

X. APPENDICES
Appendix A: MAP OF MACARTHUR PARK LOCAL ORDINANCE
HISTORIC DISTRICT

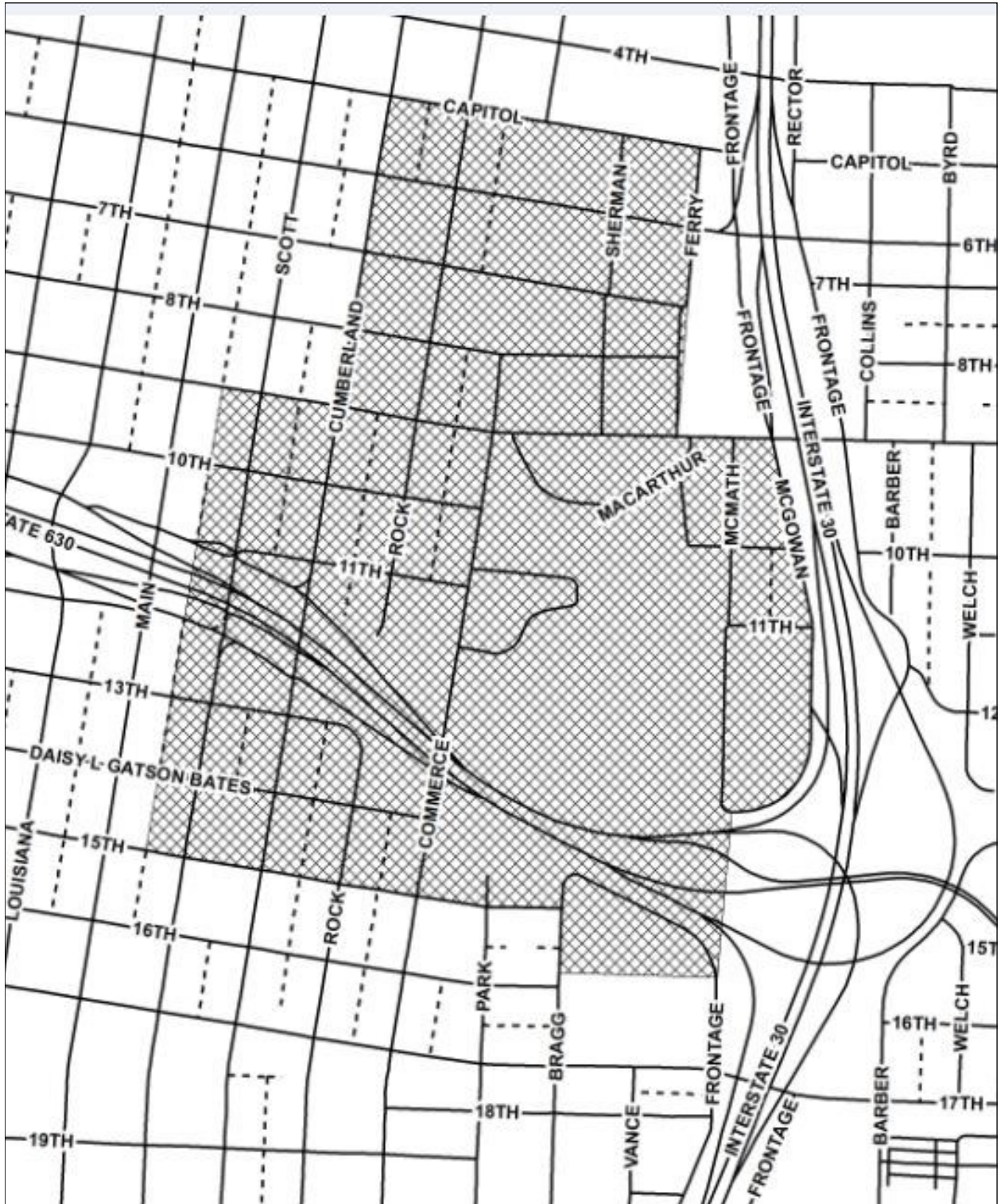


Figure 172. MacArthur park Local Ordinance District boundaries

APPENDIX B: MAP OF HISTORIC DISTRICTS

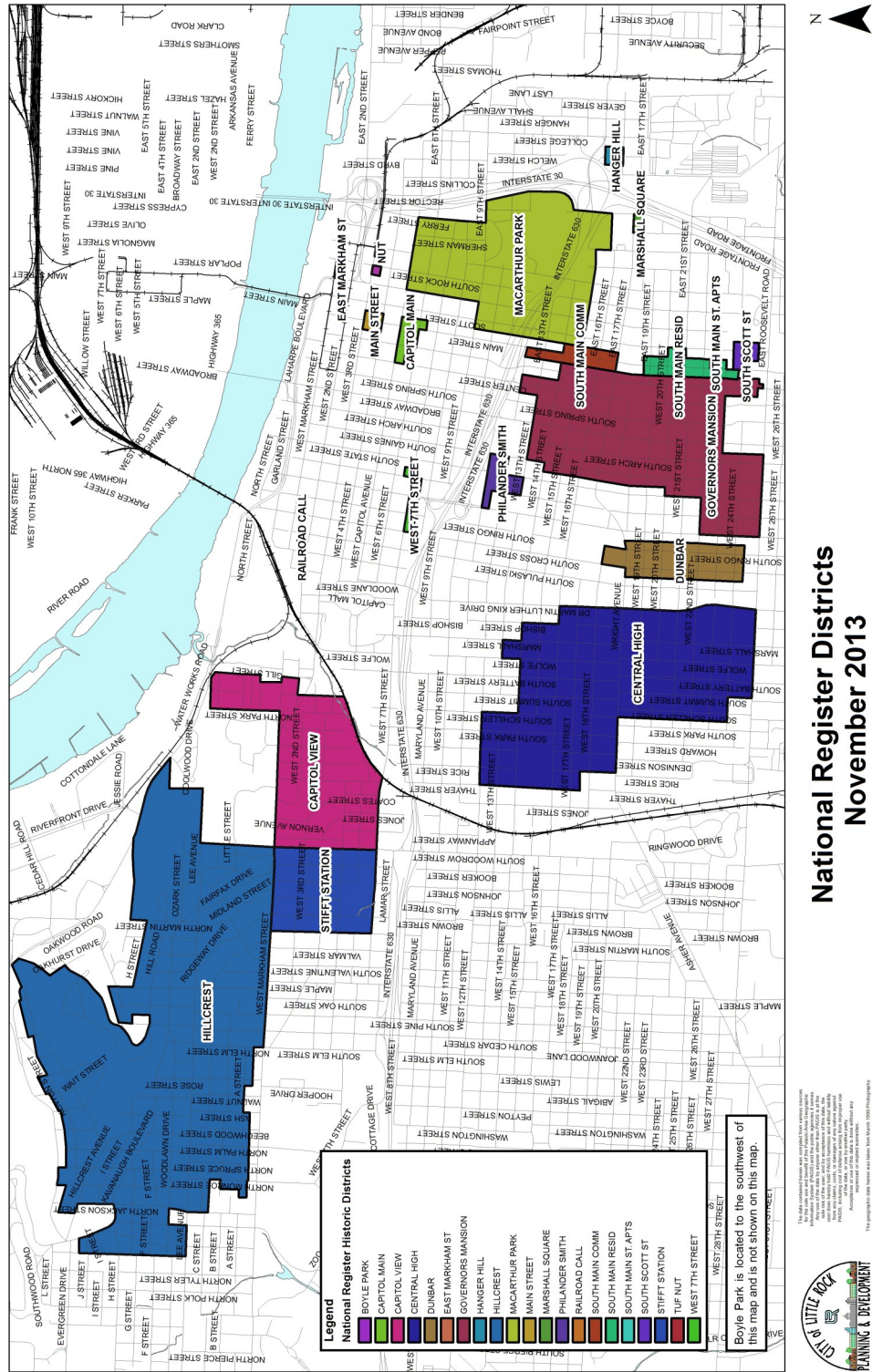


Figure 173. Map of all National Register Historic Districts in Little Rock.

APPENDIX C. LIST OF LITTLE ROCK NATIONAL REGISTER HISTORIC DISTRICTS

MacArthur Park Historic District

Contains houses, commercial and institutional structures built between 1840 and 1960, including Federal, Greek Revival, Italianate, Second Empire, Queen Anne, Romanesque Revival, Colonial Revival, Neoclassical Revival, Craftsman, and 19th & early 20th century commercial styles.

