

NAME: Modifications to the UU Zoning District

The UU (Urban Use District) was first adopted through ordinance in March of 2000. The general purpose and intent is to assure the continuation of development consistent with a traditional urban form. The urban use district is designed to help create a compact, dense, distinguishable core area. The district is established in order to provide for an urban form allowing mid-rise and high-rise structures. This district provides for the office, civic and business core of the city. Structures within the urban use district are encouraged to provide multiple uses within the same structure. The ground or street level of structures should include street-oriented activity and pedestrian amenities. The resulting area is to be pedestrian 'urban' oriented.

There are current incentives that a developer must do in order to maximize the height of a building. The building is initially limited to a seventy-two (72) foot height and then additional height may be granted based upon the uses inside the building. The UU district permitted uses shall include all those allowed in the residential districts, office districts and commercial districts as "permitted uses" in this chapter and those uses and activities specified in A.C.A. Title 14, Ch. 144, Research Park Authority Act. The selection and mixing of uses currently could maximize the height not to exceed two hundred twenty-five (225) feet.

The proposed amendment to the UU zoning classification would remove the height limitations by use. The maximum height would be two hundred twenty-five (225) feet regardless of the use within the building. That would allow the developer to choose the highest and best for the building without having limitations on height.

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### UU Modifications for Review

#### **Sec. 36-342.1. - UU urban use district.**

(a) *General purpose and intent.* The urban use district established by this chapter is designed to assure the continuation of development consistent with a traditional urban form. The urban use district is designed to help create a compact, dense, distinguishable core area. The district is established in order to provide for an urban form allowing mid-rise and high rise structures. This district is to provide for the office, civic and business core of the city. Structures within the urban use district are encouraged to provide multiple uses within the same structure. The ground or street level of structures should include street oriented activity and pedestrian amenities. The resulting area is to be pedestrian 'urban' oriented.

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(b) *Application of regulations.* The regulations of this district shall apply to new development, redevelopment exceeding fifty (50) percent of the structure's current replacement value, and expansion of existing development or exterior modifications. Routine repairs and maintenance shall not require compliance with this section.

Except for construction of improvements in the public right-of-way required by the city, and redevelopment or expansion of existing development, all uses, structures or lots which existed on the effective date of this section which do not conform to the standards and guidelines in this section, shall be treated as nonconforming according to the provisions of article III of this chapter.

(c) *Development criteria.*

(1) *[Lighting.]* Any lighting shall be placed so as to reflect away from adjacent residential structures. Fixtures adjacent to roadways shall be of a design that minimizes glare to the motoring public. No excessive or unusual noise, odor or vibration shall be emitted so that it constitutes a nuisance, which substantially exceeds that general level of noise, odor or vibration emitted by uses adjacent to or immediately surrounding the site. Such comparisons shall be made at the boundary of the site.

(2) *[Screening.]* All ground-mounted mechanical systems and trash receptacles and pickup shall be oriented away from a primary street side of the property and screened from the public right-of-way. Ground-mounted mechanical systems and trash receptacles shall be placed adjacent to alleys if alleys are available.

(3) *[Drive-in or drive-through facilities.]* No new drive-in or drive-through facilities may be visible or take directed access from a primary street.

(4) *Building materials.* Facade materials may be any standard material, except corrugated or ribbed materials.

(5) *Landscaping.*

a. All vehicular use areas shall be in compliance with [chapter 15](#), article IV.

b. Street trees a minimum of three-inch caliper shall be required (type of trees as listed in landscape ordinance [chapter 15]). The trees shall be located a minimum of two (2) feet off the back of a curb and shall be thirty (30) feet on center and no closer than thirty (30) feet to a street intersection with a water source provided. The tree canopy shall be maintained at least eight (8) feet above the sidewalk.

c. Unless otherwise approved, the planter well shall have placed at its base a six (6) inch thick section of approximately one (1) inch gravel with filter fabric laid on top to assist with drainage.

(6) *Sidewalks.*

a. Sidewalks shall consist of a minimum five-foot concrete walk, excluding the first two (2) feet from the curb. Sidewalks shall provide a minimum seven-foot horizontal clearance at a height of four (4) feet from the ground.

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b. Sidewalk sales and daily display or vending that is stored inside the principal business building during closed business hours, may be allowed. However, these activities shall not obstruct pedestrian movement, fire lanes, or areas designated for access by the physically impaired.

(7) *Building orientation.* Buildings must be oriented to the street. The primary entrance of the building shall be at street level on the street at the sidewalk. Entrances shall be designed so that the door will not swing beyond the property line.

(8) *Street-level floor.* The ground-level (street fronting) floor of nonresidential structures shall have a minimum surface area of sixty (60) percent transparent or window display.

(9) *Projections* (all requirements for a franchise remain in place).

a. Objects shall not project from the building facade over the public right-of-way except for awnings, balconies and signs as specified in [section 36-553](#).

b. Awnings shall not project more than eight (8) feet from the building facade and have a minimum clearance of eight (8) feet above the sidewalk.

c. Balconies over the public right-of-way shall have a minimum clearance of nine (9) feet above the sidewalk. The maximum projection shall be four (4) feet.

