



General Standards for
CAPITOL ZONING DISTRICT
(Capitol Area & Mansion Area)

Capitol Zoning District Commission
Little Rock, Arkansas

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Change is a sign of economic health and confidence in Little Rock's future. It is an essential process in a vital community, representing the current phase of an evolution that has been continuing since the beginning of the city. How we construct, where we build, and how we treat what is already established will determine the quality of life we provide for current and future generations.

However, the character of change must be managed to assure that the heritage of Arkansas as represented in these special areas is protected and that the urban framework will support and enhance the quality of life for residents and visitors.

Historic buildings should be treated with respect, and additions and other new buildings should strengthen the design context. If the imprint of new construction is to be positive, thoughtful consideration must be given to each change in the built fabric of the community.

Uncontrolled demolition, alteration and insensitive new construction can irreparably alter the character of the area. Once lost, the ambience of the Mansion and Capitol Areas cannot be recaptured with any sense of authenticity.

These standards therefore are intended to guide the character of change such that the citizens of Arkansas will derive the maximum benefit of the Capitol and Mansion Areas and their environs.

The following document contains prescriptive standards for zoning, allowable uses, parking & loading and signs. These prescriptive standards apply to all properties within the jurisdiction of the Capitol Zoning District Commission. This includes properties within the Capitol Area and the Mansion Area.

The Capitol Zoning District Commission operates with a series of documents that establish its powers and responsibilities, define its operating procedures, and provide land use policies and development standards.

ENABLING / REGULATORY

These documents provide the basic regulations for CZDC operations.

Capitol Zoning Enabling Statute

Legislation includes:

- Enabling powers
- Commission organization

Capitol Zoning District Commission Rule

Provides administrative procedures, including:

- Permit types and staff approvals
- Application and notice requirements
- Violations and enforcement

OVERALL STANDARDS

These documents provide design standards and zoning regulations that apply to both the Mansion and Capitol Areas.

City of Little Rock Code of Ordinances

Provides prescriptive standards for:

- Access & parking layout
- Landscaping
- Excavation & drainage

Capitol Zoning General Standards

Provides prescriptive standards for:

- Land-use
- Building heights and setbacks
- Parking and signs

Capitol Zoning Rehabilitation Standards

Addresses treatment of historic properties.

- Windows, doors, and porches
- Building materials and siding
- Architectural details

NEIGHBORHOOD PLANS

These documents provide development for individual areas in the Capitol Zoning District.

NEIGHBORHOOD DESIGN STANDARDS

These documents provide performance-based policies for design standards for individual areas in the Capitol Zoning District.

Capitol Area Master Plan

Includes:

- Land use goals
- Urban design goals

Mansion Area Master Plan

Includes:

- Land use goals
- Urban design goals

Capitol Area Design Standards

Includes standards for:

- New construction
- Site plans

Mansion Area Design Standards

Includes standards for:

- New construction
- Site plans

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**Zoning Requirements
for the Capitol Zoning District
(Capitol Area & Mansion Area)**

Capitol Area Zones

Zones	“A1 & “A2”	“B”	“C”	“D”
	Capitol Ave & Capitol vicinity	Northeast Neighborhood	Union Station Mixed Use	Industrial
Front Yard SB	0’-25’ SB except 25’ SB from streets adjacent to Capitol complex	25’ Landscaped no parking	10’ min. res. SB Build-to-sidewalk for comm. 25’ SB from streets adjacent to Capitol complex	25’ landscaped SB no parking
Rear Yard SB	0’ SB except 25’ res. SB	25’ min. SB	0’ SB except 25’ res. SB	25’ SB
Side Yard SB	0’ SB except 4’ res. SB	4’ min. SB	0’ SB except 4’ single family res. SB	4’ SB
Min. Lot Area/D.U.	1200 S. F./ D. U.	1200 S. F./ D. U.	1200 S. F./ D. U.	2500 S. F./ D. U.
Max. F. A. R. ¹	2.5:1.0	2.5:1.0	2.5:1.0	1.1:1.0
Height	3 stories or 45’ except 5 stories or 75’ along Capitol w/ height review	3 stories or 45’	3 stories or 45’ except 5 stories or 75’ w/ height review	3 stories or 45’
Permitted Uses ²	Multifamily residential	Single and two family residential	Single, two family & multifamily residential; Hotel, motel & Amusement; Consumer goods & services	Single and two family Residential; Industrial
Conditional Uses	Single and two family residential; Hotel, motel & amusement; Consumer goods & services; Auto-oriented commercial	Multifamily residential; Hotel, motel & amusement; Consumer goods & services	Auto-oriented commercial	Multifamily residential; Consumer goods & Services; Auto-oriented commercial.

Professional Office, General Office, and Quiet Business are permitted use groups throughout the Capitol Area.

Community Facilities I, II, & III are conditional use groups throughout the Capitol Area.

¹ See “Definitions” for F. A. R. definition

² See CZDC General Standards, “Use groups” Section, for specific uses allowed within each use group category.

Mansion Area Zones

Zones	“M” Residential	“N” Neighborhood Residential & Commercial	“O” General Business
Front Yard SB	25’ min, landscaped no parking ⁴	25’ min, landscaped no parking ⁴	Mandatory build-to-sidewalk
Side Yard SB	10% of lot’s avg width, but never less than 5’ from an adjoining property	10% of lot’s avg width, but never less than 5’ from an adjoining property	5’ max, if any
Rear Yard SB	25’ min.	25’ min.	5’ max, if any
Min. Lot Area/D.U.	2500 S. F./ D. U.	2500 S. F./ D. U.	1200 S. F./ D. U.
Min. Lot Area/D.U. w/ review	1200 S. F./ D. U.	1200 S. F./ D. U.	1200 S. F./ D. U.
Max. F. A. R. ¹	1.1 : 1.0	1.5 : 1.0	1.5 : 1.0
Maximum Height	2.5 stories or 35’ (whichever is less)	3 stories or 45’ (whichever is less)	3 stories or 45’ (whichever is less)
Permitted Uses ²		Professional Office	Professional Office Quiet business
Conditional Uses ²	Quiet Business ³ Professional Office ³ General Office ³	Community Facilities III General. office Quiet business Consumer goods & services ³	Community Facilities III General Office Hotel, motel, & amusement Consumer goods & services

Single-Family and Two-Family Residential are permitted use groups throughout the Mansion Area.

Multifamily Residential and Community Facilities I & II are conditional use groups throughout the Mansion Area.

¹ See The General Standards for F.A.R. definition

² See CZDC General Standards, “Use groups” Section for specific uses allowed within each use group category.

³ When the preservation of a historic commercial or civic type building is involved.

⁴ The setback may be less than 25’ up to a minimum of 15’ where historic precedence exists on the block.

DEFINITIONS

The following terms as used in this section have the following meanings unless the context clearly indicates otherwise.

Accessory building, structure or use "Accessory building, structure, or use" means a building, structure or use located upon the same lot as the principal building, structure, or use to which it is related. Accessory structures and uses are allowed by right in conjunction with all allowed or permitted single family or two family residential uses provided that those structures and uses are clearly incidental to the permitted principal uses.

A. Accessory Uses Accessory uses permitted are as follows:

1. Domestic Quarters, provided said quarters are used only by person employed on the premises and not for commercial purposes
2. Accessory buildings, including, but not limited to garage storage facilities, children's playhouses, and greenhouses
3. Swimming pools, courts for racquet games, and other recreational uses, provided that the use is otherwise in full compliance with the Capitol Zoning District Master Plan and the Little Rock Code of Ordinances
4. Home Occupations in compliance with this ordinance (Note: The Capitol Zoning District Commission shall have final authority in determining the particular uses that may be defined as Home Occupations.)
5. Signs in compliance with this ordinance

B. Structures Accessory Structures must comply with the following requirements:

1. An accessory building or structure may occupy not more than thirty percent of the required rear yard.
2. All single and two family residences shall be separated from accessory structures by a distance of not less than six (6) feet.
3. No accessory building or structure shall be allowed in the front yard setback but in the side or rear yard setbacks, they shall maintain at least a three (3) foot setback from any property line. Where said rear yard abuts a dedicated alley, no setback shall be required from said alley.