Designated: 1977, amended 2015 (national designation)
Local Designation: 1981 (local boundaries same as national)
Total Structures: 238
Contributing: 170 (71%, 17 listed individually)
National Historic Landmark: 1 (Old U.S. Arsenal)
Boundaries (roughly): East Capitol on the north; East 15th on the south; Ferry & I-30 on the east; Cumberland and Scott on the west.

Governor's Mansion Historic District

Primarily residential structures built 1880-1930, including Gothic Revival, Queen Anne, Romanesque Revival, Colonial Revival, Neoclassical Revival, Stick Style, English Revival, Spanish Revival, American Foursquare, Craftsman styles, featuring 1948-50 Jeffersonian-style Governor's Mansion

Designated: 1978; amended 1988 and 2001.
Capitol Zoning designation for portions of the National Register district: 1975; ordinance adopted 1998; amended 1999.
Total Structures: 706
Contributing: 500 (71%; 38 listed individually)
National Historic Landmark: 1 (Joe T. Robinson House)
Boundaries (roughly): West 13th on the north; Roosevelt Road on the south; Louisiana and Arch on the east; Chester and Gaines on the west NOTE: The majority of this district is incorporated in the Capitol Zoning District, a state agency which governs use, zoning, design, etc.

Marshall Square Historic District

Solid block of vernacular 1918 rental houses.
Designated: 1979
Total Structures: 16
Contributing: 16 (100%)
Boundaries: 17th Street on the north; 18th on the south; McAlmont on the east; Vance on the west.

Hillcrest Historic District

Contains houses, commercial structures, and institutional buildings, erected 1890 -1940, including Queen Anne, Colonial Revival, English and Spanish Revival, American Foursquare, Craftsman, Art Deco, Moderne, and Early 20th Century Commercial styles.
Designated: 1990; amended 1992
Total Structures: 1460
Contributing: 927 (63%; 6 listed individually)
Boundaries (roughly): Kenyon, Cedar Hill and Oakwood on the north; Markham on the south; Woodrow on the east; Harrison and Jackson on the west.

Boyle Park

Contains structures built 1935—1937 by Civilian Conservation Corps in the Rustic style.

Designated: 1995

Total Structures: 8

Contributing: 8 (100%)

Boundaries (roughly): 38th Street, Dorchester Drive, Covewood Circle, Glenmere Drive, and West 12th Street.

South Main Street Apartments Historic District

Pair of 1941 Colonial Revival structures

Designated: 1995

Total Structures: 2

Contributing: 2 (100%)

Boundaries: east side of Main Street (#2209 and 2213 Main).

Central High School Neighborhood Historic District

Structures built between 1900-1930 reflecting a variety of architectural styles, surrounding the National Historic Landmark Central High School

Designated: 1996, amended 2012

Total Structures: 812

Contributing: 410 (55.7%; 9 listed individually)

National Historic Landmark: 1 (Central High School)

Boundaries (roughly): West 12th and 14th on the north; Wright and Roosevelt on the south; Martin Luther King on the east; Thayer and Schiller on the west.

Railroad Call Historic District

1906 transitional Colonial Revival-style railroad worker housing

Designated: 1997

Total Structures: 3

Contributing: 3 (100%)

Boundaries: west side of South Pulaski (#108 – 114), due east of Union Station.

East Markham Street Historic District

1870's-1905 commercial buildings

Designated: 1999

Total Structures: 3

Contributing: 3 (100%)

Boundaries: south side of President Clinton Avenue, east of Cumberland; #301-303, 305-307, 313, & 323 President Clinton Avenue.

Philander Smith College Historic District

Structures related to an historically African-American college, and the Methodist Church originally on the campus.

Designated: 1999
Total Structures: 8
Contributing: 5 (63%)
Boundaries: 11th, 13th, Izard, and State Streets.

South Scott Street Historic District

1885-1950 collection of Queen Anne Revival, Colonial Revival, Craftsman, and Ranch style buildings

Designated: 1999
Total Structures: 17
Contributing: 10 (59%)
Boundaries (roughly): 100 block of East 24th; 2400 Block of Scott and 200 East 25th

Capitol View Neighborhood Historic District

Contains buildings erected 1900-1950 exhibiting the Craftsman, English Revival, Spanish Revival, Colonial Revival, Queen Anne and Minimal Traditional styles

Designated: 2000
Total Structures: 499
Contributing: 325 (65%, 1 listed individually)
Boundaries (roughly): Markham on the north; Schiller and Riverview Drive on the east; West 7th on the south; Woodrow on the west

Tuf-Nut Historic Commercial District

Industrial commercial structures built 1922-1927

Designated: 2003
Total Structures: 2
Contributing: 2 (100%)
Boundaries: 300-312 Rock Street and 423 E. 3rd St.

Stift Station Historic district

1906 -1956 neighborhood containing craftsman bungalows with modest homes of Tudor or Colonial revival detailing.

Designated: 2006
Total Structures: 295
Contributing: 238 (81%)
Boundaries: Markham, Woodrow, Seventh, and Martin Streets.

Hanger Hill District

Residential structures built 1906-1912 using ornamental concrete blocks.
Designated: 2007
Total Structures: 10
Contributing: 10 (100%)
Boundaries: 1500 block of Welch Street.

South Main Commercial District

20th century commercial structures built 1905-1950
Designated: 2007
Total Structures: 27
Contributing: 14 (52%)
Boundaries: Roughly, Main Street from 12th to 17th Street.

South Main Street Residential District

Residential structures built 1880-1945 in Queen Anne Revival, Craftsman and colonial revival styles
Designated: 2007
Total Structures: 30
Contributing: 24 (80%)
Boundaries: Roughly, Main Street from just north of 19th to 24th Street.

West Seventh Street Commercial District

Built between 1906-1967 reflecting a variety of architectural styles and the development and evolution of commerce in Downtown.
Designated: 2008
Total Structures: 13
Contributing: 10 (77%)
Boundaries: Roughly, Seventh Street from the 800 to the 1100 block.

Main Street Commercial District

Built between 1900-1955 reflecting a variety of architectural styles and the development and evolution of commerce in Downtown.
Designated: 2010
Total Structures: 11
Contributing: 8 (73%)
Boundaries: 300 block of Main street, east and west side of street.

Capitol Main Commercial District

Most built between 1909 and 1929 in the 20th Century Commercial styles with architectural elements inspired by Art Deco, Italianate and Sullivanese Styles.

Designated: 2012

Total Structures: 12

Contributing: 9 (75%, 2 individually listed)

Boundaries: 500 block of Main street, 100-200 block of W. Capitol Avenue, 500 block of Center Street and 100-200 blocks of W Sixth Street.

Paul Laurence Dunbar School Neighborhood District

With the exception of the school, the district is all residential built from 1890-1955 with Plain / Traditional, Craftsman / Bungalows, Queen Anne / Eastlake, and Colonial / Classical Revival.

Designated: 2013

Total Structures: 155

Contributing: 88 (56%, 4 individually listed)

Boundaries: the 1800 block through mid block of the 2400 block of Cross and Rings Streets and the Dunbar School campus.

NOTE: Little Rock has five National Historic Landmark structures, the highest designation of a property's historic significance.

- | | |
|---|-----------------------------------|
| Old U.S. Arsenal, in MacArthur Park, | 503 East 9 th Street |
| Old State House, | 300 West Markham |
| Central High School, | 1500 South Park |
| Daisy Bates House, | 1207 West 28 th Street |
| Joe T. Robinson House, | 2122 Broadway |

APPENDIX D: THE NATIONAL REGISTER OF HISTORIC PLACES, NATIONAL HISTORIC LANDMARKS, AND LOCAL ORDINANCE DISTRICTS

1. The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized under the National Historic Preservation Act of 1966, it is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect our historic and archeological resources. The National Register is administered by the National Park Service under the Secretary of the Interior.

Properties listed in the National Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. The National Register includes:

- all historic areas in the National Park System;
- National Historic Landmarks that have been designated by the Secretary of the Interior for their significance to all Americans; and
- properties significant to the Nation, State, or community which have been nominated by State historic preservation offices, Federal agencies, and Tribal preservation offices, and which have been approved by the National Park Service.

