

Hotel or motel means a temporary abiding place containing six (6) or more guest rooms or units furnishing customary hotel services such as linen, maid service, service and the use of, and upkeep of furniture

Be amended to read as follows:

Bed and Breakfast House/Short-Term Rental Type 1 (STR-1) means an owner-occupied, single-family, two (2)-family or multi-family dwelling unit which contains not more than nine (9) bedrooms or guest rooms, no more than one (1) of which may be located in an approved accessory dwelling, which for a fee may be occupied by a guest for no longer than twenty-nine (29) consecutive days. Bed and Breakfast House/Short-Term Rental Type 1 (STR-1) are a land use allowed only where the Planning Commission has granted a Special Use Permit in accordance with Chapter 36. Article II. Section 36-54 Special Use Permits.

Bed and Breakfast House/Short-Term Rental Type 2 (STR-2) means a non-owner occupied single-family, two (2)-family or multi-family dwelling unit which contains not more than nine (9) bedrooms or guest rooms, which for a fee may be occupied by a guest for no longer than twenty-nine (29) consecutive days. Bed and breakfast house / short term rental type 2 (STR-2) are a land use allowed only where a Planned Zoning District has been approved in accordance with Chapter 36. Article VII. Planned Zoning District. Hotel or motel means a temporary abiding place containing ten (10) or more guest rooms or units furnishing customary hotel services such as linen, maid service, service and the use of, and upkeep of furniture.

Section 3. Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article II. Administration and Enforcement, Section 36-54. Special Use Permits, Sub-Section (e.) Development Criteria, as follows:

(1) Bed and Breakfast Hotels

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

Be amended to read as follows:

(1) Bed and Breakfast House/Short-Term Rental Type 1 (STR-1)

- a. See Article XIII. Bed and Bed and Breakfast House/Short-Term Rentals for development standards and submittal requirement

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

3 a. Bed and Breakfast House
4 Be amended to read as follows:

5 a. Bed and Breakfast House/Short-Term Rental Type 1 (STR-1)

6 **Section 5.** That Little Rock, Arkansas Rev. Code be amended to include a new Article for incorporation
7 into Chapter 36. Zoning, providing land use controls for Bed and Breakfast House/Short-Term Rentals
8 (Type 1 & 2).

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

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

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

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

13 Purpose of this Article is to establish regulations for use of residential dwellings as Bed
14 and Breakfast House/Short-Term Rentals, establish a system to track the Short-Term
15 Rental inventory in the City, ensure compliance with Local Performance Standards,
16 provide a means of contact for the Responsible Party of Bed and Breakfast House/Short -
17 Term Rentals, and allow private property owners the right to fully and efficiently utilize
18 their property without undue regulation or interference.

19 **DEFINITIONS.**

20 A. Administrative Approval shall mean formal acceptance of approval by the Director
21 of Planning and Development, or their designee.

22 B. Bed and Breakfast House/Short-Term Rental Type 1 (STR-1) shall mean an owner
23 occupied single-family, two (2)-family or multi-family property which contains
24 not more than nine (9) guest rooms, no more than one (1) of which
25 may be located in an approved accessory dwelling, which for a fee may be
26 occupied by a guest for no longer than twenty-nine (29) consecutive days.

27 C. Bed and Breakfast House/Short-Term Rental Type 2 (STR-2) shall mean a non-
28 owner occupied single-family, two (2)-family or multi-family property which
29 contains not more than nine (9) guest rooms, which for a fee may be
30 occupied by a guest for no longer than twenty-nine (29) consecutive days.

31 D. Contributing structure shall mean a building within a National Register Historic
32 District that contributes to the historic character of the District, was built during
33 the District’s period of significance, and retains its appearance from that time, as
34 determined by the Arkansas Historic Preservation Program.

- 1 E. Guest Room shall mean a room that is advertised and purposed for sleeping.
- 2
- 3 F. Occupant shall mean the person or persons who contracts with the Responsible
- 4 Party for use of the Short-Term Rental (STR).
- 5 G. Owner-occupied shall mean owner of the property permanently resides in the STR
- 6 or in the principal residential unit with which the STR is associated on the same
- 7 tax parcel.
- 8 H.. Rehabilitation shall mean the act or process of making use for an existing structure
- 9 through repair, alterations and additions.
- 10 I. Responsible Party shall mean the owner of a Residential dwelling being used as a
- 11 Short-Term Rental Type 1 or Type 2, as well as any person designated by the
- 12 owner, who is responsible for compliance with this Article by an Occupant. The
- 13 Responsible Party shall provide for the maintenance of the property and ensure
- 14 compliance by the Occupant and any guests with the provisions of this Article, or
- 15 any other applicable law, rule, or regulation pertaining to the use and occupancy
- 16 of a Short-Term Rental. The owner of the property shall not be relieved of
- 17 responsibility or liability for noncompliance with the provisions.