Adult Uses: As defined herein, an Adult Bookstore, Adult Paraphernalia Store, Adult Motion Picture Theatre Establishment, or an Establishment Which Displays Live Nudity, or any other business or establishment characterized by an emphasis depicting, describing or related to sexual conduct or sexual excitement for prurient purposes. Uses which combine any or all of the uses described above and classed under "Adult Uses" in this section shall constitute an adult use if the floor area or inventory stock items cumulatively amount to more than ten percent (10%) of the establishment's total floor area or inventory stock.

Adult Bookstore: An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other material, which are distinguished or characterized by their emphasis depicting, describing or relating to sexual conduct or sexual excitement for prurient purposes. For purposes of this paragraph, "substantial or significant portion of stock" shall mean more than ten percent (10%) of the subject establishment's inventory stock, or more than ten percent (10%) of subject premise's gross floor area.

Adult Paraphernalia Store: An establishment having as a substantial or significant portion of its stock devices, objects, tools, or toys, excluding clothing, which are distinguished by their association with sexual activity for prurient purposes, including sexual conduct or sexual excitement. For purposes of this paragraph, "substantial or significant portion of stock" shall mean more than ten percent (10%) of the subject establishment's inventory stock, or more than ten percent (10%) of subject premise's gross floor area.

Adult Motion Picture Theatre: An enclosed building used for presenting material motion picture films, video cassettes, cable television, slides or any other such visual material distinguished by an emphasis on matter depicting, describing, or relating to sexual conduct or sexual excitement for prurient purposes, and to which minors under the age of 18 would not be admitted according to the system of ratings put forward by the Motion Picture Association of America.

Adult Video Stores: An establishment having a substantial or significant portion of its stock in trade for sale or rent, movies, videos, and similar audio/visual media, which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement for prurient purposes, or which, if exhibited for theatrical release, to which minors under the age of 18 would not be admitted according to the system of ratings put forward by the Motion Picture Association of America. For purposes of this paragraph, "substantial or significant portion of stock" shall mean more than ten percent (10%) of the subject establishment's inventory stock, or more than ten percent (10%) of subject premise's gross floor area.

Establishment Which Displays Live Nudity: An establishment which provides live entertainment for its patrons, which includes the display of nudity, including full frontal or rear nudity, or both, or the display for the primary or secondary genitalia of either sex for prurient purposes.

Building Coverage "Building Coverage" means the ratio of the total building area on a lot to the total area of the lot.

Building Height (Permitted)

A. Permitted Height: The height permitted without review within the Capitol Zoning District shall be forty-five feet, except in Zone "M" where the maximum height is thirty-five feet.

1. The height of the building is determined as described hereafter: The highest vertical distance obtained under any roof element. Said vertical distance shall be measured from the highest point of the coping of a flat roof, or from the highest point of a mansard roof, or from the mean elevation between the ridge and eave of the gable of a sloped roof to the median elevation of a point on the final grade five feet (5') away from the foundation, or to a reference datum of the natural grade prior to site disruption for construction, whichever yields a greater dimension.

2. Exceptions to the permitted height shall only occur as allowed in Conditional Height and as approved by the CZDC using the height review procedures described below. Under no circumstances shall a structure exceed seventy five feet as measured using the procedure defined in section (1) above.

B. Three Story Limit: Buildings which are constructed under the permitted height of the district may have no more than three stories or portions thereof above grade, except in Zone "M" where buildings may have no more than two and one-half stories above grade. Buildings allowed, through height review, to exceed the permitted height, may have no more than five stories or portions thereof above grade. Appurtenances which meet the definition and requirements of "Appurtenances" below may exceed the height limit on new structures, with Commission review.

C. Non-Conformity to Seventy-Five Foot Limit: No addition to that portion of the building exceeding the current seventy five foot height limitation is allowed for structures erected at a height conforming to the height limitations applicable at the time of their erection which are now non-conforming as to height. Appurtenances which meet the definition and requirements of "Appurtenances" below may exceed the seventy five foot height limit, with Commission review, on structures made non-conforming by these rules.

D. Non-Conformity to Permitted Height: There shall be no increase in the highest point of the floor area of buildings greater than the permitted height but less than seventy five feet in height, unless approved under Conditional Height Section below. Appurtenances which meet the definition and requirements of "Appurtenances" below may, with Commission review, exceed the permitted height on structures made non-conforming by these rules.

Building Height (Conditional)

A. Thirty Feet of Additional Building Height Permitted: Building height may be increased by up to thirty feet in Zones A1 and C upon a finding by the CZDC that the proposed height is in conformance with the provisions of this section and the Design Standards for the Capitol Area.

B. Setbacks for the Thirty Feet of Additional Building Height When Permitted: In Zone A1, along Capitol Avenue, in order to protect the view of the State Capitol Building and Dome, any additions to the permitted height must be set back fifty feet from Capitol Avenue.

C. Slopes Greater Than 10 Percent: On slopes greater than 10 percent in Zone C, the building height may exceed the permitted height but under no circumstances shall a structure exceed seventy five feet.

Building Height (Appurtenances) Appurtenances mean architectural features not used for human occupancy, consisting of spires, belfries, cupolas or dormers; silos; parapet walls, and cornices without windows and necessary mechanical equipment usually carried above the roof level having no more than twenty-five percent roof coverage, including, without limitation, chimneys, ventilators, skylights, antennas, microwave dishes, and solar systems

A. Appurtenances: Appurtenances may be added under the following circumstances:

1. The addition of an appurtenance to a building is permitted if it does not cause building height to exceed the height allowed in this section, considering, for this purpose only, the uppermost point of the appurtenance to be the uppermost point of the roof.

2. The CZDC may approve additions of appurtenances to buildings causing a building height to exceed the maximum permitted height if ALL the following standards are met:

- a. There is a functional need for the appurtenance
- b. The functional need cannot be met with an appurtenance at a lesser height; and
- c. Visible materials and colors are compatible with the building to which the appurtenance is attached.
- d. All appurtenances are consistent with the applicable Design Standards

3. No appurtenance may have usable floor area except for mechanical equipment installations; have more than twenty five percent coverage of the roof area of the building; or be more than sixteen feet in height. For the purposes of this paragraph, "coverage" means the total area enclosed by the screening and "roof area" means outside top covering of a building which is parallel to the ground.

4. All mechanical equipment is screened from view, regardless of the height of the building, unless in the opinion of the CZDC such screening conflicts with the function of the mechanical equipment. The CZDC will determine if the screening of the equipment is adequate in form, materials, and color based on the following criteria:

- a. Screening is consistent with the building design, colors, and materials
- b. Screening placed on the portion of the roof which is least visible from adjacent streets and properties;
- c. Screening is consistent with the applicable Design Standards
- d. The height of the screen is the minimum appropriate to adequately screen the mechanical equipment; and
- e. Screening does not increase the apparent height of the walls of the building. The use of parapet walls to screen mechanical equipment is discouraged. The height of parapet walls should be the minimum necessary to screen mechanical equipment.

Dwelling Unit (D.U.) For the purposes of these regulations, a D.U. consists of a habitable unit occupied by no more than three persons unrelated by blood, marriage, adoption, or other verifiable familial relationship.

Floor Area "Floor Area" means the total square footage of all levels included within the outside walls of a building or portion thereof, (but excluding courts and uninhabitable areas below the first floor level).

