adjustment or City Council in reaching a decision, resist and oppose any deviations from the standard provisions of this Ordinance.

B. Propose and recommend to the Planning Commission the enactment of amendments to this Ordinance for the purpose of improving administration and enforcement of this Ordinance.

C. Propose and recommend to the Planning Commission the enactment of amendments to the Official Zoning Map as made desirable or necessary by judicial or administrative proceedings or as deemed desirable or necessary because of changed or changing conditions. All amendments proposed shall be subject to the limitations and procedures set forth under amendment procedure.

D. Review all applications for Zoning Certificates and shall upon compliance to this Ordinance approve and issue said Zoning Certificates.

E. Receive all applications for amendments to this Ordinance and to the Official Zoning Map, refer such applications to the proper agencies for examination and submit to the Planning Commission all such applications together with recommendations of the examining agencies and any recommendations deemed desirable or necessary.

F. Administer rules and regulations established by the Planning Commission and Board of Zoning Adjustment for proceedings with regular forms for such proceedings, and a schedule of fees established by ordinance for processing amendments, issuing permits and certificates.

G. Maintain a map or maps showing the current Zoning District classifications of all lands under the jurisdiction of the City of North Little Rock.

H. Maintain written records of all actions taken by the Planning Commission under this Ordinance.

**Section 10.8 – Appeals of the Planning Commission**

Any person wishing to appeal a decision of the Planning Commission in interpreting any section of this Ordinance or any decision approving or denying an application may make an appeal to City Council.

A. Notice of Appeal: Notice of an appeal to the City Council of a decision of the Planning Commission to approve, conditionally approve, or deny a request shall be filed with the Planning Department by the applicant or any other interested party within thirty (30) days of the decision.

   The Notice of Appeal shall be filed in a format prescribed by the City. However at a minimum, the applicant shall provide the following information:

   1. Summary of any reasons provided by the Planning Commission concerning the decision made in the case.

   2. Reasons why the applicant contends that the Planning Commission erred in its decision.

   3. Any new and pertinent information bearing on the case which may have been overlooked by the Planning Commission or which may have come to light following the meeting at which the Planning Commission made its decision.

B. Appeal Hearing: At the time set for the appeal, the City Council shall receive a written report from the Planning Department on behalf of the Planning Commission setting forth the facts and circumstances of the case and the decision of the Planning Commission. The applicant and any other interested party shall have an opportunity to present testimony orally and/or in writing.

   If new information is presented to the City Council that was not presented before the Planning Commission or otherwise considered by the Planning Commission or public, the City Council may remand the case back to the Planning Commission for reconsideration.

   The City Council may affirm, reverse, or modify the decision of the Planning Commission. The decision of the City Council shall be final and shall be effective immediately upon pronouncement of the decision.

C. Conditions: The City Council may impose such conditions to their approval as may be necessary to conform to the City's zoning and building regulations.

**Section 10.9 – Amendments to the Zoning Ordinance**
***10.9.1: Requests for Amendments***

The following entities may initiate a request to amend this Ordinance:

A. A member or members of the City Council.

B. A member or members of the Planning Commission.

C. Administrative Official.

***10.9.2: Amendments Initiated by the City Council***
Amendments by the City Council may be made in the following manner:

A. City Council may refer a request for amendment to the Planning Commission to be considered in accordance with the procedures outlined in this Ordinance.

B. City Council shall have all authority authorized by the provisions of § 14-56-423 of the Arkansas Code, Annotated to amend this Ordinance.

***10.9.3: Amendments by the Planning Commission or the Administrative Official***
Amendments initiated by the Planning Commission may be made by the following procedures:

A. The Planning Commission may consider amendments or additions to this Ordinance.

B. The Planning Commission will hold a public hearing to consider amendments to the Zoning Ordinance.

C. Notice of such hearing shall be published at least one (1) time not less than fifteen (15) days prior to the date of the public hearing in a newspaper of general circulation in the City of North Little Rock.