18 **ARTICLE XIV. SEC. 36-601 BED AND BREAKFAST HOUSE/SHORT-TERM**

19 **RENTALS (TYPE 1 & 2) ENTITLEMENT**

20 (a) Bed and Breakfast House/Short-Term Rental Type 1 (STR-1) is an owner occupied

21 single-family, two (2)-family or multi-family dwelling unit, or a unit within 1,500 feet

22 of said dwelling, which contains not more than nine (9) guest rooms, no

23 more than one (1) of which may be located in an approved accessory dwelling, which for

24 a fee may be occupied by a guest for no longer than twenty-nine (29) consecutive days.

25 Bed and Breakfast House/Short-Term Rental Type 1 (STR-1) are a land use

26 allowed only where the Planning Commission has granted a Special Use Permit in

27 accordance with Chapter 36. Article II. Section 36-54 Special Use Permits.

28 1. No person or entity shall advertise or operate a property for use as a bed and breakfast

29 home/short term rental type 1 (STR-1) without having first obtained the Planning

30 Commission's approval of a Special Use Permit.

31 A. Business License required.

32 1. Upon Planning Commission approval of a Special Use Permit, the owner

33 shall submit an application for a Business License, which if said license is

34 issued, must be renewed annually.

35 2. Annual Inspection Fee for a STR-1 is One Hundred Dollars (\$100.00)

per guest room up to maximum of Five Hundred Dollars (\$500.00).

3. The Annual Inspection fee would be waived if the structure is identified by the Arkansas Historic Preservation Program to be in a National Register Historic District and passes inspection as a Contributing structure to the District. The structure must remain Contributing each year for the annual inspection fee to be waived.

4. The Annual Inspection Fee would be waived for the first year if the structure is on the City's Unsafe/Vacant list, as determined by the Housing and Neighborhood Programs Department, and is rehabilitated for use as an STR-1.

1 B. To qualify for an STR-1 Permit, the owner of the property must permanently
2 reside at the property, or must permanently reside within 1,500 feet of the
3 property, and be a natural person or persons.

4 2. Owner-Occupied status shall be confirmed by at least two (2) documents
5 demonstrating primary residence. Documentation of primary residence
6 address must match the deed as recorded with the Pulaski County Clerk's
7 Office. Acceptable documents include: Arkansas Driver's License; State
8 of Arkansas ID Card; Pulaski County Voter Registration Card, IRS W2
9 Form; Utility Bill (dated within sixty (60) days); or Bank Statement (dated
10 within sixty (60) days).

11 (b) Bed and Breakfast House/Short-Term Rental Type 2 (STR-2) is a non-owner occupied
12 single-family, two (2)-family or multi-family dwelling unit which contains not more than
13 nine (9) guest rooms, which for a fee may be occupied by a guest for no longer
14 than twenty-nine (29) consecutive days. Bed and Breakfast House/Short-Term Rental Type
15 2 (STR-2) are a land use allowed only where a Planned Zoning District has been approved
16 in accordance with Chapter 36. Article VII. Planned Zoning District.

17 1. No person or entity shall advertise or operate a property for use as a Bed and
18 Breakfast Home/Short-Term Rental Type 2 (STR-2) without having first obtained
19 Board of Director's approval of a PZD, Planned Zone Development.

20 A. Business License required.

21 1. Upon the Board's adoption of an ordinance for a PZD, the owner can
22 submit application for a Business License, which if said license is issued, must be
23 renewed annually.

24 2. Annual Inspection Fee for a STR-2 is One Hundred Dollars (\$100.00)
25 per guest room up to maximum of Five Hundred Dollars (\$500.00).

46 3. The Annual Inspection fee would be waived if the structure is identified
47 by the Arkansas Historic Preservation Program to be in a National Register
48 Historic District and passes inspection as a Contributing structure to the District.
49 The structure must remain Contributing each year for the annual inspection fee to
50 be waived.

51 4. The Annual Inspection Fee would be waived for the first year if the
52 structure is on the City's Unsafe/Vacant list, as determined by the Housing
53 and Neighborhood Programs Department, and is rehabilitated for use as
54 an STR-2.