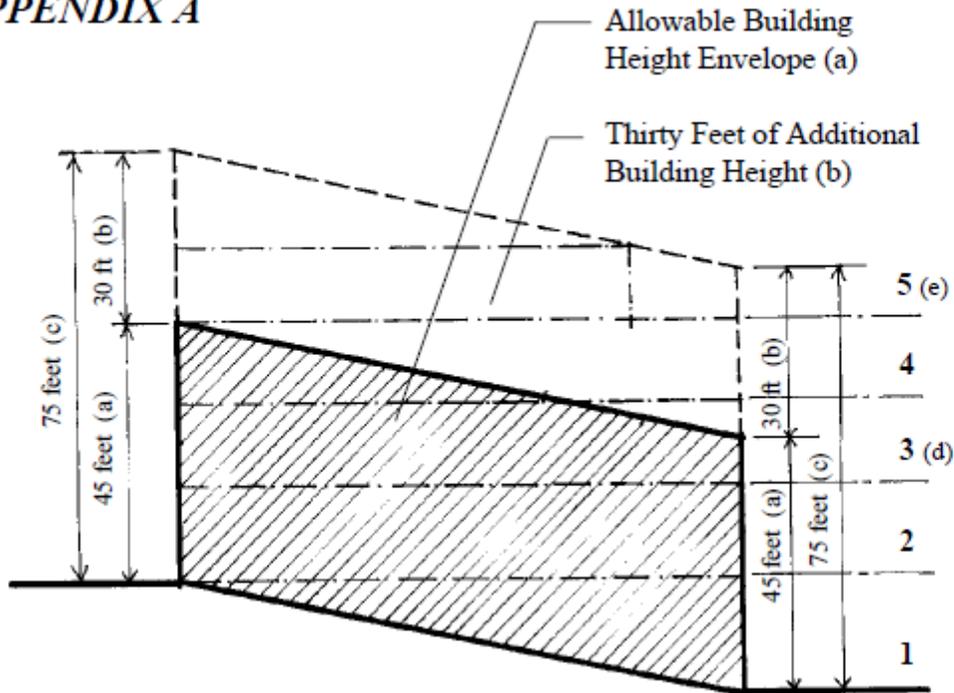
Floor Area Ratio (FAR) "Floor Area Ratio (FAR)" means the ratio of the floor area of a building to the area of the lot on which the building is situated. This calculation excludes structured parking, balconies, and decks.

Front Yard The Front Yard is that portion of a building lot which directly abuts a public street and/or right-of way. In cases where a building lot is located on the corner of two intersecting streets, the narrowest portion of the lot contiguous to the public street will be defined as the front yard.

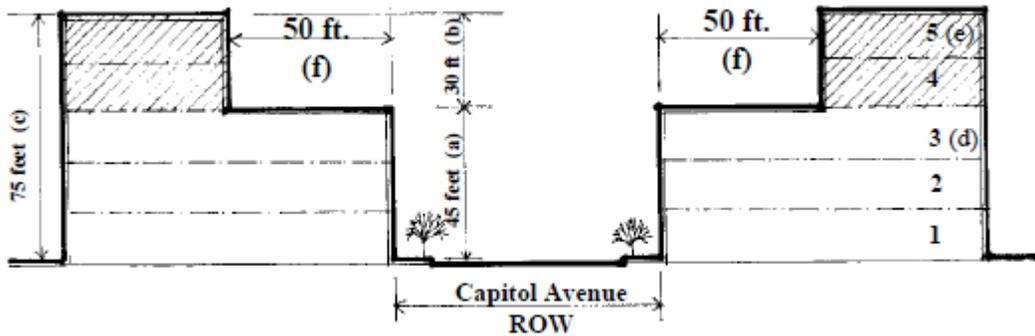
Mean Slope For the purposes of calculating the slope of a site for a height exception, the slope shall be the median slope as calculated along the long axis of a parcel.

Setback The required yard, unenclosed from its lowest portion to the sky, from the property line to the nearest finished vertical surface of the main structure, not including the ordinary projection of architectural elements such as chimneys, eaves, sills, cornices or ornamental features. The Commission, with review, may reduce a required setback by 25% in cases where a lot is smaller than what is typical for the Area, is not accessible from an alley, or is otherwise irregular due to its shape or platting.

APPENDIX A



SLOPES GREATER THAN 10% in ZONE “C”



SETBACKS @ CAPITOL AVENUE

NOTES:

- (a) Permitted Height of forty-five (45) feet
- (b) Thirty (30) Feet of Additional Building Height (*allowed only in Zones A1 and C and only upon Height Review approval by the CZDC*)
- (c) Seventy-five (75) maximum height (*allowed only in Zones A1 and C and only upon Height Review approval by the CZDC*)
- (d) Buildings which are constructed under the permitted height may have no more than three (3) stories
- (e) Buildings allowed, through Height Review, to exceed the permitted height, but under no circumstances greater than seventy-five (75) feet, may have no more than five (5) stories
- (f) Thirty (30) Feet of Additional Building Height, upon approvals outlined in Note (b) above, shall be set back fifty (50) feet from Capitol Avenue

**Allowable Uses within the
Capitol Zoning District
(Capitol Area and Mansion Area)**

USE GROUPS

The permitted uses of land within the Capitol Zoning District are listed herein by use groups, and these use groups are permitted only within the specific zones as indicated and within the limits of the zones as shown on the maps included in both the Capitol and Mansion Area Framework Master Plans. Specific uses and the use groups under which they are listed are identified below and are referenced throughout the Framework Master Plans.

U.1 COMMUNITY FACILITIES I

- Airway beacon or marker
- Bus passenger depot (not in public r.o.w.)
- Civil Defense and related activities facility
- Electric regulating substation
- Electric utility mains and distribution facilities and apparatus (not in public r.o.w.)
- Fire protection and related activities facilities
- Flood control works
- Gas pipeline right of way
- Gas pressure control station
- Petroleum pipeline or pressure control station
- Pipeline right of way or pressure control station, not elsewhere classified
- Police protection and related activities facility
- Railroad passenger terminal
- Railroad right of way (excluding switching and marshaling yards)
- Rapid rail transit or street railway right of way
- Rapid rail transit or street railway terminal (not in public street r.o.w.)
- Sewage pressure control station
- Taxicab stand or dispatching station
- Telephone exchange station, relay tower or r.o.w.
- Telegraph transmitting or receiving station or r.o.w.
- Television or radio transmitting station or relay tower
- Water pipeline r.o.w., treatment plant, storage facility or pressure control station

U.2 COMMUNITY FACILITIES II

- Church, Synagogue, or Temple, including Sunday School facilities
- College, junior college, professional school or university (public or equivalent private)
- Community center (public)
- Eleemosynary institution, philanthropic institution
- Library (private, non-profit and public)
- Museum or Art Gallery
- Nursery school, day nursery, kindergarten
- Parish house, parsonage, rectory or manse
- Park, playground, playfield or tot lot (public)
- School, elementary (public or equivalent private)
- School, secondary (public or equivalent private)
- Studio: Ballet, Dance, Drama Fine Arts, Music Language
- Swimming pool (public)
- Tennis courts (public)
- Theatrical group
- Zoological gardens (public)

- Meeting or reception facility
- Tour Home (private)

U.3 COMMUNITY FACILITIES III

- Club or lodge (private non-profit)
- Convalescent, maternity or nursing home Rehabilitation institution
- Foster family care, institution or agencies
- Home for the elderly
- Hospital; general
- Hospital; restricted to mental, narcotics or alcoholic patients, sanitarium
- Mental institution
- Orphanage
- Home or Shelter for battered women and/or children
- Modeling school and studio
- Fraternity or sorority house
- Boarding or rooming house
- School (private), Barber, Beauty, Business, Commercial, Real Estate, Art, Correspondence, Stenographic, Trade or Vocational (excluding manual training, shopwork or repair maintenance of machinery or mechanical equipment)
- Residential care or assisted living facility

U.4 SINGLE-FAMILY RESIDENTIAL (one D.U.)

- Single family detached dwelling
- Home occupation (accessory use) - *see Section U.14 for required conditions.*

U.5 TWO-FAMILY RESIDENTIAL (two D.U.)

- Two family dwelling
- Detached duplex
- Home occupation (accessory use) - *see Section U.14 for required conditions.*

U.6 MULTI-FAMILY RESIDENTIAL (more than two D.U.)

- Apartment building
- Townhouse
- Apartment hotel
- Bed and breakfast house (max. of 5 guest rooms)

U. 7 PROFESSIONAL OFFICES

- Advertising agency
- Artist's or photographer's studio (not including film processing for others)
- Broker (no warehousing)

- Broker; stocks, bonds, or real estate
- Collection agency
- Credit association
- Drafting service
- Insurance agency or office
- Loan officer (no repossessed articles)
- Medical or dental clinic
- Political campaign headquarters
- Office of nonprofit membership club, association
- Office of such professional persons as:

Accountant
 Architect
 Attorney
 Business consultant
 Chiropractor
 Court reporter
 Dentist or dental surgeon
 Detective service
 Engineer
 Geologist
 Graphic artist
 Interior designer (office only)
 Landscape architect (office only)
 Lighting consultant
 Optician
 Optometrist
 Osteopathic physician
 Planning consultant
 Protection services
 Psychologist, psychiatrist
 Physician or surgeon
 Registered nurse
 Travel Agency
 Union Office

All uses are to operate in their entirety within a completely enclosed structure.