D. Following the public hearing, the proposed amendments may be approved as presented, or in modified form, by a majority vote of the entire Planning Commission. The Planning Commission shall make a specific recommendation to City Council as to whether or not the amendment is consistent with the objectives of the Zoning Ordinance, the Land Use Plan, the Regulations to Control Development and Subdivision of Land and/or the Master Street Plan.

E. City Council, subject to the requirements of this Article, may grant or deny any amendment to the Zoning Ordinance. The amendment shall only become effective by an ordinance duly passed by the City Council.

**Section 10.10 – Severability and Validity**

If for any reason any one (1) or more sections, sentences, clauses or parts of this Ordinance are held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this Ordinance held invalid and the invalidity of any section, sentence, clause or part of this Ordinance in any one or more instances shall not affect or prejudice in any way the validity of this Ordinance in any other instance.

## ARTICLE 11: PERMITTED USE TABLE

### Section 11.1 – Uses Generally

***11.1.1: Use Symbols***

The permitted uses in each of the Zoning Districts are set forth in this Article. The following symbols, placed in the Permitted Use Table, shall have these meanings:

"X" means that the listed use is permitted by right in that Zoning District.

"C" means that the listed use may be permitted subject to approval of a Conditional Use.

"•" means that outdoor sales and/or storage of materials in permitted with the listed use.

Where no symbol is present, the use is expressly prohibited in that Zoning District.

***11.1.2: Uses Not Listed***

When the Administrative Official cannot determine the compatibility of a use not listed in the Permitted Use Table, the Planning Commission shall recommend a Zoning District(s) in which the use can be determined to be compatible based upon the nature and external impacts of the use. The Planning Commission's recommendation shall be forwarded to City Council to determine if the Zoning Ordinance should be amended to include the Planning Commission's recommendation.

### Section 11.2 – Permitted Use Table for Commercial Park Hill and Commercial Levy Zoning Districts

The permitted use table for each of the Commercial Park Hill and Commercial Levy Zoning Districts are available in Appendix A and Appendix B of the City of North Little Rock Zoning Ordinance.

### Section 11.3 – Permitted Use Table

A table of permitted uses is included on the following pages.

The term "PT" refers to parking types referenced in Section 6.2.3 of this Ordinance.

The terms "OSS" and "•" refer to uses which are permitted outdoor storage and/or outdoor sales.

| Permitted Uses | R0 | R1 | R2 | R3 | R4 | R5 | R6 | RT1 | RU | C1 | C2 | C3 | C4 | C5 | C6 | I1 | I2 | I3 | PI | CON | PT | OSS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Agriculture | | | | | | | | | | C | C | C | C | | | C | C | C | | X | | • |
| Airport | | | | | | | | | | | | | | | | | C | C | X | | 28 | |
| Animal Care or Boarding | | | | | | | | | | | X | X | X | X | C | X | X | X | | | 14 | |
| Animal Care or Boarding with outdoor area | | | | | | | | | | | C | C | C | C | | C | X | X | | | 14 | |
| Automobile/Vehicle - fueling station (no repair) | | | | | | | | | | | X | X | X | X | | X | X | X | | | 13 | |
| Automobile/Vehicle - repair and/or service (minor) | | | | | | | | | | | C | C | X | X | | X | X | X | | | 13 | |
| Automobile/Vehicle - repair and/or service (major) | | | | | | | | | | | | | X | X | | X | X | X | | | 13 | |
| Automobile/Vehicle - sales or leasing, small lot (See 5.5) | | | | | | | | | | | | | C | C | | C | X | X | | | | • |
| Automobile/Vehicle - sales or leasing, large lot (See 5.5) | | | | | | | | | | | | | C | C | | X | X | X | | | | • |
| Automobile/Vehicle - tire shop | | | | | | | | | | | | C | C | C | | X | X | X | | | 13 | |
| Automobile/Vehicle - wash or detailing | | | | | | | | | | | C | C | C | C | | X | X | X | | | 13 | |
| Bar | | | | | | | | | | | | | X | X | X | X | X | X | | | 15 | |
| Barber or Beauty Shop | | | | | | | | | | X | X | X | X | X | X | X | | | | | 16 | |
| Broadcasting Station | | | | | | | | | | | | C | C | C | C | X | X | X | | | 18 | |
| Bus Depot | | | | | | | | | | | | | C | C | | C | X | X | | | 14 | |
| Carnival – temporary (See 5.6) | | | | | | | | | | | | X | | | | C | C | C | C | | | • |
| Cemetery | C | C | C | C | C | C | C | C | | C | C | C | C | C | C | C | C | C | X | C | 28 | |
| Church or Place of Worship | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | | 7 | |
| Columbarium | | | | | | | | | | | | | | | | | | | | | | |
| Communication Tower (See 5.7) | | | | | | | | | | | | | | X | | X | X | X | | C | 28 | • |
| Daycare – adult (See 5.3) | | | | | | | | | | X | X | X | X | X | X | | | | | | 8 | |
| Daycare – center (See 5.9) | | | | | | | | | | | | C | C | C | C | C | C | | | | 28 | |

