

1 house, cabin, bed and breakfast, short term rental, campground, condominium, or
2 apartment accommodations, or other similar rental accommodations for sleeping,
3 meeting, or party or banquet use for profit in the city, provided that such levy shall not
4 apply to the rental or leasing of such accommodations for a period of thirty (30) days or
5 more; and

6 **SECTION 02. Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article I. In General,**
7 **Section 36-3. Same – Uses, as follows:**

8 *Bed and breakfast house means an owner-occupied single-family residence which*
9 *contains not more than five (5) guest rooms, which for a fee may be occupied by a guest*
10 *for no longer than fourteen 14 consecutive days.*

11 **Be amended to read as follows:**

12 *Bed and breakfast house / short term rental type 1 (STR-1) means an owner occupied*
13 *single or multi-family dwelling unit which contains not more than five (5) guest rooms, no*
14 *more than one (1) of which may be located in an approved accessory dwelling, which for*
15 *a fee may be occupied by a guest for no longer than twenty-nine (29) consecutive days.*
16 *Bed and breakfast house / short term rental type 1 (STR-1) are a land use allowed only*
17 *where the Planning Commission has granted a Special Use Permit in accordance with*
18 *Chapter 36. Article II. Section 36-54 Special Use Permits.*

19 *Bed and breakfast house / short term rental type 2 (STR-2) means a non-owner occupied*
20 *single-family or multi-family dwelling unit which contains not more than five (5) guest*
21 *rooms, which for a fee may be occupied by a guest for no longer than twenty-nine (29)*
22 *consecutive days. Bed and breakfast house / short term rental type 2 (STR-2) are a land*
23 *use allowed only where a Planned Zoning District has been approved in accordance with*
24 *Chapter 36. Article VII. Planned Zoning District.*

25 **SECTION 03. Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article II.**
26 **Administration and Enforcement, Section 36-54. Special Use Permits, sub-Section (e.) Development**
27 **Criteria, as follows:**

28 *(1) Bed and breakfast hotels*

- 29 a. *The occupancy fee may include a continental breakfast (coffee, juice and*
30 *pastry) to be served to paying guests with no full meals.*
- 31 b. *The owner must provide one (1) paved off-street parking space per guest*
32 *room and one (1) additional for the residence use.*
- 33 c. *Allowable signage is that permitted by the single-family residential standard.*
- 34 d. *No receptions, private parties or tours for a fee are allowed.*

35 **Be amended to read as follows:**

36 *(1) Bed and breakfast house / short term rental type 1 (STR-1)*

1 a. See Article XIII. Bed and breakfast house / short term rentals for development
2 standards and submittal requirement

3 **SECTION 04. Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article V. District**
4 **Regulations, Section. 36-253. R-1 Single-family district. Sub-Section (b) Use Regulations. (5) Special**
5 **uses, as follows.**

6 a. *Bed and breakfast house*

7 **Be amended to read as follows:**

8 a. Bed and breakfast house/short term rental (Type 1)

9 **SECTION 04. That Little Rock, Arkansas Rev. Code be amended to include a new Article**
10 **for incorporation into Chapter 36. Zoning, providing land use controls for bed and breakfast house/**
11 **short term rentals (Type 1 & 2).**

12 **ARTICLE XIV. BED AND BREAKFAST HOUSE/SHORT TERM RENTALS**

13 **ARTICLE XIV. SEC. 36-599 SHORT TITLE**

14 This chapter may be cited as the “Short Term Rental Ordinance.”

15 **ARTICLE XIV. SEC. 36-600 PURPOSE**

16 Purpose of this Article is to establish regulations for use of residential dwellings as bed and
17 breakfast house/ short term rentals, establish a system to track the short term rental inventory in the
18 City, ensure compliance with local performance standards, provide a means of contact for the
19 Responsible Party of bed and breakfast house/ short term rentals, and allow private property owners
20 the right to fully and efficiently utilize their property without undue regulation or interference.

21 **DEFINITIONS.**

- 22 A. Administrative Approval shall mean formal acceptance of approval by the Director
23 of Planning and Development or their designee.
- 24 B. Bed and breakfast house / short term rental type 1 (STR-1) shall mean an owner
25 occupied single-family or multi-family property which contains not more than five
26 (5) guest rooms, no more than one (1) of which may be located in an approved
27 accessory dwelling, which for a fee may be occupied by a guest for no longer than
28 twenty-nine (29) consecutive days.
- 29 C. Bed and breakfast house / short term rental type 2 (STR-2) shall mean a non-owner
30 occupied single-family or multi-family property which contains not more than five
31 (5) guest rooms, which for a fee may be occupied by a guest for no longer than
32 twenty-nine (29) consecutive days.
- 33 D. Occupant shall mean the person or persons who contracts with the Responsible
34 Party for use of the Short Term Rental (STR).