U.8 GENERAL OFFICES

- Addressing, duplicating, mailing, mailing lists, stenographic, telephone messages, and similar office services
- Bailbond broker
- Blueprinting, photocopying and similar reproduction services
- Broadcasting or recording studio
- Computing, data processing, or similar service
- Employment service
- Engraving (except when in connection with printing)
- Financial institution, other than pawn shop
- Funeral establishment, ambulance and embalming service
- Office, not elsewhere classified
- Optical laboratory or supplies

- Sales, service, repair or rental of business machines including accounting, computing, and data processing machines, copying and office reproduction machines, dictating and recording machines, typewriters
- Store selling architects' artists', or engineers or scientific supplies and equipment or dental, medical or office supplies or equipment
- Transportation ticket service
- Post Office

Enclosure of uses required. Every use in this group, unless specifically exempted in the list of included uses, shall be operated in its entirety within a completely enclosed structure.

U. 9 HOTEL, MOTEL AND AMUSEMENT

- Arena or auditorium; commercial
- Billiard or pool parlor
- Bowling alley
- Dance hall
- Eating places providing dancing or entertainment
- Hotel or motel
- Motion picture theatre
- Skating rink; commercial
- Swimming pool; commercial (exempted from enclosure)
- Tavern, night club, or semi-private club*
- Tennis court commercial (exempted from enclosure)
- Arcade

**Note: "Tavern" means an establishment serving malt, vinous, and spirituous liquors in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches and snacks are available for consumption on the premises.*

U.10 QUIET BUSINESS

- Antique shop (not junk or second hand merchandise)
- Art shop (sales only)
- Artist supply stores
- Barber shop
- Beauty Shop
- Bookstore or newsstand
- Camera and photographic supply store
- Cigar or tobacco shop
- Clothing or accessories store
- Delicatessen, sandwich or coffee shop
- Gift shop
- Grocery (neighborhood)**
- Gym or fitness center (commercial)
- Health clubs, therapeutic massage and sauna
- Hobby shop
- Ice vending establishment (sacked ice)
- Ice cream and candy store
- Interior decorator store
- Jewelry store

- Knit shop
- Leather goods or luggage store
- Music shop
- Newsstand
- Notions store
- Optical goods store
- Pet shop
- Plant or flower shop
- Pottery and ceramics store (sales only)
- Prescription pharmacy
- Religious goods store
- Restaurant (other than drive-in take out)*
- Shoe store (sales or repair shop)
- Specialty food and beverage (non-alcoholic) store
- Sporting goods store
- Stationery store
- Tailor shop
- Toy store
- Video rental store
- Watch or clock stores

Enclosure of uses required. Every use in this group, unless specifically exempted in the list of uses, shall be operated in its entirety within a completely enclosed structure.

**Note: "Restaurant" means an establishment provided with special space, sanitary kitchen, dining room equipment, and persons to prepare, cook and serve, in consideration of payment, meals and beverages to guests. Microbreweries, establishments that annually manufacture less than 50,000 gallons of alcoholic beverages for consumption primarily on site (75% or greater of beverages manufactured on site are consumed on site) and provide food preparation and services on site, shall be treated as restaurants for the purposes of these regulations.*

***Note "Neighborhood Grocery" means any retail establishment offering for sale a limited line of groceries and household items intended for convenience of the neighborhood, and shall not exceed 12,000 square feet of floor area.*

U. 11 CONSUMER GOODS AND SERVICES

The following consumer goods:

- Accessories for vehicles or equipment whose sale is permitted, but not including the rebuilding or recapping of tires
- Air conditioning units (portable)
- Amusement machines
- Automatic merchandising establishment (excluding amusements, games or music)
- Automobile parts store (no parts installation or attachment allowed on site)
- Awning shop and sales

- Bicycle store*
- Building materials store
- Building contractors; display rooms, offices and storage
- Burglar alarm systems
- Clothing; second hand*
- Coupon redemption store
- Department store
- Dry goods store
- Electrical supplies
- Exhibition house
- Fast Food restaurant
- Furniture, home furnishings, equipment and appliances*
- Garden equipment and furniture*
- Gasoline and motor oil sales only (does not include usual gasoline service station facilities)
- General store, general merchandise only*
- Glass or mirror store
- Greenhouse and botanical nursery
- Grocery store, including bakery (retail only)
- Hardware store*
- Heating equipment (sales, rental and repair)
- Household appliance store
- Lawnmower and small motor appliances
- Limited price variety store*
- Liquor store
- Lumber (retail sales)
- Mail order house (no stock)
- Meat or poultry shop (no live poultry)*
- Monuments, including incidental processing to order, (but not shaping)
- Orthopedic appliance store
- Paint, glass or wallpaper store*
- Plumbing equipment (sales, rental and repair)
- Pest or insect control
- Radio, television, phonograph, or other household electronics equipment store*
- Retail bakery with production on site*
- Rubber or metal stamp*
- Sewing machines stores, embroidery and hem stitching
- Trading stamp redemption center

The following service establishments:

- Aluminum recycling plant
- Animal hospital serving household pets and similar small animals, breeding, raising, or boarding of household pets or similar small animals for commercial purposes; kennel
- Archery range
- Auction house or store
- Cabinet maker
- Caterer*
- Custom dressmaker, milliner, or tailor*
- Delivery and express service
- Dry cleaning pick-up or self service

- Dry cleaning plant
- Fix it shop
- Fur repair and storage
- Gunsmith shop
- Household appliance repair shop
- Laundry pick-up or self service
- Novelties shop
- Pawn shop
- Picture framing*
- Pressing, alteration or garment repair*
- Safe and vault repair
- Scientific instrument repairs
- Sign painting
- Taxidermist
- Telegraph company office
- Tool sharpening
- Upholsterer; furniture

Enclosure of use required. Every use in this group shall be operated in its entirety within a completely enclosed structure.

** Uses in this group marked with an asterisk shall be treated as a quiet business when the total floor area of the business will be less than 4,000 square feet.*

U. 12 AUTOMOBILE ORIENTED COMMERCIAL

- Automobile parking as a principal use (exempted from enclosure)
- Automobile body repair
- Automobile rental service
- Automobile repair and test station
- Automobile sales (exempted from enclosure)
- Automobile storage garage
- Automobile upholstery repair
- Automobile wash service (including self-service)
- Commercial parking lot (exempted from enclosure)
- Convenience store / Auto convenience market
- Drive-in restaurant (drive-in facilities exempted from enclosure)
- Driving school
- Gasoline service station (fuel pumps exempted from enclosure)
- Parking deck

Enclosure of uses required. Every use in this group, unless specifically exempted in the list of included uses, shall be operated in its entirety within a completely enclosed structure.

U. 13 INDUSTRIAL USES

The following non-manufacturing uses:

- Assembly, production, fabrication
- Direct selling organization; retail
- Laboratory; research, development or testing

- Motion picture distribution and services
- News syndicate service
- Photofinishing service
- Printing, lithography, stamp mfg., and book binding
- Warehousing (not elsewhere classified) other than warehousing accessory to another permitted use
- Wholesaling (not elsewhere classified) with stocks limited to floor samples

U.14 USES NOT LISTED

Uses not listed in one of the above groups which conform closely to the listed uses may be added to the appropriate use group by the Capitol Zoning District Commission following due consideration.

Home Occupations

Home occupations shall be defined as any use customarily conducted entirely within a dwelling or an accessory building and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling nor the neighborhood; and in connection with which, there is a sign meeting the signage requirements, no display, no stock-in-trade, no outside storage of equipment, and no commodity sold upon the premises. There shall be not more than three (3) persons engaged in such an occupation, at least one (1) of which must be the occupant of the dwelling.