"X" means permitted by right
"•" means outdoor sales/storage is permitted

"C" means permitted subject to approval of a Conditional Use
"PT" refers to Parking Types referenced in Section 6.2.3

| Permitted Uses | R0 | R1 | R2 | R3 | R4 | R5 | R6 | RT1 | RU | C1 | C2 | C3 | C4 | C5 | C6 | I1 | I2 | I3 | PI | CON | PT | OSS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Daycare - home (Special Use Only) (See 5.9) | | | | | | | | | | | | | | | | | | | | | 28 | |
| Dock | | | | | | | | | | | | | | | | | | | C | C | 28 | |
| Driving School | | | | | | | | | | | | | | | | X | X | X | | | 11 | ● |
| Educational Institution - small scale | | | | | | | | | | X | X | X | X | X | C | X | X | X | | | 17 | |
| Educational Institution - large scale | | | | C | X | X | | | | | | C | C | C | C | | | | X | | 28 | |
| Educational Institution - real estate school | | | | | | | | | | X | X | X | X | X | C | X | X | X | | | 15 | |
| Event Center (Special Use Only) | | | | | | | | | | | | | | | | | | | | | 7 | |
| Mobile Food Vehicle Court (See 5.12) | | | | | | | | | | | | | C | C | | C | | | | | | |
| Funeral Home | | | | | | | | | | | | X | X | X | | X | | | | | 7 | |
| Governmental Facility - building or office | | | C | C | C | C | | | | X | X | X | X | X | X | X | X | X | X | | 27 | |
| Governmental Facility - cultural or educational | | | | C | C | | | | | C | C | X | X | X | X | X | C | C | X | | 16 | |
| Hospital | | | | | C | | | | | | C | X | X | X | X | | | | X | | 6 | |
| Hotel or Motel | | | | | | | | | | | | X | X | X | C | X | | | | | 4 | |
| Junk, Salvage, Wrecking Yard (not permitted) | | | | | | | | | | | | | | | | | | | | | | |
| Large Implement/Vehicle - repair | | | | | | | | | | | | | C | C | | X | X | X | | | 13 | |
| Large Implement/Vehicle - sales | | | | | | | | | | | | | C | C | | C | X | X | | | 21 | ● |
| Manufactured/Modular Home Sales | | | | | | | | | | | | | C | C | | C | X | X | | | 21 | ● |
| Manufacturing - dangerous, explosive, or toxic | | | | | | | | | | | | | | | | | | C | | | 25 | |
| Manufacturing, Assemblage, or Processing - light without outdoor storage | | | | | | | | | | | | | C | C | | X | X | X | | | 25 | |