America's historic places embody our unique spirit, character and identity. Representing important historical trends and events, reflecting the lives of significant persons, illustrating distinctive architectural, engineering, and artistic design achievement, and imparting information about America's past, historic places tell compelling stories of the Nation, and of the States and communities throughout the country. The National Register helps preserve these significant historic places by recognizing this irreplaceable heritage. Its primary goals are to foster a national preservation ethic; promote a greater appreciation of America's heritage; and increase and broaden the public's understanding and appreciation of historic places.

The National Register encourages citizens, public agencies, and private organizations to recognize and use the places of our past to create livable and viable communities for the future.

2. Results of listing in the National Register

Listing in the National Register honors the property by recognizing its importance to its community, State, or the Nation.

Federal agencies, whose projects affect a listed property, must give the Advisory Council on Historic Preservation an opportunity to comment on the project and its effects on the property.

Owners of listed properties may be able to obtain Federal historic preservation funding, when funds are available. In addition, Federal investment tax credits for rehabilitation and other provisions may apply.

Owners of private property listed in the National Register have no obligation to open their properties to the public, to restore them, or even to maintain them, if they choose not to do so. Owners can do anything they wish with their property provided that no Federal license, permit, or funding is involved. *(Local historical commissions, design review committees, or special zoning ordinances are established by State legislation or local ordinances, and are not part of the National Park Service's National Register program.)*

The city of Little Rock has over 200 properties listed individually on the National Register. (Structures inside an historic district are not counted individually.)

National Historic Landmarks have been designated by the Secretary of the Interior, recognizing the national significance of properties that possess exceptional values or qualities in illustrating or interpreting the heritage of the United States. National Park Service historians and archeologists study and evaluate these properties within the context of major themes of American history. Properties judged to be nationally significant are nominated by the National Park Service and forwarded to the National Park System Advisory Board, which may recommend to the Secretary of the Interior that the property be designated a National Historic Landmark. If not previously listed in the National Register, National Historic Landmarks are automatically listed in the Register when they are designated.

Out of nearly 80,000 listings on the National Register of Historic Places, only about three per cent are designated as National Historic Landmarks. Little Rock is home to five of these extraordinary treasures: the U.S. Arsenal (Tower) Building, the Old State House, Central High School, the J. T. Robinson House, and the Daisy Bates House.

3. Comparison of National Register Historic Districts and Local Ordinance Historic Districts

A National Register Historic District is an historic district that is listed in the National Register of Historic Places. The National Register is our country's official list of historic places worthy of preservation. It includes individual buildings, structures, sites, and objects as well as historic districts that are historically, architecturally, or archaeologically significant.

National Register listing recognizes the significance of properties and districts. By doing so, it identifies significant historic resources in a community. Boundaries of National Register districts are tightly drawn to encompass only concentrated areas of historic buildings. Information compiled to nominate a historic district can be used in a variety of planning and development activities. National Register listing also makes available specific preservation incentives and provides a limited degree of protection from the effects of federally funded, licensed, or permitted activities.

In 2015, Little Rock had twenty-one National Register Historic Districts: Boyle Park, Capitol View, Capitol Main Commercial, Central High School Neighborhood, Dunbar, East Markham Street, Governor's Mansion, Hanger Hill, Hillcrest, MacArthur Park, Main Street Commercial, Marshall Square, Philander Smith College, Railroad Call, South Main Street Apartments, South Scott Street, South Main Commercial, South Main Residential, Stiff Station, Tuf Nut, and West Seventh Street Commercial.

A Local Ordinance Historic District is a district designated by local ordinance and falls under the jurisdiction of a local preservation review commission. A local historic district is generally "overlaid" on existing zoning classifications in a community; therefore, a local district commission deals only with the appearance of the district, not with the uses to which properties in the district are put.

The designation of a local district protects the significant properties and historic character of the district. It provides communities with the means to make sure that growth, development, and change take place in ways that respect important architectural, historical, and environmental characteristics. Local designation encourages sensitive development in the district and discourages unsympathetic changes from occurring. This happens through a process called *design review*, whereby the preservation commission approves major changes that are planned for the district and issues Certificates of

Appropriateness which allow the proposed changes to take place.

Little Rock has one local ordinance historic district under the jurisdiction of the Little Rock Historic District Commission: The MacArthur Park Historic District. Through the Capitol Zoning Commission, the State of Arkansas maintains similar jurisdiction over the Governor’s Mansion Historic District and areas around the Arkansas Capitol Building.

National Register District	Local Historic District
<ul style="list-style-type: none"> • Identifies significant properties and districts for general planning purposes 	<ul style="list-style-type: none"> • Protects a community’s historic properties and areas through a design review process
<ul style="list-style-type: none"> • Analyzes and assessed the historic character of the district 	<ul style="list-style-type: none"> • Protects the historic character and quality of the district
<ul style="list-style-type: none"> • Designated historic areas based on uniform national criteria and procedures 	<ul style="list-style-type: none"> • Designated historic areas on the basis of local criteria and local procedures
<ul style="list-style-type: none"> • Sets district boundaries tightly, based on the actual distribution pattern of intact historic properties in the area 	<ul style="list-style-type: none"> • Sets district boundaries based on the distribution pattern of historic resources plus other preservation and community planning considerations
<ul style="list-style-type: none"> • Makes available specific federal and state tax incentives for preservation purposes 	<ul style="list-style-type: none"> • Provides no tax incentives for preservation purposes unless such are provided by local tax law
<ul style="list-style-type: none"> • Provides a limited degree of protection from the effects of federally assisted undertakings 	<ul style="list-style-type: none"> • Provides no additional protection from the effects of federally assisted undertakings
<ul style="list-style-type: none"> • Qualifies property owners for federal and state grants for preservation purposes, when funds are available 	<ul style="list-style-type: none"> • Does not qualify property owners for federal or state grants for preservation purposes
<ul style="list-style-type: none"> • Does not restrict the use of disposition of property or obligate private property owners in any way 	<ul style="list-style-type: none"> • Does not restrict the use to which property is put in the district or require property owners to make improvements to their property
<ul style="list-style-type: none"> • Does not require conformance to design guidelines or preservation standards when property is rehabilitated unless specific preservation incentives (tax credits, grants) are involved 	<ul style="list-style-type: none"> • Requires local commission review and approval, based on conformance to local design guidelines, before a building permit is issued for an “material changes” in appearance to the district
<ul style="list-style-type: none"> • Does not affect state and local government activities 	<ul style="list-style-type: none"> • Does not affect federal, state and local government activities
<ul style="list-style-type: none"> • Does not prevent the demolition of historic buildings and structures within designated areas 	<ul style="list-style-type: none"> • Provides for review of proposed demolition within designated areas; may prevent or delay proposed demolitions for specific time periods to allow for preservation alternatives

Figure 174. Comparison of national and local districts

APPENDIX E: THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS

The Standards that follow were originally published in 1977 and revised in 1990 as part of Department of the Interior regulations (36 CFR Part 67, Historic Preservation Certifications). They pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent or related new construction. The Standards are to be applied to specific, rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken in the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

APPENDIX F: STATE OF ARKANSAS STATUTE FOR HISTORIC PRESERVATION

Chapter 172

Historic Districts

Subchapter 1- General Provisions

Subchapter 2 – Cities and Towns

14-172-201. Title.

This subchapter shall be known and may be cited as the "Historic Districts Act."

HISTORY: Acts 1963, No. 484, § 1; A.S.A. 1947, § 19-5001.

14-172-202. Purpose.

The purpose of this subchapter is to promote the educational, cultural, economic, and general welfare of the public through the preservation and protection of buildings, sites, places, and districts of historic interest through the maintenance of such as landmarks in the history of architecture of the municipality, of the state, and of the nation, and through the development of appropriate settings for such buildings, places, and districts.

HISTORY: Acts 1963, No. 484, § 2; A.S.A. 1947, § 19-5002

14-172-203. Applicability.

None of the provisions of this subchapter shall be in operation until and unless:

(1) There shall have been filed, with the clerk of the city, town, or county in which an historic district is contemplated, a petition signed by a majority in numbers of the property owners within the proposed historic district agreeing that their property shall be included in the historic district; or

(2) The boundaries of the proposed historic district are identical to and encompass the area of a National Register of Historic Places Historic District as certified by the United States Department of the Interior.

HISTORY: Acts 1963, No. 484, § 10; 1965, No. 170, § 2; 1979, No. 371, § 1; A.S.A. 1947, § 19-5010; Acts 1993, No. 194, § 1.

14-172-204. Penalty.