Home occupations shall be allowed by Right within the Capitol Zoning District, provided that the character of the dwelling and of the neighborhood is not adversely affected by the use of the dwelling unit and provided that the use is in compliance with the provisions of this section. The Capital Zoning District Commission shall have final authority in determining the particular uses that may be defined as Home Occupations.

U.15 ADULT USES

Adult uses are not allowed in the Capitol Zoning District.

WIRELESS COMMUNICATION FACILITIES

Free standing, detached wireless communication facilities (WCF) consisting of, but not limited to, omni-directional antennas (rods), directional antennas (panels), and parabolic antennas (disks) supported by monopoles, towers, self-supporting (lattice) or guywire supported towers, or other similar structures are inappropriate installations in both the Governor's Mansion and Capitol areas.

Wireless Communication Facility (WCF) means any unstaffed facility for the transmission or reception of wireless telecommunications services, usually consisting of an antenna array, connection cables, an equipment facility, and a support structure to achieve necessary elevation.

Wireless Communications means any personal wireless service as defined in the Telecommunications Act of 1996, which includes FCC licensed commercial wireless telecommunications services including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar services that currently exist or that may in the future be developed.

Attached Wireless Communications Facilities associated with a broadcasting or recording studio (including radio and/or television), medical facility, emergency facility or religious institution may be considered on a case by case basis in Capitol Zones A1, A2, B, C and D provided the antenna array does not interfere with sightlines to the State Capitol building. Attached WCF associated with the above listed institutions/facilities may also be considered on a case by case basis in Mansion Zones M (if associated with a historic commercial building only), N and O as a Conditional Use. In all instances, stealth technology must be employed to conceal, camouflage and minimize the antenna arrays associated with the facility or institution. Height, setback, appurtenance, design, land use and landscape requirements as specified in the Capitol Zoning District Rule, General Standards, and Design Standards must be followed at all times.

Attached Wireless Communications Facility means an antenna array attached to an existing building, structure or associated new construction with any accompanying pole or device that attaches the antenna array to the building or structure and associated connection cables, and any equipment facility which may be located either inside or outside the attachment structure.

Antenna Array means one or more rods, panels, disks or similar devices used for the transmission or reception of radio frequency signals, which may include an omni-directional antenna (rod), a directional antenna (panel) and a parabolic antenna (disk).

Stealth Technology means systems, components and materials used in the construction and design of attached WCF which are developed to mask or conceal the facility and antenna array to make them compatible with the structure they are attached to, the surrounding properties, and the neighborhood in general.

Attached WCF shall not be artificially illuminated directly or indirectly, except as may be required by state or federal law and shall not display any signage, logos, decals, symbols or any messages of a commercial or noncommercial nature except for a small message containing provider identification and emergency telephone numbers.

Wireless Communications Facilities (either attached or free standing) in existence on the date of the adoption of this amendment, which do not comply with the requirements of this amendment (nonconforming WCF) are subject to the following provisions:

- 1.** Nonconforming WCF may continue in use for the purpose now used, but may not be expanded or change users without complying with this amendment.
- 2.** Nonconforming WCF which become damaged or destroyed due to any reason or cause, may be repaired and restored to its former use, location, and physical dimensions provided the user does not change and the facility is not expanded.
- 3.** Any nonconforming WCF that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such WCF shall remove same.

**Parking - Loading Requirements
for the Capitol Zoning District
(Capitol Area & Mansion Area)**

P.1 Requirement

There shall be provided for each use in any zone the number of off street parking spaces required for that use as listed in Section P.15, "Required Parking Spaces by Use."

P.2 Standing and Loading Space

On the same premises with every building hereafter erected or structurally altered and occupied by uses involving the receipt or distribution by vehicles of materials, or merchandise, or people, there shall be provided and maintained adequate space for standing, loading and unloading in order to avoid undue interference with public use of the street or alley. The minimum off street loading space required shall include a loading space which measures twelve (12) feet by thirty (30) feet with a fourteen (14) foot height clearance for every 20,000 square feet of floor and land area involved in the use of the property. This required off-street loading space shall be in addition to an area or means adequate for egress, ingress and maneuvering.

P.3 Combined Facilities

Off-street parking facilities required for two or more similar uses located on the same building site may be combined and used jointly, provided however that the total number of offstreet parking spaces shall not be less than the sum of requirements for the various individual uses computed separately.

P4. Parking Reductions

A parking reduction of up to 20% of the required parking for commercial developments, industrial developments and mixed use developments may be granted by staff if each of the following criteria is met:

- (1) The parking needs of the use or uses will be adequately served;
- (2) If a mix of residential uses with either office or retail uses is proposed, the parking needs of all uses will be accommodated through shared parking;
- (3) If joint use of common parking areas is proposed, varying time periods of use will accommodate proposed parking needs; and
- (4) The applicant provides an acceptable proposal for an alternate modes of transportation program, including a description of existing and proposed facilities and assurances that the use of alternate modes of transportation will continue to reduce the need for on-site parking on an ongoing basis.

The Commission may approve an additional 20% reduction (for a total reduction of 40%) with review. In such reviews, the applicant must demonstrate to the Commission's satisfaction that:

- (5) The pattern and character of development in the vicinity is consistent with the request for reduced parking;
- (6) The use is intended to attract residents, employees, and/or visitors who are likely to avail themselves of alternate modes of transportation; and
- (7) The reduction requested will not cause unreasonable hazard to pedestrian or vehicular traffic in the vicinity.

The Commission may further reduce, or waive entirely, the requirement for off-street parking to accommodate a new use in a block predominantly comprised of historic commercial-style buildings if the Commission is satisfied the above criteria will be substantially met.

P5. Prohibition on Use of Right-of-Way for Provision of Required Parking

No portion of any public right-of-way shall be considered as fulfilling or partially fulfilling the parking requirements of this section, except to accommodate a new use in a block predominantly comprised of historic commercial-style buildings, in which case the Commission may consider street parking adjacent to the location in question.

P.6 Expansions

When a building or structure erected prior to or after the effective date of this document shall undergo any increase in number of dwelling units, gross floor area, seating capacity, number of employees, or other unit of measure used in determining required parking facilities, and when said increase would result in a requirement for additional parking facilities, such additional facilities shall be accordingly provided as a condition for obtaining a building permit or privilege license. In computing the number of spaces required for such a building, however, only the increase in unit of measure shall be considered.

P7. Location of Required Parking

All parking spaces provided pursuant to this section shall be on the same lot with the building or within three hundred (300) feet thereof. The distance to any off-site parking area shall be measured between the nearest point of the parking area or facility and the nearest public entrance of the building said parking area or facility is to serve. (No off-site parking spaces shall be counted towards any required parking spaces for the disabled.) Off-site parking shall not comprise more than twenty-five (25) percent of the total number of spaces required in this section. The Commission may approve an additional 25% (for a total of 50% off-site parking) with review. In such cases, applicants for additional off-site parking must demonstrate to the Commission’s satisfaction that:

- (1) The right to use the proposed off-site parking area(s) is established by ownership, easement, or similarly executed covenant or agreement;
- (2) The proposed off-site parking area(s) is accessible by public sidewalk or other improved pedestrian access-way;
- (3) The request will not cause unreasonable hazard to pedestrian or vehicular traffic in the vicinity; and
- (4) Adequate signage, in accordance with these Standards, will be provided at the off-site parking area to identify the facility which it serves.

P8. Pavement Requirements

Every parcel of land which, after the effective date of this document, is changed to a parking area, automobile, other vehicle or trailer sales or storage area, or automobile or motor vehicle service station, garage or other vehicular use area shall be paved where subject to wheeled traffic. The minimum pavement requirement shall be as follows: One and one-half inches asphaltic concrete hot mix with a five inch compacted base, or a four inch concrete slab, and shall have appropriate bumper guards where needed. Innovative state of the art porous paving systems are encouraged and will be evaluated on a case by case basis.