1 (c) Pre-existing Bed and Breakfast House/Short-Term Rental Type 1 (STR-1) Administrative

2 approval for pre-existing Bed and Breakfast House/Short-Term Rental Type 1 (STR-1) can
3 be granted. Within six (6) months of the passage of this ordinance, the owner must register
4 the STR-1 with the City, demonstrate the STR-1 was in operation six (6) months prior to
5 passage of this ordinance, demonstrate compliance with all Bed and Breakfast
6 House/Short-Term Rental Type 1 (STR-1) development standards, and pay a One Hundred
7 Fifty Dollar (\$150.00) 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 (\$100.00) Inspection Fee
3 to be collected.
- 4 2. Following payment of the Administrative Review and Inspection Fee, the
5 Operator shall obtain a Business Permit, to be renewed annually.
- 6 3. Annual Inspection Fee for pre-existing STR-1 is One Hundred Dollars
7 (\$100.00) per bedroom, up to a maximum of Five Hundred Dollars (\$500.00).
- 8 (d) Pre-existing Bed and Breakfast House/Short-Term Rental Type 2 (STR-2) Non-owner
9 occupied Short-Term Rentals (STR-2's) in operation prior to six (6) months of passage of
10 this ordinance, which have not secured entitlement through a PZD, shall apply for a PZD
11 with the City of Little Rock Planning and Development Department within six (6) months
12 following passage of this ordinance. If no application is received, and/or if the PZD
13 application is not approved, the property shall revert to its former use status.
- 14 (e) All Bed and Breakfast House/STR-1 & 2 Permit holders are responsible for collecting and
15 remitting all applicable room, occupancy, Advertising & Promotion Tax, and Sales and
16 Gross Receipts Taxes required by Arkansas State 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)
19 days per week, for the purpose of responding to City Officials within sixty (60)
20 minutes to complaints regarding the condition of the Short-Term Rental or the
21 conduct of the Occupant of the Short-Term Rental and/or their guests.
- 22 (b) A Responsible Party, upon notification that any Occupant or guest has created
23 any unreasonable noise or disturbance, engaged in disorderly conduct, or
24 committed a violation of any applicable law, rule or regulation pertaining to the
25 use and occupancy of a Short-Term Rental, shall promptly respond in an
26 appropriate manner within sixty (60) minutes and require an immediate halt to
27 the conduct, and take such steps as may be necessary to prevent a recurrence of
28 such conduct. Failure of the Responsible Party to respond to calls or complaints
29 regarding the condition, operation, or conduct of an Occupant or guest in a Short-
30 Term Rental in an appropriate manner within sixty (60) minutes shall constitute
31 a violation of this Article.
- 32 (c) A Responsible Party shall provide their contact number and information to all
33 residents adjacent to the Residential Dwelling being used, or will be used, as
34 Short-Term Rental (Type 1 or 2)

- 1 (d) A Responsible Party shall post on or near the front door of the Short-Term Rental
2 a notice which includes the address of the Rental, emergency contact numbers
3 (including the Responsible Party name and contact number), maximum
4 occupancy, and a diagram showing emergency exit route(s) approved by the
5 Little Rock Fire Department.
- 6 1. The responsible party shall answer calls twenty-four (24) hours a day,
7 seven (7) days a week for the duration of each Short-Term Rental period
8 to address problems associated with the STR.

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

10 (a.) Purpose and intent of this Section is to establish development standards for bed
11 and Bed and Breakfast House/Short-Term Rentals. Compliance with these
12 development standards shall be demonstrated by applicants requesting
13 entitlements for STR Type 1 & 2.

- 14 1. For STR-1 Applications, compliance with these development standards
15 shall be demonstrated and submitted as a supplement to a Special Use
16 Permit Application.
- 17 2. For STR-2 Applications, compliance with these development standards
18 shall be demonstrated and submitted as a supplement to the minimum
19 criteria required for the submittal of a Planned Zoning District
20 Application.
- 21 3. Density of STR's - There shall be no more than 500 STR's at any one time
22 within the corporate boundary of the City of Little Rock.

23 (b.) Development Standards.

- 24 1. Hosting of private parties and special events such as weddings, receptions,
25 and other similar gatherings is not allowed in Short-Term Rentals.
- 26 2. Tours for a fee are not allowed to anyone other than an Occupant.
- 27 3. The Occupancy Fee may include any meal to be served to paying guests;
28 no other meal service is permitted.
- 29 4. Allowable signage is that as permitted by the Single-Family Residential
30 Standard.
- 31 5. Parking plan must be provided with permit application. Off-Street
32 Standard for STRs shall be provided in accordance with Little Rock
33 Arkansas Code, Chapter 36 36-54 (e) (1).
- 34 If on-street parking is proposed as an alternative to meet the above
35 requirements, parking must be available for guest use within 330 feet of

1 the STR and parking plan must address neighborhood impact. If the STR
2 is proposed within a Design Overlay District, any alternate parking
3 requirements, as provided in Little Rock, Arkansas Rev. Code, Chapter
4 36. Zoning, Article V. District Regulations shall be applicable.

