

August 14, 2025

ITEM NO.: 21

ORD. TO REPEAL ETJ

NAME: Ordinance to Repeal the City of Little Rock's Planning Jurisdiction in Unincorporated Areas

LOCATION: Extraterritorial Jurisdiction Area

AREA: 60,544 acres more or less

WARD: N/A - ETJ

PLANNING DISTRICTS: 14, 15, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30

CURRENT ZONING: Various (37,391 zoned acres more or less)

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The request is to repeal the City of Little Rock's planning jurisdiction in unincorporated areas of the county in compliance

C. NEIGHBORHOOD NOTIFICATIONS:

Neighborhood Association contacts are notified of all items on the Planning Commission agenda via a single notice prior the Commission's hearing.

H. ANALYSIS:

Pursuant to Arkansas Code Annotated § 14-56-413, municipalities are authorized to exercise extraterritorial jurisdiction within areas beyond their corporate limits. For municipalities of one hundred fifty thousand (150,000) population and greater, the extraterritorial jurisdiction within areas beyond their corporate limits is three (3) miles. Such authorities include regulation of land subdivision, plat approval, building inspection, and other land use and infrastructure matters. The City of Little Rock has exercised this authority, in part or in whole, in the areas known and referred to as the City's extraterritorial jurisdiction, or "ETJ", since 1957 when the authority was granted by state law.

During the 2025 Regular Session of the Arkansas Legislature, the Arkansas General Assembly enacted Act 314 (House Bill 1510), which repealed the authority of cities to exercise extra-territorial jurisdiction (ETJ) over unincorporated areas outside their official limits. The effective date of this state law is August 4, 2025. In response, at this time, the City will no longer perform or accept any planning, permitting, inspection, or land use-related activities outside the incorporated city limits.

Additionally, the City of Little Rock desires to bring its ordinances, policies, and regulations into compliance with state law by formally repealing or amending all code sections and planning policies that rely on or implement extraterritorial jurisdiction.

The ordinance formally repeals extraterritorial jurisdiction utilized by the City and amends relevant sections of the Little Rock Municipal Code, primarily sections in Chapter 23 – Planning & Development, Chapter 31 – Subdivisions, Chapter 35 – Water, Sewers and Sewage Disposal, and Chapter 36 – Zoning.

The ordinance asserts that while the City will no longer exercise jurisdiction outside its boundaries, it will continue to develop and maintain long-range, comprehensive, municipal planning documents that reflect and promote the intent of Arkansas Code Annotated § 14-56-403 and serve as guidance for voluntary coordination with Pulaski County and other regional partners.

I. STAFF RECOMMENDATION:

The Staff recommends approval of the ordinance.