(10) *Parking requirements.* No off-street parking shall be required.

a. *Parking structures.* Any parking structure with frontage along Capitol Avenue, Broadway, Chester, Main, Markham and 9th Streets shall be required to have active uses other than parking (such as office, light retail, personal services and entertainment) or building facade constructed to meet the standards of this section along the first floor of said frontage.

b. *Parking lots.* Surface parking is to be located behind or adjacent to a structure, never between the building and abutting street.

c. *[Screening.]* An opaque screening wall no less than three (3) feet in height shall be placed on the exterior perimeter of the first floor of the street frontage of all parking structures not otherwise required to have active uses or building facade construction as noted in subsection a. above. The screening wall shall extend above the finished floor of the first floor of the parking structure so as to screen vehicles in the parking structure.

Within this district commercial surface parking lots added after adoption of this section shall require a conditional use review.

(11) *Signs.* Off-premises signs are not allowed. Ground-mounted signs ~~are discouraged and~~ may ~~only~~ be permitted as a variance as per division 2 of this chapter. Otherwise, permitted signs shall be as in [section 36-553](#), signs permitted in institutional and office zones, of this chapter. On the street level, the maximum area

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of signage may be doubled if at least fifty (50) percent of the street-level office and retail space has direct access to the street.

(d) *Use regulations.*

(1) *Permitted uses.* Unless otherwise indicated, uses permitted shall include all those allowed in the residential districts, office districts and commercial districts as "permitted uses" in this chapter and those uses and activities specified in A.C.A. Title 14, Ch. 144, Research Park Authority Act.

All uses must be inside or enclosed except as specified below:

a. Eating places, bars and lounges shall be permitted to have an area of outdoor seating subject to compliance with the following provisions:

1. The area of outdoor seating shall not be located in the public right-of-way, nor shall it obstruct pedestrian movement, fire lanes, access to any business or areas designated for access by the physically impaired.
2. The number of seats in the area of outdoor seating shall not exceed fifty (50) percent of the number of seats within the eating place, bar or lounge.
3. Compliance with applicable state and county regulations.
4. The area of outdoor seating shall not be located between the building occupied by the eating place and adjacent residentially zoned properties.
5. This subsection shall not be deemed to permit signage or structural alterations such as canopies or walls regulated elsewhere in this chapter.

b. Roof-top outdoor seating, bars or lounges and recreation areas ancillary to a permitted use within the building.

c. Swimming pools and recreation areas that are ancillary to a permitted hotel, motel or residential use.

d. Mobile canteen units when operated in compliance with current planning and development regulations for such vehicles.

(2) *Conditional uses.* Conditional uses shall include those uses allowed in the light industrial "I-2" district as "permitted uses" and those uses allowed in the residential, office and commercial districts of this chapter as "conditional uses", except that all uses must be inside or enclosed.

*Other conditional uses.* Commercial surface parking lot.

(e) *Height regulations.* No building hereafter erected or structurally altered shall exceed a height of ~~seventy-two (72) feet. Developments which provide a minimum twenty (20) percent of the gross floor area for residential uses are entitled to add twenty-eight (28) feet to the structure. Any structure which is certified by CATA (Central Arkansas Transit Authority) as providing a portion of the structure for mass transit (such as a bus stop, etc.) is entitled to~~

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~~add fourteen (14) feet. If at least fifty (50) percent of the street-level office and retail space has direct access to the street, the total building square footage may be increased with additional floors (fourteen (14) feet in height) at a rate of two (2) square feet for each one (1) square foot of leaseable space directly accessible to the street. Developments which provide a minimum eighty (80) percent of the gross floor area for residential uses are entitled to add up to twenty-eight (28) feet to the structure specifically to accommodate a parking structure which is incorporated into the structure. All building height bonuses in this section are cumulative, not to exceed two hundred twenty-five (225) feet.~~

For those structures within the area described as 2nd Street south to 9th Street and Scott Street west to Broadway, the maximum allowable structural height shall be governed by the "Adams Field Airport Zoning Ordinance" (Little Rock Code of Ordinances [section 7-57](#) [section [7-51](#) et seq.]).

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(f) *Area regulations.*

(1) *Front yard.* No setback is required except as noted below. (In no case may a structure be built in the right-of-way.)

Along Capitol Avenue, west of Broadway Street and east of Scott Street, the front building line shall be twenty-five (25) feet. Along Chester Street from I-630 to La Harpe Boulevard, the front building line shall be ten (10) feet.

In no case is the storage or parking of vehicles allowed in the front setback.

(2) *Rear yard.* No setback required except where adjacent to lots containing single-family detached structures. In this case the rear yard shall have a setback of not less than twenty-five (25) feet.

(3) *Side yard.* No setback required except where adjacent to lots containing single-family detached structures. In this case the side yards shall have a setback of not less than four (4) feet.

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PLANNING COMMISSION ACTION:

(OCTOBER 12, 2023)

The Item was placed on the Consent Agenda for approval as recommended by staff. The vote was 7 ayes, 0 nays, 2 absent and 2 open positions. The item was approved.