(a) Any person who violates any of the provisions of this subchapter shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars (\$ 10.00) nor more than five hundred dollars (\$ 500).

(b) Each day that a violation continues to exist shall constitute a separate offense.

HISTORY: Acts 1963, No. 484, § 11; A.S.A. 1947, § 19-5011.

14-172-205. Enforcement.

The chancery court having jurisdiction over the property in question shall have jurisdiction in equity to enforce the provisions of this subchapter in the rulings issued under it and may restrain by injunction violations of it.

HISTORY: Acts 1963, No. 484, § 10; 1965, No. 170, § 2; 1979, No. 371, § 1; A.S.A. 1947, § 19-5010

14-172-206. Historic district commissions.

(a) (1) An historic district commission shall consist of no less than five (5) members nor more than nine (9) members.

(A) When the district is located within the boundaries of any city or incorporated town, the commission members shall:

(i) Be appointed by the mayor, subject to confirmation by the governing body of the city;

(ii) Be electors of the municipality; and

(iii) Hold no salaried or elective municipal office.

(B) When a district is located outside the boundaries of any city or incorporated town, the commission members shall:

(i) Be appointed by the county judge subject to confirmation by the quorum court;

(ii) Be electors of the county; and

(iii) Hold no salaried or elective county office.

(2) (A) The appointments to membership on the commission shall be so arranged that the term of at least one (1) member will expire each year, and their successors shall be appointed in a like manner for terms of three (3) years.

(B) Vacancies shall be filled in like manner for the unexpired term.

(b) All members shall serve without compensation.

(c) The commission shall elect a chairman and vice chairman annually from its own number.

(d) The commission may adopt rules and regulations not inconsistent with the provisions of this subchapter and may, subject to appropriation, employ clerical and technical assistants or consultants and may accept money, gifts, or grants and use them for these purposes.

HISTORY: Acts 1963, No. 484, § 4; A.S.A. 1947, § 19-5004; Acts 1993, No. 194, § 2.

14-172-207. Establishment of historic districts.

By ordinance adopted by vote of the governing body thereof, any city, town, or county may establish historic districts and may make appropriations for the purpose of carrying out the provisions of this subchapter, subject to the following provisions:

(1) (A) (i) An historic district commission, established as provided in § 14-172-206, shall make an investigation and report on the historic significance of the buildings, structures, features, sites, or surroundings included in any such proposed historic district and shall transmit copies of its report to the Arkansas Historic Preservation Program, a division of the Department of Arkansas Heritage, to the planning commission of the municipality or county, if any, and in the absence of such commission, to the

governing body of the municipality or county for its consideration and recommendation.

(ii) Each such body or individual shall give its recommendation to the historic district commission within sixty (60) days from the date of receipt of the report.

(B) (i) Recommendations shall be read in full at the public hearing to be held by the commission as specified in this section.

(ii) Failure to make recommendations within sixty (60) days after the date of receipt shall be taken as approval of the report of the commission.

(2) (A) The commission shall hold a public hearing on the establishment of a proposed historic district after giving notice of the hearing by publication in a newspaper of general circulation in the municipality or county once a week for three (3) consecutive weeks, the first such publication to be at least twenty (20) days prior to the public hearing.

(B) The notice shall include the time and place of the hearing, specify the purpose, and describe the boundaries of the proposed historic district.

(3) (A) The commission shall submit a final report with its recommendations and a draft of a proposed ordinance to the governing body of the municipality or county within sixty (60) days after the public hearing.

(B) The report shall contain the following:

(i) A complete description of the area or areas to be included in the historic district. Any single historic district may embrace noncontiguous lands;

(ii) A map showing the exact boundaries of the area to be included within the proposed district;

(iii) A proposed ordinance designed to implement the provisions of this subchapter; and

(iv) Such other matters as the commission may deem necessary and advisable.

(4) The governing body of the municipality or county, after reviewing the report of the commission, shall take one (1) of the following steps:

(A) Accept the report of the commission and enact an ordinance to carry out the provisions of this subchapter;

(B) Return the report to the commission, with such amendments and revisions thereto as it may deem advisable, for consideration by the commission and a further report to the governing body of the municipality or county within ninety (90) days of such return; or

(C) Reject the report of the commission, stating its reasons therefor, and discharge the commission.

(5) The commission established under the provisions of this subchapter, by following the procedures set out in subdivisions (2) to (4), inclusive, of this section, may, from time to time, suggest proposed

amendments to any ordinance adopted under this section or suggest additional ordinances to be adopted under this section.

HISTORY: Acts 1963, No. 484, § 3; 1965, No. 170, § 1; 1977, No. 480, § 11; A.S.A. 1947, § 19-5003; Acts 1993, No. 194, § 3.

14-172-208. Certificate of appropriateness required -- Definition.

(a) (1) No building or structure, including stone walls, fences, light fixtures, steps, and paving or other appurtenant fixtures, shall be erected, altered, restored, moved, or demolished within an historic district until after an application for a certificate of appropriateness as to exterior architectural features has been submitted to and approved by the historic district commission. The municipality or county shall require a certificate of appropriateness to be issued by the commission prior to the issuance of a building permit or other permit granted for purposes of constructing or altering structures. A certificate of appropriateness shall be required whether or not a building permit is required.

(2) For purposes of this subchapter, "exterior architectural features" shall include the architectural style, general design, and general arrangement of the exterior of a structure, including the kind and texture of the building material and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures.

(b) The style, material, size, and location of outdoor advertising signs and bill posters within an historic district shall also be under the control of the commission.

HISTORY: Acts 1963, No. 484, § 5; A.S.A. 1947, § 19-5005; Acts 1993, No. 194, § 4.

14-172-209. Determination on application for certificate.

(a) Within a reasonable time, not to exceed thirty (30) days after the filing of an application for a certificate of appropriateness with the historic district commission, the commission shall determine the property to be materially affected by the application and immediately send by mail, postage prepaid, to the applicant and to the owners of all such properties to be materially affected notice of the hearing to be held by the commission on the application.

(b) (1) The commission may hold such public hearings as are necessary in considering any applications for certificates of appropriateness.

(2) The commission shall act on an application for certificate of appropriateness within a reasonable period of time.

(3) The commission shall determine whether the proposed construction, reconstruction, alteration, restoration, moving, or demolition of buildings, structures, or appurtenant fixtures involved will be appropriate to the preservation of the historic district for the purposes of this subchapter, or whether, notwithstanding that it may be inappropriate, owing to conditions especially affecting the structure involved, but not affecting the historic district generally, failure to issue a certificate of appropriateness will involve a substantial hardship, financial or otherwise, to the applicant, and whether the certificate may be issued without substantial detriment to the public welfare and without substantial derogation from the intent and purpose of this subchapter.

(c) (1) If the commission determines that the proposed construction, reconstruction, alteration, restoration, moving, or demolition is appropriate or is not appropriate, owing to conditions as aforesaid, but

that failure to issue a certificate of appropriateness would involve substantial detriment or derogation as aforesaid, or if the commission fails to make a determination within a reasonable time prescribed by ordinance, the commission shall forthwith approve the application and shall issue to the applicant a certificate of appropriateness.

(2) If the commission determines that a certificate of appropriateness should not be issued, it shall place upon its records the reasons for the determination and may include recommendations respecting the proposed construction, reconstruction, alteration, restoration, moving, or demolition.

(3) The commission shall immediately notify the applicant of the determination.

HISTORY: Acts 1963, No. 484, § 7; A.S.A. 1947, § 19-5007.

14-172-210. Certain changes not prohibited.

Nothing in this subchapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in the historic district which does not involve a change in design, material, color, or outer appearance thereof; nor to prevent the construction, reconstruction, alteration, restoration, or demolition of any such feature which the building inspector, or similar agent, shall certify is required for the public safety because of an unsafe or dangerous condition; nor to prevent the construction, reconstruction, alteration, restoration, or demolition of any such feature under a permit issued by a building inspector, or similar agent, prior to the effective date of the establishment of the historic district.

HISTORY: Acts 1963, No. 484, § 8; A.S.A. 1947, § 19-5008.

14-172-211. Interior architectural features.

In its deliberations under this subchapter, the historic district commission shall not consider interior arrangement or use and shall take no action under this subchapter except for the purpose of preventing the construction, reconstruction, alteration, restoration, moving, or demolition of buildings, structures, or appurtenant fixtures in the historic district obviously incongruous with the historic aspects of the district.