- 5 6. Applicants shall provide a scaled floor plan that includes all of the rooms
6 available for rent with location of windows, doors, and smoke detectors
7 identified. Smoke detectors (certified) are required in all sleeping areas, in
8 every room in the path of the means of egress from the sleeping area to the
9 exit, and in each story with sleeping unit, including basements.
- 10 7. All sleeping areas must have two (2) ways of egress, one of which can be
11 an operable window.
- 12 8. Proof of homeowner's fire, hazard, and liability insurance. Liability
13 coverage shall have limits of not less than One Million Dollars
14 (\$1,000,000.00) per occurrence.
- 15 9. All persons operating a Bed and Breakfast House/Short-Term Rental
16 (Type 1 & 2) shall meet all applicable requirements of the City of Little
17 Rock's Municipal Code, Chapter 12, Fire Prevention and Protection,
18 Article II. Arkansas Fire Prevention Code. Prior to use as a Bed and
19 Breakfast House/Short-Term Rental (Type 1 & 2), the annual City of Little
20 Rock, Building Code and Fire Marshal inspection fee must be paid and
21 payment of annual Business License received.
- 22 10. Smoke alarms shall be installed, all smoke alarms shall meet local and
23 state standards (current Fire Code). Smoke alarms shall be installed in all
24 sleeping areas and every room in the path of the means of egress from the
25 sleeping area to the door leading from the sleeping unit.
- 26 11. Carbon monoxide detectors shall be installed as directed by City Staff if
27 there are fuel-fired appliances in the unit or the unit has an attached
28 garage.
- 29 12. Five (5)-pound ABC-type extinguisher shall be mounted where readily
30 accessible.
- 31 13. No recreational vehicles, buses, or trailers shall be visible on the street or
32 property in conjunction with the Bed and Breakfast House/Short-Term
33 Rental use.
- 34 14. Principal renter shall be at least eighteen (18) years of age.

1 15. Maximum occupancy. Maximum occupancy of any room or structure as a
2 whole shall be determined by the Arkansas Fire Prevention Code.

3 16. Simultaneous rental to more than one party under separate contracts shall
4 not be allowed.

5 17. The owner shall not receive any compensation or remuneration to permit
6 occupancy of a STR for a period of less than a one (1)-day rental.

7 **ARTICLE XIV. SECTION 36.604 COMPLIANCE**

8 (a.) It is unlawful for any Responsible Party to offer for rent a Bed and Breakfast
9 House/Short-Term Rental or to operate a Bed and Breakfast House/Short-Term
10 Rental without a Business License. Owners shall not list a property or units
11 online until they have received a Business License, operation of an STR without
12 a Business License shall make the owner ineligible to apply for a Business
13 License for up to one (1)-year.

14 (b.) It is the intent of the City of Little Rock that complaints regarding Bed and
15 Breakfast House/Short-Term Rental properties be resolved according to existing
16 State law and City of Little Rock Ordinances pertaining to public nuisances,
17 vehicles and traffic, health and safety, and public peace, morals, and welfare.

18 (c.) Sanctions:

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

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

30 b. Revocation shall become final within ten (10) days of service
31 unless the Owner and/or Responsible Party appeals the action. The
32 Owner and/or Responsible Party shall provide the appeal in
33 writing to the Director of Planning and Development or his/her
34 designee within ten (10) days of receipt of the notice. The written

notice of appeal must state the reasons for the appeal and the relief requested.

- c. Should the owner and/or Responsible Party request an appeal within the ten (10) day period, the Director of the Planning and Development Department or his/her designee shall notify the owner and/or Responsible Party in writing of the time and place of the hearing.
- d. Appeals shall be heard by the Board of Adjustment as an administrative appeal pursuant to Chapter 36, Division 4. Section 36-109 of the Little Rock Zoning Code. For good cause shown, the Board may affirm or reverse the decision to revoke a Business License.
- e. Once a Business License for an STR has been revoked, no new Business License shall be issued to the applicant for the same property for a period of one (1)-year.

Section 5. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

Section 6. Repealer. All laws, ordinances, resolutions, or parts of the same that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

PASSED: June 20, 2023

ATTEST:

APPROVED:

Susan Langley, City Clerk

Frank Scott, Jr., Mayor

APPROVED AS TO LEGAL FORM:

Thomas M. Carpenter, City Attorney

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