1 E. Owner-occupied shall mean owner of the property permanently resides in the STR
2 or in the principal residential unit with which the STR is associated on the same tax
3 parcel lot.

4 E.F. Rehabilitation shall mean the act or process of making use for an existing
5 structure through repair, alterations, and additions.

6 F.G. Responsible Party shall mean the owner of a Residential dwelling being
7 used as a short term rental Type 1 or Type 2, as well as any person designated by
8 the owner who is responsible for compliance with this Article by an Occupant and
9 any guests utilizing the Short Term Rental. The Responsible Party shall provide for
10 the maintenance of the property and ensure compliance by the Occupant and any
11 guests with the provisions of this Article, or any other applicable law, rule, or
12 regulation pertaining to the use and occupancy of a Short Term Rental. The owner
13 of the property shall not be relieved of responsibility or liability for noncompliance
14 with the provisions.

15 **ARTICLE XIV. SEC. 36-601 BED AND BREAKFAST HOUSE / SHORT TERM RENTALS**
16 **(TYPE 1 & 2) ENTITLEMENT**

17 (a) Bed and breakfast house / short term rental type 1 (STR-1) is an owner occupied single or
18 multi-family dwelling unit, or a unit within 1500 feet of said dwelling, which contains not
19 more than five (5) guest rooms, no more than one (1) of which may be located in an
20 approved accessory dwelling, which for a fee may be occupied by a guest for no longer
21 than twenty-nine (29) consecutive days.

22 1. Bed and breakfast house / short term rental type 1 (STR-1) are a land use allowed
23 only where the Planning Commission has granted a Special Use Permit in
24 accordance with Chapter 36. Article II. Section 36-54 Special Use Permits.

25 a. Business License required.

26 1. Upon Planning Commission approval of a Special Use Permit, the
27 owner can submit application for a Business License, to be
28 renewed annually.

29 2. Annual inspection fee for STR-1: \$100 per bedroom up to max.
30 \$500.

31 b. To qualify for an STR-1 owner-occupied permit, the owner of the property
32 must permanently reside at the property, or must permanently reside
33 within 1500 feet of the property, and be a natural person or persons.

34 1. Owner-occupied status shall be confirmed by at least two (2)
35 documents demonstrating primary residence. Documentation of
36 primary residence address must match the deed as recorded with
37 the Pulaski County Clerk's office. Acceptable documents include:
38 Arkansas driver's license, State of Arkansas ID card, Pulaski

1 County voter registration card, IRS W2 form, utility bill (dated
2 within 60 days), Bank statement (dated within 60 days).

3 (b) Bed and breakfast house / short term rental type 2 (STR-2) ismeans a non-owner occupied
4 single-family or multi-family dwelling unit which contains not more than five (5) guest
5 rooms, which for a fee may be occupied by a guest for no longer than twenty-nine (29)
6 consecutive days. Bed and breakfast house / short term rental type 2 (STR-2) are a land use
7 allowed only where a Planned Zoning District has been approved in accordance with
8 Chapter 36. Article VII. Planned Zoning District.

9 1. No person or entity shall advertise or operate a property for use as a bed and
10 breakfast home / short term rental type 2 (STR-2) without having first obtained
11 Board of Director's approval of a Planned Zone Development (PZD).

12 a. Business License required.

13 1. Upon the Board's adoption of an ordinance for a PZD, the owner
14 can submit application for a Business License, to be renewed
15 annually.

16 2. Annual inspection fee for STR-2: \$500.

17 (c) Bed and breakfast house / short term rental type 3 (STR-3) is a structure on the City's
18 Unsafe/Vacant list, maintained by the Housing and Neighborhood Programs Department,
19 that is rehabilitated for use as an STR. STR-3 is an owner occupied or non-owner occupied
20 single or multi-family dwelling unit which contains not more than five (5) guest rooms, no
21 more than one (1) of which may be located in an approved accessory dwelling, which for
22 a fee may be occupied by a guest for no longer than twenty-nine (29) consecutive days.

23
24 1. Bed and breakfast house / short term rental type 3 (STR-3) are a land use allowed
25 only where the Planning Commission has granted a Special Use Permit in
26 accordance with Chapter 36. Article II. Section 36-54 Special Use Permits for a
27 permit of not more than ten (10) years.

28
29 a. Business License required.

30
31 1. Upon Planning Commission approval of a Special Use Permit, the
32 owner can submit application for a Business License, to be
33 renewed annually.

34
35 2. Annual inspection fee for STR-3: \$100 per bedroom up to max.
36 \$500.