HISTORY: Acts 1963, No. 484, § 6; A.S.A. 1947, § 19-5006.

14-172-212. Appeal from decision.

(a) (1) Any applicant aggrieved by the determination of the historic district commission, within thirty (30) days after the making of the decision, may appeal to the chancery court of the county wherein the property is located.

(2) The court shall hear all pertinent evidence and shall annul the determination of the commission if it finds the reasons given for the determination to be unsupported by the evidence or to be insufficient in law and may make such other decree as justice and equity may require.

(b) The remedy provided by this section shall be exclusive; but the applicant shall have all rights of appeal as in other equity cases.

HISTORY: Acts 1963, No. 484, § 9; A.S.A. 1947, § 19-5009.

**APPENDIX G: CITY OF LITTLE ROCK MUNICIPAL CODE
FOR HISTORIC PRESERVATION**

ARTICLE IV. - HISTORIC PRESERVATION

FOOTNOTE(S):

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Editor's note— Ord. No. 19,755, §§ 1—10, adopted May 15, 2007, amended art. IV in its entirety and enacted similar provisions as set out herein. The former art. IV derived from Code 1961, §§ 2-89(a) and 2-89—2-92; and Ord. No. 14,042, §§ 1—7, adopted May 5, 1981.

State Law reference— Historic Districts Act, A.C.A. § 14-172-201 et seq.

DIVISION 1. - GENERAL

Sec. 23-76. - Findings; purpose.

It is found and determined that certain areas, improvements, and districts within the city have a special character or special historic or aesthetic interest or value and represent architectural products of distinct periods in the history of the city, and that the areas, improvements and districts are in danger of being uprooted or having their distinctiveness destroyed without adequate consideration of the irreplaceable loss of the aesthetic, cultural, and historic values represented by such areas, improvements and districts, and therefore the preservation thereof is both feasible and desirable to the people of this city. It is declared as a matter of public policy that the protection, enhancement, perpetuation, and use of such areas, improvements and districts of special character or special historic or aesthetic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people of this city. The purpose of this division is to:

- (1) Effect and accomplish the protection, enhancement, and perpetuation of such areas and improvements and of districts which represent or reflect elements of the city's cultural, social, economic, political, and architectural history.
- (2) Safeguard the city's historic, aesthetic and cultural heritage, as embodied and reflected in such areas, improvements and districts.
- (3) Stabilize and improve property values in such districts.
- (4) Foster civic pride in the beauty and accomplishments of the past.
- (5) Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided.
- (6) Strengthen the economy of the city.
- (7) Promote the use of historic districts and landmarks for the education, pleasure, and welfare of the people of the city.

(Ord. No. 19,755, § 2, 5-15-07)

Sec. 23-77. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alteration means any project involving change of or addition to an existing building.

Area of influence means the affected area to be notified for a public hearing as determined by a specific type of construction, alteration, restoration, moving or demolition as described in the individual categories found in the guidelines for review adopted by the historic district commission.

Building means any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or chattels.

Detailing means architectural aspects that, due to particular treatment, draw attention to certain parts or features of a building.

Entrance area means the area of access to the interior of the building including the design, location, and materials of all porches, stairs, doors, transoms, and sidelights.

Exterior architectural features means the architectural style, general design and arrangement of the exterior of a structure, including the kind and texture of the building material, and the type and style of all windows, doors, light fixtures, signs and other appurtenant features.

Facade means a face of a building.

Height means the vertical distance as measured through the central axis of the building from the elevation of the lowest finished floor level to the highest point of the building.

Massing means volume, magnitude or overall size of a building.

Ordinary maintenance means those improvements which do not change but simply upgrade a structure, including but not limited to: replacing deteriorated porch flooring, stairs, siding or trim in the same material and texture, or replacing screens, gutters or downspouts.

Pitch means the degree of inclination.

Proportion means the relationship of height to width of the building outline as well as individual components.

Rhythm means a harmonious or orderly recurrence of compositional elements at regular intervals, including the location of doors and the placement of windows, symmetrically or asymmetrically and their relative proportion.

Roof area means the outside covering of a building or structure extending above the vertical walls including the form, material, and texture of the roof, and including the slope and pitch, spacing of roof covering; size, design, number and location of dormers, the design and placement of cornices, and the size, design, material and location of chimneys.

Scale means the relative dimension, size, degree or proportion of parts of a building to each other or group of buildings.

Sidelight means a narrow window flanking a door.

Siting means the location of a building in relationship to the legal boundaries and setbacks, adjacent properties, and the natural conditions of the site.

Structure means any improvement on the land which extends above ground level.

Texture means the visual or tactile surface characteristics created by shape, arrangement and distribution of the component materials.

Wall areas means the vertical architectural member used to define and divide space including the kind and texture and exposure of wall sidings and trims, and the location, number and design of all window and door openings.

(Ord. No. 19,755, § 2, 5-15-07)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 23-78. - Violations and penalties.

- (a) Pursuant to Arkansas law, any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00).

State law reference— Similar provisions, A.C.A. 14-172-204.

- (b) Each day that a violation continues to exist shall constitute a separate offense.

State law reference— Similar provisions, A.C.A. 14-172-204.

- (c) When, in the judgment of the enforcing officer, a violation of this article exists, the enforcing officer shall issue a written order to the alleged violator. The order shall specify those sections of this article of which the person may be in violation and shall state that the person has a maximum of thirty (30) days from the date of the order in which to abate the alleged violation or to appear before the historic district commission and show cause why enforcement action should not be taken by the city.
- (d) In this section, a "violation" does not include the failure of a city officer or city employee to perform an official duty unless it is provided that the failure to perform such duty is to be punished under this section.

(Ord. No. 19,755, § 2, 5-15-07)

Sec. 23-79. - Authority to issue citations.

- (a) The administrator or administrator's designee is hereby empowered to appoint and authorize qualified inspectors for the issuance of citations for violations of the Little Rock Historic Preservation Code and regulations promulgated pursuant thereto.
- (b) The administrator or administrator's designee is hereby empowered to appoint and authorize qualified individuals from other governmental departments or entities to issue citations for violations of the Little Rock Historic Preservation Code and regulations promulgated pursuant thereto.
- (c) The administrator or the administrator's designee shall designate in writing the individuals who are authorized to issue citations. This list shall be filed of record with the city clerk.

(Ord. No. 19,755, § 2, 5-15-07)

Sec. 23-80. - Equitable relief.

- (a) The imposition of a penalty does not prevent the simultaneous granting of equitable relief in appropriate cases.
- (b) The circuit court having jurisdiction over the property in question shall have jurisdiction in equity to enforce the provisions of this chapter and may restrain by injunction violations of it.

State law reference— Similar provisions, A.C.A. 14-172-205.

- (c) The imposition of a penalty does not prevent the denial of or revocation of a building permit for failure to comply with the provisions of the Little Rock Historic Preservation Code.

(Ord. No. 19,755, § 2, 5-15-07)

Sec. 23-81. - Appeals.

Any applicant aggrieved by the determination of the historic district commission made pursuant to the provisions of this division may, within thirty (30) days after the making of such decision, appeal the determination of the commission to the circuit court of the county wherein the property is located. The court shall hear all pertinent evidence and shall annul the determination of the commission if it finds the reasons given for such determinations to be unsupported by the evidence or to be insufficient in law, and

may make such other decree as justice and equity may require. The remedy provided by this section shall be exclusive; but the applicant shall have all rights of appeal as in other equity cases.

(Ord. No. 19,755, § 2, 5-15-07)

State law reference— Similar provisions, A.C.A. 14-172-212.
Secs. 23-82—23-95. - Reserved.

DIVISION 2. - HISTORIC DISTRICT COMMISSION

FOOTNOTE(S):

--- (4) ---

Cross reference— Boards and commissions generally, § 2-261 et seq.

State Law reference— Historic district commission generally, A.C.A. § 14-172-206.

Sec. 23-96. - Established.

The historic district commission is established.

(Ord. No. 19,755, § 4, 5-15-07)

Sec. 23-97. - Members.

- (a) The historic district commission shall consist of seven (7) members who shall be electors of the city holding no salaried or elective municipal office. Each member shall be appointed by the board of directors to fill one (1) of the following positions:

Position 1: Owner of property located in the MacArthur Park Historic District.

Position 2: Owner and occupant of a structure located in the MacArthur Park Historic District.

Position 3: Architect.