Any land being paved to accommodate parking for a new use should not exceed 110% of the area required for parking and maneuvering. The Commission may allow an applicant to pave up to 150% of the area required if it is demonstrated to the Commission’s satisfaction that:

- (1) The pattern and character of development in the vicinity is consistent with the request for additional parking; and
- (2) Paving the additional area will be sufficiently mitigated by the use of porous or semi-permeable paving systems, additional landscaping beyond the minimum required, or other innovative mitigation measures.

A proposal to pave an area larger than 150% of the minimum required for parking and maneuvering will be considered a request for parking as the principle use on the entire portion of land proposed to exceed the minimum requirements.

P.9 Parking Design for Standard Size Cars

The following four parking angles are allowed with their respective width and depth dimensions for stalls and maneuvering areas:

TYPE	WIDTH	DEPTH	MANEUVERING AREA
Parallel	22 ft.	9 ft.	11 ft.
Right Angle	9 ft.	20 ft.	20 ft.
60 Degree Angle	9 ft.	18 ft.	20 ft.
45 Degree Angle	9 ft.	18 ft.	16 ft.

P.10 Parking Spaces for the Disabled

The requirements for disabled and accessible parking set forth in the Little Rock Code of Ordinances, as it existed on September 30, 2012, shall be in full force and effect erecting, constructing, enlarging or otherwise altering or improving a vehicular use area.

P.11 Permanency of Spaces Provided

Any off-street parking or loading space established prior to the effective date of this document and which is used or intended to be used in connection with any main building, structure or use, or any spaces designed and intended to comply with the requirements of this document for any such main building or structure erected after such effective date, shall hereafter be maintained so long as said building or structure remains, unless the owner provides and maintains in another location an equivalent number of required spaces in conformance with the provisions of this document. Any conveyance of such parking or loading space, or transfer of interest therein, by the owner of the property served thereby without a simultaneous conveyance or transfer of the property served thereby to the same guarantee or transferee or without suitable provisions being made in another location for the maintenance of an equivalent number of required spaces in conformance with the provisions hereof, shall be in violation of this document.

P.12 Landscaping and Screening Requirements

The landscaping and screening requirements set forth in the Little Rock Code of Ordinances, as it existed on September 30, 2012, shall be in full force and effect when erecting, constructing, enlarging or otherwise altering or improving a vehicular use area. The Commission may approve reductions, on a case-by-case basis, for required landscaping not adjacent to a public right of way.

P.13 Parking Lot Lighting Standards

Lighting levels should be designed in accordance with the Illuminating Engineer's Society (IES) Standards for the recommended activity level for pedestrian security and to avoid light trespassing for the adjacent property owner or public right of way. Light poles not to exceed 35'.

P.14 Residential Parking

Utilization of front yard areas for parking is prohibited. The location of one or more vehicles in the front yard area of any residential dwelling for 3 or more days in a given month shall be considered "utilization of the front yard area for parking", and shall constitute a violation of the Capitol Zoning District Rules unless a valid temporary use permit has been issued for this parking use. For the purposes of this section, "front yard" shall mean any area of a front yard or corner lot side yard which is not paved. "Paved" means treated or covered with concrete, asphalt, or other similar material and maintained in such a manner as to provide a mud-free and dustless surface. No front yard area which is not paved as of the date of adoption of this provision shall be paved without a valid permit from the Capitol Zoning District Commission. Nothing in this article shall be construed to allow paving or parking in excess of that allowed by any other CZDC regulation.

P.15 Required Parking Spaces By Use

USE

REQUIRED PARKING SPACES

1. COMMUNITY FACILITIES I

Bus passenger depot (not in public r.o.w.)	1 per 500 gross sq. ft. of floor area
Electric regulating substation	1 per employee
Electric utility mains and distribution facilities and apparatus (not in public r.o.w. easements)	as required
Police protection and related activities facility	1 per employee
Fire protection and related activities facility	1 per employee
Railroad passenger terminal	1 per 500 gross sq. ft. of floor area
Rapid rail transit or street railway terminal (not in public street r.o.w.)	1 per employee
Taxicab stand or dispatching station	as required

USE

Telephone exchange station, relay tower, or right of way
Telegraph transmitting or receiving station or right of way
Television or radio transmitting station or relay tower
Water pipeline right of way, treatment plant, storage facility or pressure control station

REQUIRED PARKING SPACES

1 per employee
1 per employee
1 per employee
1 per employee

2. COMMUNITY FACILITIES II

Church, synagogue, or temple, including Sunday School facilities
College, junior college, professional school or university (public or equivalent private)
Community center (public)
Eleemosynary institutions, philanthropic institution
Library, private and public
Museum or art gallery
Nursery school, daycare, or kindergarten
Parish house, parsonage, rectory or manse
School, elementary (public or equivalent private)
School, secondary (public or equivalent private)
Studio: ballet, dance, drama, fine arts, music, language and modeling
Swimming pool (public)
Theatrical group
Tennis courts (public)
Zoological gardens (public)
Meeting facility or tour home

1 for each 3 seats of main auditorium
1 per 3 seats for patron use
1 per 200 gross sq. ft. of floor area
1 per 400 gross sq. ft. of floor area
1 per 400 gross sq. ft. of floor area
1 per 200 gross sq. ft. floor area
1 per employee
2 per dwelling unit
1 per employee
1 per employee plus 1 per 500 gross sq. ft. of floor area
1 per 100 gross sq. ft. of floor area or 1 per 25 sq. ft. of classroom or studio space or 1 per 2 students enrolled, whichever is greater.
1 per 400 gross sq. ft. of pool and deck area
1 per 400 gross sq. ft. of floor area
1.5 per court
1 per 400 gross sq. ft. of floor area
1 per 300 gross sq. ft. of floor area

3. COMMUNITY FACILITIES III (INSTITUTIONAL)

Club or lodge, (private non-profit)
Convalescent, maternity or nursing home and assisted living facilities.
Rehabilitation institution
Foster family care, institution or agencies

1 per 200 gross sq. ft. of floor area
1 per 3 beds
1 per 400 gross sq. ft. of floor area
1 per employee

USE

Hospital (general) and those restricted to mental, narcotics or alcoholic patients or sanatorium

Mental institution

Orphanage

Home or shelter for battered women and/or children

Fraternity or sorority house, boarding or rooming house

School (private): barber, beauty, business, commercial, real estate, art, correspondence, stenographic, trade, modeling or vocational

Residential care facility

4. RESIDENTIAL

Single family dwelling

Two family dwelling and multi-family dwelling

Bed and breakfast house

5. PROFESSIONAL OFFICES AND GENERAL OFFICES

For all uses in these use groups

6. HOTEL, MOTEL AND AMUSEMENT

Commercial arena or auditorium*

Billiard or pool parlor*

Bowling alley*

Dance hall*

Eating places providing dancing or entertainment*

Gym or fitness center*

Hotel or Motel*

Motion picture theatre*

Swimming pool; commercial (exempted from enclosure)

Tavern, night club, or semi-private club*

Tennis court; commercial (exempted from enclosure)

Arcade*

REQUIRED PARKING SPACES

1 per 3 beds

1 per employee

1 per employee

1 per 400 gross sq. ft. of floor area

1 per bedroom

1 per 100 gross sq. ft. of floor area or 1 per 25 sq. ft. of studio space or 1 per 2 students enrolled, whichever is greater.

1 per 400 gross sq. ft. of floor area.

1 per dwelling unit

1 per 1 bedroom unit,
1.5 per 2 bedroom unit or more

1 per guest room , plus 1 for residence

1 per 350 gross sq. ft. of floor area.

1 per 3 seats

1 per 200 gross sq. ft. of floor area

3 per alley

1 per 200 gross sq. ft. of floor area

1 per 200 gross sq. ft. of floor area

1 per 200 gross sq. ft. of floor area

1 per guest room

1 per 3 seats

1 per 200 gross sq. ft. of pool

1 per 200 gross sq. ft of floor area

2 per court

1 per 200 gross sq. ft. of floor area

***Enclosure of uses required.** Every use in this group unless specifically exempted in the list of uses, shall be operated in its entirety within a completely enclosed structure.

USE

REQUIRED PARKING SPACES

**7. QUIET BUSINESS
CONSUMER GOODS AND SERVICES**

Bed and Breakfast Inn

1 per guest room plus 1 for resident(s)

Restaurant

1 per three (3) seats

Storage for retail uses (maximum 20% of total building area)

1 per 400 sq. ft. floor area

For all other uses in these Use Groups

1 space per three 300 gross sq. ft. of floor area.

