

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF LITTLE ROCK,  
ARK., REV. CODE CHAPTER 17 AND CHAPTER 36 (1988) REGARDING  
SHORT-TERM RENTALS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the use of homes for Short-Term Rentals is occurring throughout the City without clear allowances for this land use; and,

**WHEREAS**, a regulatory framework is needed to provide for Life-Safety Standards for both hosts and visitors of Short-Term Rentals; and,

**WHEREAS**, use of residential homes for Short-Term Rentals grants owners opportunities for housing to be used for the purpose of safe temporary rental accommodations throughout the City’s collective of neighborhoods; and,

**WHEREAS**, the City has developed an equitable system for permitting Short-Term Rentals, incorporating mechanisms to preserve neighborhood character while allowing reasonable latitude for the use of private residences to generate income; and,

**WHEREAS**, the City divided the meaning of a Bed and Breakfast House into two (2) land use categories: owner occupied (Type 1); and non-owner occupied (Type 2), given the difference in tone and nature of the two (2) types of land use, and crafted an entitlement process; and,

**WHEREAS**, this regulatory framework for operation of Short-Term Rentals helps establish equity in Municipal Tax Collection; Hotel Taxes from Short-Term Rentals will be collected and used in City’s efforts to promote travel and tourism.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS.**

**Section 1.** Taxes on Short-Term Rentals are outlined in Little Rock, Arkansas Rev. Code Chapter 17. Licenses, Taxation, and Miscellaneous Business Regulations.

**Section 2.** Little Rock, Arkansas Rev. Code, Chapter 36. Zoning, Article I. In General, Section 36-3. Same – Uses, as follows:

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

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:

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

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

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

20 (1) Bed and Breakfast Hotels

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

27 Be amended to read as follows:

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

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

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

- 33 a. Bed and Breakfast House

34 Be amended to read as follows:

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

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

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

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

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

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

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

14          **DEFINITIONS.**

- 15           A. Administrative Approval shall mean formal acceptance of approval by the Director  
16           of Planning and Development, or their designee.
- 17           B. Bed and Breakfast House/Short-Term Rental Type 1 (STR-1) shall mean an owner  
18           occupied single-family, two (2)-family or multi-family property which contains  
19           not more than nine (9) bedrooms or guest rooms, no more than one (1) of which  
20           may be located in an approved accessory dwelling, which for a fee may be  
21           occupied by a guest for no longer than twenty-nine (29) consecutive days.
- 22           C. Bed and Breakfast House/Short-Term Rental Type 2 (STR-2) shall mean a non-  
23           owner occupied single-family, two (2)-family or multi-family property which  
24           contains not more than nine (9) bedrooms or guest rooms, which for a fee may be  
25           occupied by a guest for no longer than twenty-nine (29) consecutive days.
- 26           D. Contributing structure shall mean a building within a National Register Historic  
27           District that contributes to the historic character of the District, was built during  
28           the District’s period of significance, and retains its appearance from that time, as  
29           determined by the Arkansas Historic Preservation Program.
- 30           E. Occupant shall mean the person or persons who contracts with the Responsible  
31           Party for use of the Short-Term Rental.
- 32           F. Owner-occupied shall mean owner of the property permanently resides in the  
33           Short-Term Rental or in the principal residential unit with which the Short-Term  
34           Rental is associated on the same tax parcel.

1 G. Rehabilitation shall mean the act or process of making use for an existing structure  
2 through repair, alterations and additions.

3 H. Responsible Party shall mean the owner of a Residential Dwelling being used as a  
4 Short-Term Rental Type 1 or Type 2, as well as any person designated by the  
5 owner, who is responsible for compliance with this Article by an Occupant. The  
6 Responsible Party shall provide for the maintenance of the property and ensure  
7 compliance by the Occupant and any guests with the provisions of this Article, or  
8 any other applicable law, rule, or regulation pertaining to the use and occupancy  
9 of a Short-Term Rental. The owner of the property shall not be relieved of  
10 responsibility or liability for noncompliance with the provisions.

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

13 (a) Bed and Breakfast House/Short-Term Rental Type 1 (STR-1) is an owner occupied  
14 single-family, two (2)-family or multi-family dwelling unit, or a unit within 1,500 feet  
15 of said dwelling, which contains not more than nine (9) bedrooms or guest rooms, no  
16 more than one (1) of which may be located in an approved accessory dwelling, which for  
17 a fee may be occupied by a guest for no longer than twenty-nine (29) consecutive days.

18 1. Bed and Breakfast House/Short-Term Rental Type 1 (STR-1) are a land use  
19 allowed only where the Planning Commission has granted a Special Use Permit in  
20 accordance with Chapter 36. Article II. Section 36-54 Special Use Permits.