Position 4: Quapaw Quarter Association representative selected from a list of three (3) candidates submitted by the Quapaw Quarter Association board of directors.

Position 5: At large.

Position 6: Owner and occupant of a structure located in a National Register Historic District other than the MacArthur Park Historic District.

Position 7: Owner and occupant of a structure located in a National Register Historic District other than the MacArthur Park Historic District.

- (b) Members shall be appointed for terms of three (3) years each and until their successors are appointed and qualified. Vacancies shall be filled for the balance of the unexpired terms. Members shall serve without compensation.

(Ord. No. 19,755, § 4, 5-15-07; Ord. No. 20,414, § 1, 3-1-11)

Sec. 23-98. - Officers, meetings and staff.

The historic district commission shall elect a chairman and vice-chairman annually from its own number. The commission may adopt rules and regulations not inconsistent with the provisions of this article and may, subject to appropriation, employ clerical and technical assistance or consultants and may accept money, gifts or grants, and use the same for such purpose.

(Ord. No. 19,755, § 4, 5-15-07)

Sec. 23-99. - Fiscal procedures.

The historic district commission is subject to all fiscal procedures of the city.

(Ord. No. 19,755, § 4, 5-15-07)

Sec. 23-100. - Duties generally.

(a) *Historic district guidelines.*

- (1) The historic district commission shall adopt design review guidelines for each local ordinance historic district established pursuant to this article. The guidelines should provide the commissioners with an objective standard for decisions concerning the appropriateness of a project in relation to the architectural and historical character of the district.
- (2) Design review guidelines shall be reviewed periodically by the historic district commission for needed revision to ensure that the guidelines are well adapted to the respective local ordinance historic district.

(b) *Architectural surveys.* The historic district commission shall work with planning and development staff to ensure that periodic architectural surveys are conducted for each local ordinance historic district as required by the Arkansas Historic Preservation Program.

(c) *Proposed local ordinance historic districts.*

- (1) *Investigation and report.* The historic district commission shall make an investigation and report on the historic significance of the buildings, structures, features, sites, or surroundings included in any proposed historic district and shall transmit copies of its report to the Arkansas Historic Preservation Program ("AHPP"), a division of the Department of Arkansas Heritage and to the Little Rock Planning Commission for their consideration and recommendation.
- (2) *Recommendations.* The AHPP and the planning commission shall give their recommendation to the historic district commission within sixty (60) days from the date of receipt of the report. Recommendations shall be read in full at the required public hearing to be held by the historic district commission. Failure to make recommendations within sixty (60) days after date of receipt shall be taken as approval of the report of the historic district commission.
- (3) *Public hearing.* The historic district commission shall hold a public hearing on the establishment of a proposed local ordinance historic district after giving notice of such hearing by publication in a newspaper of general circulation in the city once a week for three (3) consecutive weeks, the first such publication to be at least twenty (20) days prior to the public hearing. Such notice shall include the time and place of the hearing, specify the purpose and describe the boundaries of the proposed local ordinance historic district.
- (4) *Final report.* The historic district commission shall submit a final report with its recommendations and a draft of a proposed ordinance to the governing body of the city within sixty (60) days after the public hearing. The report shall contain the following:
 - (i) A complete description of the area or areas to be included in the historic district or districts. Any single historic district may embrace noncontiguous lands.
 - (ii) A map showing the exact boundaries of the area or areas to be included within the proposed district or districts.
 - (iii) A proposed ordinance designed to implement the provisions of the Historic Districts Act.

State law reference— Similar provisions, A.C.A. 14-172-201 et seq.

(iv) Such other matters as the commission may deem necessary and advisable, including a statement of purpose and policy.

(d) *Determination of appropriateness—Generally.* Upon receipt of an application for a certificate of appropriateness, required pursuant to the provisions of this article, the historic district commission shall study the proposal and hold a public hearing to determine the appropriateness of the proposed change in relation to the significant architectural and historic character of the local ordinance historic district.

(Ord. No. 19,755, §§ 5, 6, 5-15-07)

Secs. 23-101—23-114. - Reserved.

DIVISION 3. - CERTIFICATE OF APPROPRIATENESS.

Sec. 23-115. - Certificate of appropriateness required.

No building or structure, including stone walls, fences, light fixtures, steps and paving or other appurtenant fixtures shall be erected, altered, restored, moved, or demolished within the historic district created by this division until after an application for a certificate of appropriateness as to the exterior architectural changes has been submitted to and approved by the historic district commission. A certificate of appropriateness shall have been issued by the commission prior to the issuance of a building permit or other permit granted for purposes of constructing or altering structures.

(Ord. No. 19,755, § 9, 5-15-07)

Sec. 23-116. - Exemptions.

Nothing in this division shall:

- (1) Prevent the ordinary maintenance or repair of any exterior architectural feature in the historic district created by this division, which does not involve a change in design, material, or outer appearance thereof;
- (2) Prevent the construction, reconstruction, alteration, restoration, or demolition of any exterior architectural feature in the historic district, which is not visible from a public or private street.
- (3) Prevent the construction, reconstruction, alteration, restoration, or demolition of any exterior architectural feature in the historic district which the building inspector or other agent of the city shall certify is required to correct an unsafe or dangerous condition; or
- (4) Prevent the construction, reconstructions, alteration, restoration or demolition of any exterior architectural feature in the historic district under a permit issued by a building inspector or similar agent of the city prior to the effective date of the establishment of the historic district.

(Ord. No. 19,755, § 9, 5-15-07; Ord. No. 20,423, § 1, 4-19-11)

Sec. 23-117. - Notice of public hearing.

Upon receipt of an application for a certificate of appropriateness pursuant to provisions of this division, the historic district commission shall make a preliminary determination as to the properties, if any, which will be materially affected by any of the changes proposed in the application, which shall include all properties located within the area of influence of the property which is the subject of the application, as defined in the review guidelines adopted by the historic district commission. The commission shall forthwith send by mail, postage prepaid, to the applicant and to the owners of all such affected properties, a notice of hearing to be held by the commission on the application. Notices of the public hearing shall be mailed at least ten (10) days prior to the hearing, and a notice of such hearing shall be

published at least one (1) time in a newspaper having circulation throughout the city at least fifteen (15) days prior to the hearing. The cost of such notices shall be paid by the applicant.

(Ord. No. 19,755, § 9, 5-15-07)

Sec. 23-118. - Public hearings and deferrals.

At the public hearing, the commission shall hear all persons desiring to present information regarding the application. After such public hearing, the historic district commission shall make its determination as to the appropriateness of the proposed change. The commission may immediately announce its decision or defer the matter to its next regularly scheduled commission meeting or reschedule the application for future consideration at such other public hearings as are deemed necessary or desirable in order to fully develop the facts and circumstances surrounding any one (1) particular application. No application for a certificate of appropriateness for a purpose other than demolition shall be deferred at the insistence of the historic district commission longer than one hundred (100) days from the date of the first public hearing without consent of the applicant. If the commission has rendered no decision on the application for a purpose other than demolition within one hundred (100) days from the time of the first public hearing, unless the applicant has agreed to a further deferral or extension of time, the commission shall consider the application as having been approved and shall issue a certificate of appropriateness.

(Ord. No. 19,755, § 9, 5-15-07; Ord. No. 20,423, § 2, 4-19-11)

Cross reference— Alternatives to demolition, § 23-121.

Sec. 23-119. - Prohibited considerations.

In its deliberations under this article, the commission shall not consider interior arrangement or use and shall take no action hereunder except for the purpose of preventing the construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures or appurtenant fixtures, in the district, which are deemed by the commission to be obviously incongruous with the historic aspects of the district.

(Ord. No. 19,755, § 9, 5-15-07)

Sec. 23-120. - General criteria.

In making its determination, the commission shall consider without being limited to the following criteria:

- (a) Proposed repairs, alterations, new construction, moving or demolition in the historic district shall respect and relate to the special character of the district. Changes shall be evaluated on basis of:
 - (1) The purpose of this division.
 - (2) The architectural or historic value or significance of a building and its relationship to the surrounding area.
 - (3) The general compatibility of proposed changes.
 - (4) Any other factor, including visual and aesthetic considered pertinent.
- (b) Repairs considered as part of a building's ordinary maintenance are those that do not change but simply upgrade a structure, including painting, replacing deteriorated porch flooring, stairs, siding or trim in the same material and texture, replacing screens, gutters or downspouts. These repairs shall not require a certificate of appropriateness. Improvements of this type are specifically identified in the guidelines adopted for the historic district commission.