For structures larger than ten thousand (10,000) gross square feet, parking shall be provided as follows:

10,001 to 20,000 sq. ft. - 95% of Parking Requirement
20,001 to 30,000 sq. ft. - 90% of Parking Requirement
30,001 to 40,000 sq. ft. - 85% of Parking Requirement
40,001 to sq. ft. and up - 80% of Parking Requirement

8. AUTOMOBILE ORIENTED COMMERCIAL

Gasoline service station

4 per enclosed service bay

For all other uses in this Use Group;

1 per 300 sq. ft. of floor area in addition to service bays or drive-in-spaces.

9. INDUSTRIAL USES

For all uses in this group, except warehousing & storage

1 per 300 gross sq. ft. of floor area.

Warehouse and storage

1 per 400 gross sq. ft. of floor area

**Signage Requirements
for the Capitol Zoning District
(Capitol Area and Mansion Area)**

S.1 PURPOSE

It is the purpose of these provisions to regulate signage within the Capitol Zoning District to prohibit unsafe, inadequately maintained, improperly sited, and aesthetically obtrusive signs which detract from the health, safety, welfare, convenience and enjoyment of the area's residents, property owners and visitors. The Capitol Zoning District is unique in its combination of historic residential and commercial buildings. It possesses tradition, charm and character, and serves as a visible reminder of the cultural and historical development of Little Rock. It is the intent of the ordinance to preserve and enhance the elements of the historical and traditional nature of this district through the design of the signs located therein.

S.2 SCOPE

These provisions shall deal with all signs except traffic control signs erected by government agencies. All signs which are located on or attached to the exterior of buildings or otherwise intended to be visible from the exterior of buildings are to be regulated by the provisions of this ordinance. These provisions do not regulate signage content but only height, area, location of signs and sign structure.

S.3 DEFINITIONS

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them:

- **Abandoned sign:** a sign displayed for a period of 30 days or more which no longer correctly directs or exhorts any person or which no longer advertises a bona fide business, lessor, owner, project or activity conducted or product available on the premises. The property owner will be responsible for removal of said abandoned sign.
- **Animated sign;** any sign which includes action or motion. This term does not refer to flashing or changing, all of which are separately defined.
- **Banners, Pennants,** any animated, rotating, fluttering or non-stationary device made of flexible materials designed to attract attention.
- **Background area;** the entire area of a sign on which copy could be placed, but does not include a permanent building surface.
- **Building face or wall;** all window and wall area of a building in one (1) plane or elevation.
- **Changing sign (automatic);** a sign such as an electronically or electrically controlled (public service time, temperature and date sign, message center or reader board) where different copy changes are shown on the same lamp bank.
- **Copy;** the wording or graphics on a sign surface.
- **Directional Sign;** a. A sign, permanently erected or permitted in the public right-of-way or private property by the City of Little Rock, Pulaski County, State of Arkansas, or other governmental agency to denote the name of any thoroughfare, the route to any city, town, educational institution, public building, historic place, shrine, hospital, to direct and regulate traffic, to denote any railroad crossing, bridge or other transportation or transporting company for the direction and/or safety of the public. b. An on-premise temporary sign which contains information regarding the time and place of regular meetings of civic or religious groups.
- **Directory Sign;** a sign listing only the names and/or use, or location of more than one business, activity or professional office conducted within a building, group of buildings or commercial center.
- **Existing Sign;** any sign that was erected, mounted or displayed prior to the adoption of the Capitol Zoning District Ordinance.
- **Facade;** the entire building wall, including principle street wall face, and parapet, fascia, windows, doors, canopy and roof on any complete elevation.
- **Face of sign;** the entire area of a sign on which copy could be placed; the area of a sign which is e (1) direction as projected on a plane.

- **Fixed Projecting Sign;** a sign, other than a flat sign, which extends outward for more than six (6) inches from the facade of any building and is rigidly attached thereto.
- **Flashing Sign;** any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light means of animation, or an externally mounted light source. Automatic changing signs such as public service time, temperature and date signs or electronically controlled message centers are classed as “flashing signs.”
- **Free standing sign;** a sign supported by a sign structure secured in the ground and which is wholly independent of any building, fence, vehicle or other support.
- **Frontage;** the length of the property line of any one premise’s parcel serving as a public right-of-way.
- **Ground level;** immediate surrounding grade.
- **Height of sign;** the vertical distance measured from the surrounding grade to the highest point of the sign.
- **Off-premises sign;** any sign located or proposed to be located at any location other than within the same platted parcel of land on which the specific business or activity being promoted or conducted. For purposes of this article, easements and other appurtenances shall be considered to be outside such platted parcel of land and any sign located or proposed to be located in an easement or other appurtenance shall be considered an offpremises sign. Signs identifying public service, religious or civic club organization not to exceed four (4) square feet as approved by the Capitol Zoning District Staff are exceptions to this definition.
- **Owner;** any person having a vested or contingent interest in the property in question.
- **Non-conforming sign;** any sign which has a valid permit, was erected or displayed prior to the effective date of the Capitol Zoning District Ordinance or any subsequent amendment hereto and does not conform with the provisions of this section.
- **Premises;** an area of land with its appurtenances and buildings which, because of its unity of use, may the smallest conveyable unit of real estate.
- **Right-of-way;** the right-of-way as indicated on the official city master street plan.
- **Roof line;** the lowest edge of the main roof.
- **Setback;** the minimum horizontal distance between either the face of the curb, the edge of the he right-of-way line and the sign structure as specified in a particular section of this chapter.
- **Sign;** any written identification or description, with or without illustration or other device, illuminated or non-illuminated, which is exposed to the view of potential clients or customers and/or the general public, is located on public or private property, outside of buildings, and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any such identification or description affixed or attached to a window and visible from a public right-of-way, or any emblem, painting, banner, pennant or placard designed to advertise, identify or convey information, except the following:
 1. illustrations or devices with a primarily artistic purpose, or with no writing, such as public art installations or wall murals;
 2. national and state flags, or flags depicting a school, college, or sports team, or religious or political affiliations, banners marking a holiday or season, or other similar flags or banners; and
 3. decorative devices or emblems displayed on a residential mailbox, porch, or lawn.

For the purpose of removal, signs shall also include all sign supporting structures.

- **Sign area;** the square foot area enclosed in the smallest rectangle encompassing the sign face. With respect to signs which are composed of individual symbols, letters, figures, illustrations, message, forms or panels, sign area shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background on which they are displayed, and frame around the sign and “cutouts” or extensions, but shall not include any supporting structure or bracing. The area shall be computed as including the maximum number of faces viewable from any single ground position as follows: **1.** Double faced sign - one face counted. **2.** “V” sign with 45 degree or greater angle - two faces counted.
- **Sign structure;** any structure which supports, has supported or is capable of supporting a sign, including decorative cover.
- **Street;** a public dedicated thoroughfare which affords the principal means of access to abutting property.
- **Temporary sign;** a sign which is not permanent and is permitted for a specific time period.
- **Time and temperature sign;** an electrical sign utilizing lights going on and off periodically to display the local current time and temperature.
- **Traffic directional sign;** any sign which aids the flow of traffic.
- **Use;** the purpose for which a building, lot, sign or other structure is arranged, intended, designed, occupied or maintained.
- **Wall sign;** a sign attached to or erected against the wall of a building with the face parallel to the plane of the building wall or attached to the structure as approved by the design review commission.
- **Window Treatment Sign;** any sign which is attached to or forms part of any blinds, shades or other window treatment.
- **Zoning lot;** a lot which is part of a sub-division or parcel of land, the map of which has been recorded in the office of The County Recorder.