"X" means permitted by right
"●" means outdoor sales/storage is permitted

"C" means permitted subject to approval of a Conditional Use
"PT" refers to Parking Types referenced in Section 6.2.3

| Permitted Uses | R0 | R1 | R2 | R3 | R4 | R5 | R6 | RT1 | RU | C1 | C2 | C3 | C4 | C5 | C6 | I1 | I2 | I3 | PI | CON | PT | OSS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Manufacturing, Assemblage, or Processing - medium without outdoor storage | | | | | | | | | | | | | | | | C | X | X | | | 25 | |
| Manufacturing, Assemblage, or Processing - heavy without outdoor storage | | | | | | | | | | | | | | | | | | X | | | 25 | |
| Manufacturing, Assemblage, or Processing - light with outdoor storage | | | | | | | | | | | | | | | | C | C | C | | | 25 | • |
| Manufacturing, Assemblage, or Processing - medium with outdoor storage | | | | | | | | | | | | | | | | | C | C | | | 25 | • |
| Manufacturing, Assemblage, or Processing - heavy with outdoor storage | | | | | | | | | | | | | | | | | | C | | | 25 | • |
| Medical Marijuana Cultivation Facility | | | | | | | | | | | | | | | | | X | X | | | 25 | • |
| Microbrewery or Microdistillery | | | | | | | | | | | | | X | X | | X | X | X | | | 25 | |
| Microbrewery or Microdistillery - with restaurant | | | | | | | | | | | X | X | X | X | X | X | X | X | | | 15 | |
| Mining - processing and storage | | | | | | | | | | | | | | | | | | C | | C | 9 | • |
| Monuments Sales | | | | | | | | | | | | X | X | X | | C | | | | | 18 | • |
| Office - bail bondsman | | | | | | | | | | C | X | X | X | X | | X | X | X | | | 18 | |
| Office - bank with drive thru | | | | | | | | | | C | C | X | X | C | C | X | C | C | | | 17 | |
| Office - bank without drive thru | | | | | | | | | | C | X | X | X | X | X | X | C | C | | | 17 | |
| Office - contractor with outdoor storage | | | | | | | | | | | | | C | | | X | X | X | | | 18 | • |
| Office - contractor without outdoor storage | | | | | | | | | | | C | C | X | X | X | X | X | X | | | 18 | |
| Office - health or medical related (<10,000 sf) | | | | | | | | | | X | X | X | X | X | X | C | C | C | | | 16 | |

"X" means permitted by right
"•" means outdoor sales/storage is permitted

"C" means permitted subject to approval of a Conditional Use
"PT" refers to Parking Types referenced in Section 6.2.3

| Permitted Uses | R0 | R1 | R2 | R3 | R4 | R5 | R6 | RT1 | RU | C1 | C2 | C3 | C4 | C5 | C6 | I1 | I2 | I3 | PI | CON | PT | OSS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Office - health or medical related (10,000+ sf) | | | | | | | | | | | C | X | X | X | X | C | C | C | | | 16 | |
| Office - small-scale (<10,000 sf) | | | | | | | | | | X | X | X | X | X | X | X | C | C | | | 18 | |
| Office - large-scale (10,000+ sf) | | | | | | | | | | | C | X | X | X | X | X | C | C | | | 18 | |
| Parking Lot - deck | | | | | | | | | | | C | C | C | C | C | C | | | | | | |
| Parking Lot - free | | | | | C | C | | | | X | X | X | X | X | C | X | X | X | X | | | |
| Parking Lot - pay | | | | | | | | | | | C | C | C | C | C | X | X | X | C | | | |
| Plasma Center | | | | | | | | | | | | | | | | | X | X | | | 16 | |
| Public Utility Structures - small | X | X | X | X | X | X | X | X | X | X | X | X | X | X | C | X | X | X | X | C | | |
| Public Utility Structures - large | | | | | | | | | | | | | | | | | X | X | X | C | 9 | |
| Recreation - indoor facility | | | | | | | | | | | | X | X | X | C | X | X | | | | 17 | |
| Recreation - large scale facility | | | | | | | | | | | | C | C | | | X | X | | C | C | 28 | • |
| Recreation - small scale neighborhood facilities | | | C | C | C | C | | | | C | C | C | C | C | C | C | C | C | | | 28 | • |
| Recreation - park or playground | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | C | C | X | C | 28 | |
| Recycling without outdoor storage/sales | | | | | | | | | | | | | | | | | X | X | | | 25 | |
| Recycling with outdoor storage/sales | | | | | | | | | | | | | | | | | C | C | | | 25 | • |
| Residential - one family dwelling | X | X | X | X | X | X | X | | X | | | | | | X | | | | | | 2 | |
| Residential - one family dwelling (manufactured) | | | | | | | X | X | | | | | | | | | | | | | 2 | |
| Residential - one family dwelling (modular) | C | C | C | C | C | C | X | X | | | | | | | | | | | | | 2 | |
| Residential - one family dwelling (zero-lot line) | X | | | | | | | | | | | | | | C | | | | | | 2 | |
| Residential – two family dwelling | | | | X | X | | | | | | | | | | | | | | | | 2 | |