- (c) The commission shall encourage proposed changes which reflect the original design of the structure, based on photographs, written description or other historical documentation, and be guided by the following preferences:
 - (1) It is preferable to preserve by maintenance rather than to repair original features of the building.
 - (2) It is preferable to repair rather than to reconstruct if possible.
 - (3) It is preferable to restore by reconstruction of original features rather than to remove or remodel.
- (d) When evaluating the general compatibility of alterations to the exterior of any building in the historic district, the commission shall consider, but not be limited to, the following factors within the building's area of influence:
 - (1) Siting.
 - (2) Height.
 - (3) Proportion.
 - (4) Rhythm.
 - (5) Roof area.
 - (6) Entrance area.
 - (7) Wall areas.
 - (8) Detailing.
 - (9) Facade.
 - (10) Scale.
 - (11) Massing.
- (e) Additions to existing buildings shall be judged in the same manner as new construction and shall complement the design of the original building, including exterior window sizes, door heights and ceiling heights, and should not interfere with any outstanding architectural feature. Decoration of the exterior should blend with existing exterior features such as window casements, gable trim, roofline, siding material, foundation materials and types of windows.
- (f) Generally, new construction shall be judged on its ability to blend with the existing neighborhood and area of influence. The commission shall consider, but not be limited to the factors listed for alterations in paragraph [subsection] (d).

(Ord. No. 19,755, § 9, 5-15-07)

Sec. 23-121. - Alternatives to demolition.

If the application for a certificate of appropriateness involves the demolition of a building which the commission initially determines to be an inappropriate demolition, then notwithstanding the determination the commission may defer the matter until such time as the commission has had an opportunity to consider the following alternatives to the demolition of subject property:

- (a) Sources of funding for preservation and restoration activities, if lack of such funds is the reason for the request to demolish.

- (b) Adaptive use changes, if there are conditions under which the required preservation of a historic landmark would cause undue hardship to the owner or owners, so long as such changes are in keeping with the spirit and intent of this division.
- (c) An attempt to find a purchaser for the property who would maintain the landmark in a suitable and acceptable manner within the limits of this division.
- (d) The feasibility of moving the structure to another appropriate location.
- (e) Any such other solution as may be deemed advisable and in keeping with the spirit and intent of this division.

During the time the commission is considering any one (1) of the alternatives hereinabove set out, progress reports shall be made by the commission or its staff at each regularly scheduled commission meeting. If at the expiration of six (6) calendar months from the date of the first public hearing of an application for demolition, the commission has not found a viable alternative to the demolition of the property, the commission shall reschedule the matter for public hearing requiring notices as aforesaid, and upon said public hearing, make its final determination as to the application. In such cases, the public hearing for final determination shall be held within one (1) calendar month after the expiration of the six (6) months from the date of the first public hearing, and at the second public hearing, the commission may hear such matters as are considered necessary or desirable to fully advise the commission of all facts and circumstances as then exist as they pertain to the proposed demolition. At the second public hearing the commission may immediately announce its decision or take the matter under advisement to its next regularly scheduled commission meeting for the purpose of announcing its decision, but in no event longer than two (2) calendar months after the expiration of the six-month period after the first public hearing. If the commission has rendered no decision on the application for demolition within two (2) calendar months after the expiration of the six (6) months following the first public hearing, the commission shall consider the application as having been approved and shall issue the certificate of appropriateness.

(Ord. No. 19,755, § 9, 5-15-07)

Sec. 23-122. - Substantial hardship.

In addition to considering the matters brought to the commission's attention and the criteria set out in section 23-120, the commission may determine that failure to issue a certificate of appropriateness will involve a substantial hardship to the applicant, and notwithstanding that it may be inappropriate, owing to conditions especially affecting the structure but not affecting the historic district generally. Such certificate may be issued without substantial detriment to the public welfare and without substantial derogation from the intent and purpose of this division, and the commission may approve such application and grant a certificate of appropriateness for the activity proposed.

(Ord. No. 19,755, § 9, 5-15-07)

Sec. 23-123. - Reasons for denial.

If the commission determines that a certificate of appropriateness should not be issued, it shall place upon its record the reasons for such determination and may include recommendations respecting the proposed construction, reconstruction, alteration, restoration, moving, or demolition.

(Ord. No. 19,755, § 9, 5-15-07)

Secs. 23-124—23-128. - Reserved.

DIVISION 4. - MACARTHUR PARK HISTORIC DISTRICT

Sec. 23-129. - Created; boundaries.


The MacArthur Park historic district is created and shall consist of that area of the city shown on exhibit "1" which is attached to Ordinance No. 19,755 and made a part of this division and more particularly described as follows:

Beginning at a point which is the intersection of the centerlines of Ferry Street and Fifth Street (Capitol Avenue); from such point run south along the centerline of Ferry Street as platted, to the centerline of Ninth Street; thence run east along the centerline of Ninth Street to the centerline of the west frontage road of Interstate 30; thence run southeast along the centerline of the west frontage road of Interstate 30 to the centerline of McGowan Street; thence run south along the centerline of McGowan Street to the centerline of Thirteenth Street; thence run west along the centerline of Thirteenth Street to the centerline of McAlmont Street (McMath Avenue); thence run south along the centerline of McAlmont Street as platted to the centerline of Sixteenth Street; thence run west along the centerline of Sixteenth Street as platted to the centerline of Bragg Street; thence run north along the centerline of Bragg Street to the centerline of Fifteenth Street; thence run west along the centerline of Fifteenth Street to the centerline of an alley between Scott Street and Main Street; thence run north along the centerline of the alley between Main Street and Scott Street to the centerline of Ninth Street; thence run east along the centerline of Ninth Street to the centerline of Cumberland Street; thence run north along the centerline of Cumberland Street to the centerline of Fifth Street (Capitol Avenue); thence run east along the centerline of Fifth Street (Capitol Avenue) to the point of beginning, which is, the intersection of the centerlines of Ferry Street and Fifth Street (Capitol Avenue).

(Ord. No. 19,755, § 11, 5-15-07)

Secs. 23-130—23-160. - Reserved.

APPENDIX H: SAMPLE OF CERTIFICATE OF APPROPRIATENESS PACKAGE



DEPARTMENT OF PLANNING AND DEVELOPMENT

723 West Markham Street
 Little Rock, Arkansas 72201-1334
 Phone: (501) 371-4790 Fax: (501) 399-3435
 www.littlerock.gov

**APPLICATION FOR A
 CERTIFICATE OF APPROPRIATENESS**

1. Application Date: _____ HDC File # _____
2. Date of Public Hearing: _____ at 5:00 p.m.
3. Address of Property: _____
4. Legal Description of Property: _____

5. Property Owner (Printed Name, Address, Phone, Email): _____

6. Owner's Agent: (Printed Name, Address, Phone, Email): _____

7. Name of Applicant as it will appear on all correspondence and in Staff report:

8. Brief Project Description: _____

9. Estimated Cost of Improvements: _____
10. Zoning Classification: Is the proposed change a permitted use? Yes No
11. Signature of Owner or Agent: _____
(The owner will need to authorize any Agent or person to represent them at the public hearing See page 5).

NOTE: Should there be changes during construction (design, materials, size, etc.) from the approved COA, applicant shall notify Commission staff and take appropriate actions. Approval by the Commission does not excuse applicant or property from compliance with other applicable codes, ordinances or policies of the city unless stated by the Commission or staff. Responsibility for identifying such codes, ordinances, or policies rests with the applicant, owner, or agent.