S.4 SIGNAGE REVIEW CRITERIA

These provisions do not regulate the specific content of permanently affixed signage (except explicit graphics or language, as defined below in S.7B), but only height, area, and location of signs and sign structure. Signs will be evaluated using these criteria:

1. Compatibility with surrounding properties and streetscape
2. Height, height/width ratio, total area, and location
3. Materials and lighting
4. Method of installation or attachment

S.5 SIGNAGE REQUIREMENTS

A. Signs in Capitol Area “A1”, “A2”, “C” and “D” Zones

1. One (1) wall sign not to exceed twenty-four (24) square feet. Wall signs shall be located on a vertical surface of the building including canopies, wing walls, etc., but not higher than the eave or rafter line of the wall on which located.
2. One (1) ground-mounted sign not to exceed twenty-four (24) square feet. Height not to exceed six (6) feet. (Edge of sign shall be set back a minimum of 5' from all property lines.)
3. Wall sign on another wall of premises or in combination with sign on wall containing the major entrance, in lieu of a ground-mounted sign, not to exceed 36 square feet.

4. Any activity which has more than 300 feet of frontage on public street may display one (1) additional ground sign for each 300 feet of frontage in excess of the first 300 feet of frontage. However, no activity may display a ground sign within 250 feet of any other ground sign displayed by; the same activity. Height not to exceed six (6) feet.

5. Illumination shall be indirect, not interfere with or distract traffic flow and be no greater than 300 footlamberts of luminance.

B. Capitol Area signs in "B" Zone and Mansion Area signs in "N" and "O" Zones

1. One (1) wall mounted sign 18 square feet plus 2 square feet for each 10 feet that the building sets behind the property line *not* to exceed 28 square feet. Wall signs shall be located on a vertical surface of the building including canopies, wing walls, etc., but not higher than the eave or rafter line of the wall on which located.

2. One (1) ground mounted sign not to exceed 18 square feet. Any activity which has more than 300 feet of frontage on public street may display one (1) additional ground sign for each 300 feet of frontage in excess of the first 300 feet of frontage. However, no activity may display a ground sign within 250 feet of any other ground sign displayed by the same activity. Height not to exceed six (6) feet. Edge of sign shall be set back a minimum of 5' from all property lines.

3. Wall sign on another wall of premises or in combination with sign on wall containing the major entrance, in lieu of a ground mounted sign, not to exceed 36 square feet.

4. Illumination shall be indirect and not interfere with or distract *traffic* flow and not be greater than 300 footlamberts of luminance.

C. Mansion Area signs in "M" Zone for uses other than Single-Family and Two- Family Residential.

1. One (1) wall mounted sign not to exceed six (6) square feet or one (1) on premise ground mounted sign not to exceed six (6) square feet. Height not to exceed six (6) feet.

2. For single family and two family residential, no commercial advertising is allowed, only signs denoting the name and address of the occupants or complex are allowed. Maximum allowable area shall not exceed one (1) square foot. Illumination shall be indirect and not greater than 50 footlamberts of luminance.

3. Any community facility which has more than 300 feet of frontage on public street may display one (1) additional ground sign for each 300 feet of frontage in excess of the first 300 feet of frontage. However, no activity may display a ground sign within 250 feet of any other ground sign displayed by the same activity. Height not to exceed six (6) feet.

4. Illumination shall be indirect and not interfere with or distract traffic flow and not be greater than 100 footlamberts of luminance.

S.6 OFF-PREMISE SIGNS

No off-premise signs shall be allowed within the Capitol Zoning District except for those public, quasi-public or institutional signs specifically approved by the Capitol Zoning District Commission.

S.7 OTHER SIGNS

A. The following signs, not addressed in S.5, are allowed by right

1. **Building Mounted projecting signs:** Allowed within the Capitol Area only, provided that the sign is approved by the Capitol Zoning District Commission after a public hearing and due consideration. Building mounted projected signs shall be less than eighteen (18) square feet in area and constructed as to present a theme or to enhance the historic character of a building. The mounting of the sign shall not project more than five (5) feet and shall not obstruct pedestrian traffic. Certificates of Appropriateness for projecting signs may also be approved by the Commission, on a case-by-case basis, in Zone "O".

2. Parking Directional Signs: All Use Groups except single-family residential and two-family residential are allowed one parking directional sign per entry/ exit to a parking area. Maximum area shall be two (2) square feet; maximum height shall be six (6) feet and must not physically obstruct traffic or vision.

3. Parking Regulation Signs: All Use Groups except single family residential and two family residential are allowed one parking regulation sign per entry/ exit to a parking area. Maximum area shall be four (4) square feet and maximum height shall be six (6) feet. In addition, one identification sign per parking space shall be permitted not to exceed 0.5 square feet in area and two (2) feet in height.

4. Delivery Signs: All Use Groups except single family and two family residential are allowed one (1) building mounted wall sign to denote entry or delivery points. Maximum area shall be four (4) square feet.

5. Service or Product Advertising Signs: Allowed for the following Use Groups: Automobile Oriented Commercial; Hotel, Motel and Amusement; Quiet Business; Consumer Goods and Services; Industrial. One (1) building mounted wall sign shall be allowed to advertise products, services, sales, specials, etc., not to exceed ten (10) square feet in area.

6. Construction Sign (Temporary): Allowed, One (1) sign not to exceed twenty (20) square feet in area and six (6) feet in height. Construction signs may be erected at the time construction begins and shall be removed within ten (10) days after final inspection.

7. Political Sign (Temporary): Allowed; Erected up to one hundred twenty (120) days prior to the election date and removed within ten (10) days after election.

8. Real Estate Sign (Temporary): Allowed, One (1) sign per zoning lot, not to exceed twenty (20) square feet in area and six (6) feet in height, to be removed within two (2) weeks after conveyance of property or occupancy. All real estate signs shall indicate that the said property is subject to regulations under Capitol Zoning.

9. Holiday Signs (Temporary): Allowed, Wall mounted signs celebrating all national and religious holidays are allowed to be erected two (2) weeks before and two (2) weeks after.

10. Home Occupation Signs: shall be limited to the home occupation and shall not exceed one (1) square foot and shall only have the owner's and/or company name and occupation displayed on the sign. Such signs shall be non lighted in two color and wall mounted.

11. Historic Plaque to be wall mounted and not to exceed one (1) square foot.

12. Directory signs shall not exceed the following sizes: Twelve and one-half (12 1/2); square feet when visible within seventy-five (75) feet of any public right-of-way. Twenty-five (25) square feet when visible seventy-five (75) feet or more from public right-of-way.

B. The following signs are prohibited within the Capitol Zoning District:

1. Trailer Signs

2. Signs on Fences, Utility Poles, or Natural Elements

3. Banners, Pennants, Light Strings, Oscillating, Rotating Flashing Lights, etc. or flood lights that interfere with or distract traffic

4. Signs Creating Traffic Hazard

5. Signs Placed Without Property Owner's Permission

6. Vehicle Signs which are illuminated or extend past the factory built body, except for those on public transit and emergency vehicles

7. Signs Not Permanently Attached

8. Abandoned Signs

9. Roof Signs

10. Marquee Signs

11. Time and Temperature Signs (prohibited in Mansion Area Only)

12. Animated Signs

13. Projecting Signs (prohibited in Mansion Area Zones M & N only)

14. Portable Signs.

15. Window Treatment Signs

Any sign, picture, publication, display of explicit graphics or language or other advertising which is distinguished or characterized by emphasis depicting or describing sexual conduct or sexual activity, displayed in windows, or upon any building, or visible from sidewalks, walkways, roads, highways, or a public area is prohibited in any location. This section is not to be construed to apply to signage which constitutes political speech.

S.8 ADMINISTRATION OF SIGN REGULATIONS

No sign, other than those allowed for one and two family residential uses, those wall-mounted signs allowed for individual occupants of multi-family residential uses, those temporary signs not specifically required to have a permit, those signs on products, product containers, and product dispensers and public informational and safety signs shall be erected, relocated or otherwise altered in height or size without securing an appropriate permit from the Capitol Zoning District Commission.

S.9 NON-CONFORMING SIGNS

All signs which became non-conforming as a result of the 1998 Capitol Zoning Master Plan shall be removed by the owner or lessee or made to conform. The Commission may, on a case by case basis, approve Certificates of Appropriateness for the installation of the following non-conforming signs:

- 1.** Historic signs reinstalled at their original locations in the District, or replicas of such signs.
- 2.** Historic signs relocated from elsewhere, to facilitate the preservation of such signs.