"X" means permitted by right
"•" means outdoor sales/storage is permitted

"C" means permitted subject to approval of a Conditional Use
"PT" refers to Parking Types referenced in Section 6.2.3

| Permitted Uses | R0 | R1 | R2 | R3 | R4 | R5 | R6 | RT1 | RU | C1 | C2 | C3 | C4 | C5 | C6 | I1 | I2 | I3 | PI | CON | PT | OSS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Residential - three family dwelling | | | | | X | X | | | | | | | | | | | | | | | 2 | |
| Residential - four family dwelling | | | | | X | X | | | | | | | | | | | | | | | 2 | |
| Residential - apartment | | | | | X | X | | | | | | | | | X | | | | | | 3 | |
| Residential - above commercial | | | | | | | | | | | | | | | X | | | | | | 1 | |
| Residential - bed and breakfast | | | | | | | | | | | | | | | X | | | | | | 4 | |
| Residential - boarding house | | | | | C | C | | | | | | | | | | | | | | | 3 | |
| Residential - condominium | | | | | X | X | | | | | | | | | X | | | | | | 2 | |
| Residential - nursing home and/or assisted living | | | | | X | X | | | | C | | | | | | | | | | | 5 | |
| Residential - half-way house (Special Use Only) | | | | | | | | | | | | | | | | | | | | | 28 | |
| Residential - homeless shelter (Special Use Only) | | | | | | | | | | | | | | | | | | | | | 28 | |
| Residential - probation parolee housing (Special Use Only) | | | | | | | | | | | | | | | | | | | | | 28 | |
| Retail - convenience store with fuel pumps | | | | | | | | | | | X | X | X | X | | X | X | X | | | 13 | |
| Retail - convenience store w/out fuel pumps | | | | | | | | | | | X | X | X | X | C | X | X | X | | | 13 | |
| Retail - grocery or specialty foods (<10,000 sf) | | | | | | | | | | C | X | X | X | X | X | | | | | | 18 | |
| Retail - grocery or specialty foods (10,000+ sf) | | | | | | | | | | C | X | X | X | X | C | | | | | | 18 | |
| Retail - home improvement (< 5,000 sf) without outdoor sales/display | | | | | | | | | | | C | X | X | X | C | X | X | | | | 26 | |
| Retail - home improvement (5,000-25,000 sf) without outdoor sales/display | | | | | | | | | | | | X | X | X | | X | X | | | | 18 | |