 (This section to be completed by staff):

Little Rock Historic District Commission Action

___ Denied ___ Withdrawn ___ Approved ___ Approved with Conditions ___ See Attached Conditions

Staff Signature: _____ Date: _____

Page 1 of 5

Revised 12/2/2016

Figure 175. Application for a Certificate of Appropriateness



DEPARTMENT OF PLANNING AND DEVELOPMENT

723 West Markham Street
Little Rock, Arkansas 72201-1334
Phone: (501) 371-4790 Fax: (501) 399-3435
www.littlerock.gov

Instructions for Filing for a Certificate of Appropriateness (COA)

1. The owner or authorized representative is required to file an **application** and a **cover letter**. See attached "Application for a Certificate of Appropriateness." The cover letter shall set forth the development rationale, the intent of the use and should include such information as is necessary to thoroughly inform the Commission on the issue. Return the completed form (page 1), cover letter, and all Other Submittals and photographs to Department of Planning and Development by the designated deadline. Incomplete applications will not be accepted.
2. Other Submittals:
 - A. **New Construction, Additions or Modifications to Existing Structures, Moving a Building into the District**
 - (1) Scaled drawings shall include: Site plan or Survey showing all current and proposed improvements including all driveways, parking areas, sidewalks, fences, property lines, and outbuildings; Floor plan for understanding development; and Scaled elevations showing proposed appearance and its relationship to adjacent and nearby buildings.
 - (2) The owner/applicant shall submit **one set of scaled drawings** on 24" x 36" **AND twelve (12) copies of the drawings** on 8½" x 14" or 11" x 17".
 - (3) All building materials described in the Design Guidelines should be noted on the Scaled Drawings, including but not limited to: doors, windows, awnings, steps, railings, walls, roofs, gutters, chimneys, foundations, decks, lighting, fences, parking areas, HVAC equipment, solar panels, and signage.
 - (4) A description of materials for all exterior surfaces listed above shall be provided to Staff in application packet. Web site addresses are appropriate but cut sheets of individual materials are preferred.
 - B. **Photos**
 - (1) Current color photographs (all elevations) of property showing its present condition. Include color photographs of adjacent structures. High resolution digital images in jpeg format preferred.
 - C. **Materials to be used**

Samples of materials, brochures, pamphlets or other literature shall be submitted with application.
 - D. **For Demolitions Only**

Submittals include but are not limited to the following:

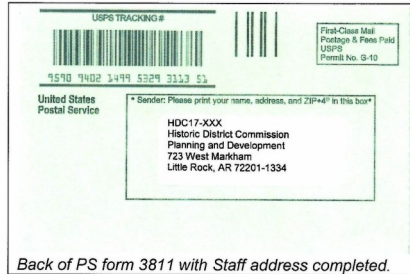
 - (1) Copies of engineering reports to show soundness of structure.
 - (2) Copies of termite inspection to show infestation levels.
 - (3) Other engineering or professional reports to show cause for demolition.
 - (4) Other reports to demonstrate financial hardship.
 - E. **NOTE: Application must be complete at time of submittal.** Any additional documents requested by Staff for clarification and review must be submitted to staff no later than three (3) weeks before the meeting date.
3. The applicant or representative **must provide proof of ownership of the project property or documentation of the owner's consent to the submission of the application.**
 - A. Provide proof of ownership or authorization to pursue a COA.

Valid forms proving ownership are: a current property tax bill, escrow letter, grant deed, deed of trust, mortgage statement, or tax assessment card showing ownership. Telephone bills, utility bills, or driver's licenses as proof of ownership are not acceptable.

Figure 176. Instructions for a Certificate of Appropriateness

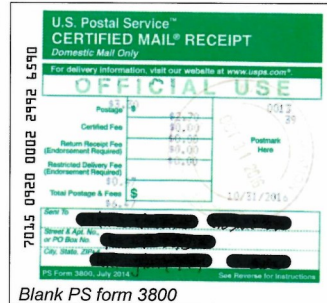
- B. If Renting Property: Current lease or rental agreement AND a notarized statement from the property manager or property owner for you to pursue a COA.
4. Before the meeting, the **applicant must perform the following**:
- A. Obtain a list of all recorded property owners (as certified by a licensed abstractor) within the area of influence – properties situated **within 150' of the subject property and any additional properties within the subject's block that lie outside the 150' radius**. Applicant is also responsible for adding any property owners to that list that they have knowledge of that are not reflected on the abstract company list.

- B. Give at least ten (10) days written notice of the time, place and date of the public hearing to all property owners within 150' of the subject property and any additional properties within the subject's block that lie outside the 150' radius stated above with the form "**Notice of Public Hearing**," which is attached on page 4 or available from Staff. Send the required notice **by certified mail return receipt requested**. The address on the back of the PS Form 3811 Domestic Return Receipt shall be: "HDC 'File #, Historic District Commission, Planning and Development, 723 West Markham, Little Rock, Arkansas 72201-1334." Staff will give applicants a file number upon submitting application.



- C. The Affidavit at the bottom of the "**Notice of Public Hearing**," form must be signed before returning "Affidavit" to Staff. Do not cut or detach the affidavit on the bottom of this page from the notice form.
- D. Post the subject property with a sign at least ten (10) days before the meeting. The sign, furnished by Staff at the time of application, must be placed at the front of the property to be seen from the street. If subject property is located on a corner or fronts two streets, **one sign must be posted on each side** to be viewed from both streets. If the sign is destroyed or torn down, applicant must obtain a replacement from Staff.

5. Five (5) business days prior to the meeting, **the applicant must submit** the following to staff:
- A. Green and white certified mail receipts (PS Form 3800 proof of mailing), stamped by the Post Office,
- B. Certified listing of recorded property owners from abstract company,
- C. List of owners notified and,
- D. Copy of the completed public meeting notice and signed Affidavit.



6. The applicant or representative **must be present at the public hearing** in order to answer questions the Commission or interested parties may have. The Commission will not act upon any item unless the applicant or representative is present. If you bring handouts to the Commission meeting, bring no less than nine (9) sets: one for each commissioner, one for staff and one for the city Attorney representative.
7. **NON-COMPLIANCE WITH THE ABOVE MAY CAUSE AN APPLICATION TO BE WITHHELD UNTIL PROPERLY SUBMITTED AND MAY REQUIRE RENOTIFICATION OF PROPERTY OWNERS.**

IF THERE ARE QUESTIONS OR ADDITIONAL INFORMATION IS NEEDED,
CALL DEPARTMENT STAFF AT 371-4790.

Figure 177. COA instructions continued



DEPARTMENT OF PLANNING AND DEVELOPMENT

723 West Markham Street
Little Rock, Arkansas 72201-1334
Phone: (501) 371-4790 Fax:(501) 399-3435
www.littlerock.gov

**NOTICE OF PUBLIC HEARING
BEFORE THE LITTLE ROCK HISTORIC DISTRICT COMMISSION
APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS TO OWNERS
OF LAND NEAR THE SUBJECT PROPERTY LOCATED AT**

Address: _____

General Location: _____

Owned by: _____

NOTICE IS HEREBY GIVEN THAT an application for a Certificate of Appropriateness on the above described property has been filed with the Department of Planning and Development requesting the following changes: _____

A **Public Hearing** on said application will be held by the Historic District Commission in the Board of Directors Chambers, City Hall, second floor, 500 W. Markham Street on (date) _____ at 5:00 p.m.

ALL PARTIES IN INTEREST MAY APPEAR and be heard at said time and place or may notify the Little Rock Historic District Commission of their views on this matter by letter. All persons interested in this request are invited to call or visit the Department of Planning and Development to review the application with Commission Staff.

----- FOLD LINE -----

*Instructions for applicant: Please return the completed form and signed affidavit, **UNCUT**, to staff no later than five (5) days prior to the public hearing. Mail the top portion "Notice of Public Hearing" to provide ten (10) days notice prior to the public hearing date.*

AFFIDAVIT

I hereby certify that I have notified all the property owners as reflected on the abstract company list and all those that are not reflected on that list that I have knowledge of within 150 feet of the above-described property, that subject property is being considered for a Certificate of Appropriateness and that a Public Hearing will be held before the Little Rock Historic District Commission at the time and place described.

Applicant (owner or authorized representative): _____

Date: _____

Figure 178. COA Notice of Public Hearing



DEPARTMENT OF PLANNING AND DEVELOPMENT

723 West Markham Street
Little Rock, Arkansas 72201-1334
Phone: (501) 371-4790 Fax:(501) 399-3435
www.littlerock.gov

**CERTIFICATE OF APPROPRIATENESS
AUTHORIZATION OF REPRESENTATION STATEMENT**

I, _____ do hereby authorize
Property owner (print)
_____ to represent me and my interests in an
Agent/representative name and business (print)

Application for a Certificate of Appropriateness on the following property described below. I have reviewed the proposed application and I have indicated so by initialing a copy of the submittals that are attached.

Street Address:

_____ Title Holder's Signature _____ Date

_____ Agent's Signature _____ Date

=====

Subscribed and sworn to me, a Notary Public on this _____ day of _____, _____.

_____ Notary Public

My Commission Expires: _____

Figure 179. COA Authorization of Representation