37
38 (e)(d) Pre-existing Bed and breakfast house / short term rental type 1 (STR-1).
39 Administrative approval for pre-existing bed and breakfast house / short term rental type 1
40 (STR-1) can be granted. Within six (6) months of the passage of this ordinance, the owner
41 must register the STR-1 with the City, demonstrate the STR-1 was in operation six (6)
42 months prior to passage of this ordinance, demonstrate compliance with all Bed and
43 breakfast house / STR-1 development standards, and pay a one hundred fifty (\$150) dollar
44 administrative review fee.

- 1 1. If administrative approval is granted, the applicant will be notified and an
2 inspection will be scheduled, a one hundred dollar (\$100) inspection fee to be
3 collected.
- 4 2. Following payment of the administrative review and inspection fee, operator shall
5 obtain a Business Permit, to be renewed annually.
- 6 3. Annual inspection fee for pre-existing STR-1: \$100 per bedroom up to max. \$500.

7 ~~(d)~~(e) Pre-existing Bed and breakfast house / short term rental type 2 (STR-2). Non-
8 owner occupied short term rentals (STR-2's in operation prior to six (6) months of passage
9 of this ordinance, which have not secured entitlement through a PZD the owner/operators
10 of a pre-existing STR-2 shall apply for a PZD with the City of Little Rock Planning and
11 Development Department within six (6) months following passage of this ordinance. If no
12 application is received, and/or if the PZD application is not approved, the property shall
13 revert to its former use status.

14 ~~(e)~~(f) All Bed and breakfast house / STR-1 & 2 permit holders are responsible for
15 collecting and remitting all applicable room, occupancy, and sales taxes required by state
16 law or City Code.

17 **ARTICLE XIV. SEC. 36-602 RESPONSIBLE PARTY**

- 18 (a) A Responsible Party must be available twenty-four (24) hours per day, seven (7) days per
19 week, for the purpose of responding within sixty (60) minutes to complaints regarding the
20 condition of the short term rental or the conduct of the Occupant of the short term rental
21 and/or their guests.
- 22 (b) A Responsible Party, upon notification that any Occupant or guest has created any
23 unreasonable noise or disturbance, engaged in disorderly conduct, or committed a violation
24 of any applicable law, rule or regulation pertaining to the use and occupancy of a Short
25 Term Rental, shall promptly respond in an appropriate manner within sixty (60) minutes
26 and require an immediate halt to the conduct, and take such steps as may be necessary to
27 prevent a recurrence of such conduct. Failure of the Responsible Party to respond to calls
28 or complaints regarding the condition, operation, or conduct of an Occupant or guest in a
29 short term rental in an appropriate manner within sixty (60) minutes shall constitute a
30 violation of this Article.
- 31 (c) A Responsible Party shall provide their contact number and information to all residents
32 adjacent to the Residential Dwelling being used, or will be used, as short term rental (Type
33 1 or 2).
- 34 (d) A Responsible Party shall post on or near the front door of the short term rental a notice
35 which includes the address of the Rental, emergency contact numbers (including the
36 Responsible Party name and contact number), maximum occupancy, and a diagram
37 showing emergency exit route(s) approved by the Fire Department.

- 1 1. The responsible party shall answer calls twenty-four (24) hours a day, seven (7)
2 days a week for the duration of each short term rental period to address problems
3 associated with the STR.

4 **ARTICLE XIV. SEC. 36-603 DEVELOPMENT STANDARDS.**

5 (a.) Purpose and intent of this Section is to establish development standards for bed and
6 breakfast house / short term rentals. Compliance with these development standards shall
7 be demonstrated by applicants requesting entitlements for both STR Type 1 & 2.

- 8 1. For STR-1 applications, compliance with these development standards shall be
9 demonstrated and submitted as a supplement to a Special Use Permit application.
- 10 2. For STR-2 applications, compliance with these development standards shall be
11 demonstrated and submitted as a supplement to the minimum criteria required for
12 the submittal of a Planned Zoning District Application.

13 (b.) Development Standards.

- 14 1. Hosting of private parties and special events such as weddings, receptions, and
15 other similar gatherings is not allowed in short term rentals.
- 16 2. No tours for a fee are allowed.
- 17 3. The occupancy fee may include a continental breakfast (e.g. coffee, juice, pastries)
18 to be served to paying guests; no full meals.
- 19 4. Allowable signage is that as permitted by the single-family residential standard.
- 20 5. Parking plan must be provided with permit application. Off-street standard for
21 STRs shall be provided in accordance with Little Rock Arkansas Code, Chapter
22 36 36-54 (e) (1).

23 If on-street parking is proposed as an alternative to meet the above requirements,
24 parking must be available for guest use within three-hundred and thirty (330) feet
25 of the STR and parking plan must address neighborhood impact.

26 If the STR is proposed within a Design Overlay District, any alternate parking
27 requirements, as provided in Little Rock, Arkansas Rev. Code, Chapter 36. Zoning,
28 Article V. District Regulations shall be applicable.