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| Permitted Uses | R0 | R1 | R2 | R3 | R4 | R5 | R6 | RT1 | RU | C1 | C2 | C3 | C4 | C5 | C6 | I1 | I2 | I3 | PI | CON | PT | OSS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Retail - home improvement (25,000+ sf) without outdoor sales/display | | | | | | | | | | | | C | C | C | | X | X | X | | | 18 | |
| Retail - home improvement (<5,000 sf) with outdoor sales/display | | | | | | | | | | | C | C | C | C | | C | C | | | | 26 | ● |
| Retail - home improvement (5,000-25,000 sf) with outdoor sales/display | | | | | | | | | | | | C | C | C | | C | C | | | | 18 | ● |
| Retail - home improvement (25,000+ sf) with outdoor sales/display | | | | | | | | | | | | C | C | C | | C | C | X | | | 18 | ● |
| Retail - small (<10,000 sf) | | | | | | | | | | | X | X | X | X | X | X | X | X | | | 18 | |
| Retail - large (10,000+ sf) | | | | | | | | | | | | X | X | X | C | X | X | X | | | 18 | |
| Retail - liquor store (See 5.17) | | | | | | | | | | | | | X | X | | | | | | | 18 | |
| Retail - outdoor market | | | | | | | | | | | | | C | C | C | X | | | | | 28 | ● |
| Retail - pawn shop (Special Use only) | | | | | | | | | | | | | | | | | | | | | 18 | |
| Retail - pharmacy | | | | | | | | | | | X | X | X | X | C | C | | | | | 18 | |
| Retail - rental business | | | | | | | | | | | | | C | C | | C | X | X | | | 18 | ● |
| Retail - restaurant with drive thru | | | | | | | | | | | X | X | X | X | | X | X | X | | | 15 | |
| Retail - restaurant without drive thru | | | | | | | | | | C | X | X | X | X | X | X | X | X | | | 15 | |
| Retail - self serve ice vending machine (See 5.16) | | | | | | | | | | | C | C | C | C | | C | C | C | | | 28 | |
| Retail - service small (<10,000 sf) | | | | | | | | | | | | X | X | X | | X | X | | | | 26 | |
| Retail - service large (10,000+ sf) | | | | | | | | | | | | X | X | X | | X | X | X | | | 26 | |
| Roadside - Christmas tree vendor (See 5.22) | | | | | | | | | | | | | X | X | | X | X | | | | 28 | ● |
| | | | | | | | | | | | | | | | | | | | | | | |

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| Permitted Uses | R0 | R1 | R2 | R3 | R4 | R5 | R6 | RT1 | RU | C1 | C2 | C3 | C4 | C5 | C6 | I1 | I2 | I3 | PI | CON | PT | OSS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Roadside - produce stand (See 5.21) | | | | | | | | | | | | X | X | X | | X | X | | | | 28 | ● |
| Roadside - snow cone vendor (See 5.21) | | | | | | | | | | | | C | C | C | | | | | | | 28 | ● |
| Sexually Oriented Business (See 5.22) | | | | | | | | | | | | | | | | | X | X | | | 12 | |
| Shooting Range - indoor | | | | | | | | | | | | | X | X | | | | X | | | 17 | |
| Shooting Range - outdoor (not permitted) | | | | | | | | | | | | | | | | | | | | | | |
| Social Club | | | | | | | | | | | | X | X | X | X | C | | | | | 15 | |
| Solar Energy Farm (See 5.4.5) | | | | | | | | | | | | | | | | C | X | X | | | | ● |
| Storage - equipment yard | | | | | | | | | | | | | | | | C | X | X | | | 14 | ● |
| Studio | | | | | | | | | | C | X | X | X | X | X | X | | | | | 19 | |
| Tattoo or Piercing Parlor | | | | | | | | | | | | C | C | | | C | X | X | | | 16 | |
| Venue, Indoor | | | | | | | | | | | | X | X | X | X | C | C | | X | | 8 | |
| Venue, Outdoor | | | | | | | | | | | | | | | | | | | C | | 28 | |
| Warehouse - dangerous, explosive, or toxic | | | | | | | | | | | | | | | | | C | X | | | 25 | |
| Warehouse Self-Storage Facilities without outdoor storage | | | | | | | | | | | | | X | X | | X | X | X | | | 24 | |
| Warehouse Self-Storage Facilities with outdoor storage | | | | | | | | | | | | | C | | | C | X | X | | | 24 | ● |
| Warehouse, Wholesale or Distribution (<25,000 sf) | | | | | | | | | | | | | C | C | | X | X | X | | | 25 | |
| Warehouse, Wholesale or Distribution (25,000+ sf) | | | | | | | | | | | | | C | C | | C | X | X | | | 25 | |
| Warehouse, Wholesale or Distribution with outdoor storage (<25,000 sf) | | | | | | | | | | | | | C | C | | C | C | X | | | 25 | ● |
| Warehouse, Wholesale or Distribution with outdoor storage (25,000+ sf) | | | | | | | | | | | | | C | C | | C | C | X | | | 25 | ● |

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