29 ~~5.6.~~ Applicants shall provide a scaled floor plan that includes all of the rooms available
30 for rent with location of windows, doors, and smoke detectors identified. Smoke
31 detectors (certified) are required in all sleeping areas, in every room in the path of
32 the means of egress from the sleeping area to the exit, and in each story with
33 sleeping unit, including basements.

34 ~~6.7.~~ All sleeping areas must have two ways of egress, one of which can be an operable
35 window.

1 7.8. Proof of homeowner's fire, hazard, and liability insurance. Liability coverage shall
2 have limits of not less than \$1,000,000 per occurrence.

3 8.9. All persons operating a bed and breakfast home / STR (Type 1 and Type 2) shall
4 meet all applicable requirements of the City of Little Rock's Municipal Code,
5 Chapter 12, Fire Prevention and Protection, Article II. Arkansas Fire Prevention
6 Code. Prior to use as a Bed and breakfast house/Short term rental (Type 1 and
7 Type 2), the annual City of Little Rock, Building Code and Fire Marshal inspection
8 fee must be paid and payment of annual Business License received.

9 9.10. Smoke alarms shall be installed, all smoke alarms shall meet local and
10 state standards (current Fire Code). Smoke alarms shall be installed in all sleeping
11 areas and every room in the path of the means of egress from the sleeping area to
12 the door leading from the sleeping unit.

13 10.11. Carbon monoxide detectors shall be installed as directed by City staff if
14 there are fuel fired appliances in the unit or the unit has an attached garage.

15 11.12. Five-pound ABC type extinguisher shall be mounted where readily
16 accessible.

17 12.13. No recreational vehicles, buses, or trailers shall be visible on the street or
18 property in conjunction with the bed and breakfast home and/or STR use.

19 13.14. Principal renter shall be at least eighteen (18) years of age.

20 14.15. Maximum occupancy. Every bedroom shall have a maximum two (2)
21 guest capacity.

22 15.16. Simultaneous rental to more than one party under separate contracts shall
23 not be allowed.

24 16.17. The owner shall not receive any compensation or remuneration to permit
25 occupancy of a STR for a period of less than twenty-four (24) hours.

26 **ARTICLE XIV. SECTION 36.604 COMPLIANCE**

27 (a.) It is unlawful for any Responsible Party to offer for rent a bed and breakfast house / short
28 term rental or to operate a bed and breakfast house / short term rental without a Business
29 License. Owners shall not list a property or units online until they have received a Business
30 License, operation of an STR without a Business License could make the owner ineligible
31 to apply for a Business License for up to one (1) year.

32 (b.) It is the intent of the City of Little Rock that complaints regarding bed and breakfast house
33 / short term rental properties be resolved according to existing State law and City of Little
34 Rock Ordinances pertaining to public nuisances, vehicles and traffic, health and safety, and
35 public peace, morals, and welfare.

36 (c.) Sanctions:

1 1. In addition to any other remedy or procedure authorized by law, for three (3) or
2 more confirmed violations of or failure to comply with any of the standards of this
3 Article in a calendar year, the Director of the Planning and Development or his/her
4 designee may revoke a Business License and, in addition, may order that no new
5 Business License be issued for up to one (1) year pursuant to the following
6 procedures.

7 a. Prior to the revocation of any Business License or the denial of a Business
8 License for repeated violation of the provisions of this Article, written
9 notice of the reasons for such action shall be served on the Owner and/or
10 Responsible Party in person or by certified mail at the address on the
11 permit application.

12 b. Revocation shall become final within ten (10) days of service unless the
13 Owner and/or Responsible Party appeals the action. The Owner and/or
14 Responsible Party shall provide the appeal in writing to the Director of
15 Planning and Development or his/her designee within ten (10) days of
16 receipt of the notice. The written notice of appeal must state the reasons
17 for the appeal and the relief requested.

18 c. Should the owner and/or Responsible Party request an appeal within the
19 ten (10) day period, the Director of the Planning and Development
20 Department or his/her designee shall notify the owner and/or Responsible
21 Party in writing of the time and place of the hearing.

22 d. Appeals shall be heard by the Board of Adjustment as an administrative
23 appeal pursuant to Chapter 36, Division 4, Section 36-109 of the Little
24 Rock Zoning Code. For good cause shown, the Board may affirm or
25 reverse the decision to revoke a Business License.

26 e. Once a Business License for an STR has been revoked, no new Business
27 License shall be issued to the applicant for the same property for a period
28 of one year.

29 **SECTION 05. SEVERABILITY.** In the event any title, section, paragraph, item, sentence, clause,
30 phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration
31 or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and
32 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the
33 ordinance.

34 **SECTION 06. REPEALER.** All laws, ordinances, resolutions, or parts of the same that are
35 inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.