21 A. Business License required.

22 1. Upon Planning Commission approval of a Special Use Permit, the owner  
23 shall submit an application for a Business License, which if said license is  
24 issued, must be renewed annually.

25 2. Annual Inspection Fee for a STR-1 is of One Hundred Dollars (\$100.00)  
26 per bedroom up to maximum of Five Hundred Dollars (\$500.00).

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

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

34 2. Owner-Occupied status shall be confirmed by at least two (2) documents  
35 demonstrating primary residence. Documentation of primary residence

1 address must match the deed as recorded with the Pulaski County Clerk's  
2 Office. Acceptable documents include: Arkansas Driver's License; State  
3 of Arkansas ID Card; Pulaski County Voter Registration Card, IRS W2  
4 Form; Utility Bill (dated within sixty (60) days); or Bank Statement (dated  
5 within sixty (60) days).

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

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

15 A. Business License required.

- 16 1. Upon the Board's adoption of an ordinance for a PZD, the owner can  
17 submit application for a Business License, to be renewed annually.  
18 2. Annual Inspection Fee for a STR-2 is Five Hundred Dollars (\$500.00).  
19 3. The Annual Inspection Fee would be waived for the first year if the  
20 structure is on the City's Unsafe/Vacant list, as determined by the Housing  
21 and Neighborhood Programs Department, and is rehabilitated for use as  
22 an STR-2.

23 (c) Pre-Existing Bed and Breakfast House/Short-Term Rental Type 1 (STR-1) Administrative  
24 approval for Pre-Existing Bed and Breakfast House/Short-Term Rental Type 1 (STR-1)  
25 can be granted. Within six (6) months of the passage of this ordinance, the owner must  
26 register the STR-1 with the City, demonstrate the STR-1 was in operation six (6) months  
27 prior to passage of this ordinance, demonstrate compliance with all Bed and Breakfast  
28 House/Short-Term Rental Type 1 (STR-1) development standards and pay a One Hundred  
29 Fifty Dollar (\$150.00) Administrative Review Fee.

- 30 1. If Administrative Approval is granted, the applicant will be notified and an  
31 inspection will be scheduled, and a One Hundred Dollar (\$100.00) Inspection  
32 Fee is to be collected.  
33 2. Following payment of the Administrative Review and Inspection Fee, the  
34 Operator shall obtain a Business Permit, to be renewed annually.

1           3. Annual Inspection Fee for pre-existing STR-1 is One Hundred Dollars  
2           (\$100.00) per bedroom, up to a maximum of Five Hundred Dollars (\$500.00).

3           (d) Pre-Existing Bed and Breakfast House/Short-Term Rental Type 2 (STR-2) Non-owner  
4           occupied Short-Term Rentals (STR-2's) in operation prior to six (6) months of passage of  
5           this ordinance, which have not secured entitlement through a PZD, shall apply for a PZD  
6           with the City of Little Rock Planning & Development Department within six (6) months  
7           following passage of this ordinance. If no application is received, and/or if the PZD  
8           application is not approved, the property shall revert to its former use status.

9           (e) All Bed and Breakfast House/STR-1 & 2 Permit holders are responsible for collecting and  
10          remitting all applicable room, occupancy, Advertising & Promotion Tax, and Sales and  
11          Gross Receipts Taxes required by Arkansas State Law or City Code.

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

13           (a) A Responsible Party must be available twenty-four (24) hours per day, seven (7)  
14           days per week, for the purpose of responding to City Officials within sixty (60)  
15           minutes to complaints regarding the condition of the Short-Term Rental or the  
16           conduct of the Occupant of the Short-Term Rental and/or their guests.

17           (b) A Responsible Party, upon notification that any Occupant or guest has created  
18           any unreasonable noise or disturbance, engaged in disorderly conduct, or  
19           committed a violation of any applicable law, rule or regulation pertaining to the  
20           use and occupancy of a Short-Term Rental, shall promptly respond in an  
21           appropriate manner within sixty (60) minutes and require an immediate halt to  
22           the conduct, and take such steps as may be necessary to prevent a recurrence of  
23           such conduct. Failure of the Responsible Party to respond to calls or complaints  
24           regarding the condition, operation, or conduct of an Occupant or guest in a Short-  
25           Term Rental in an appropriate manner within sixty (60) minutes shall constitute  
26           a violation of this Article.

27           (c) A Responsible Party shall provide their contact number and information to all  
28           residents adjacent to the Residential Dwelling being used, or will be used, as  
29           Short-Term Rental (Type 1 or 2)

30           (d) A Responsible Party shall post on or near the front door of the Short-Term Rental  
31           a notice which includes the address of the Rental, emergency contact numbers  
32           (including the Responsible Party name and contact number), maximum  
33           occupancy, and a diagram showing emergency exit route(s) approved by the  
34           Little Rock Fire Department.

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

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

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

1. For STR-1 Applications, compliance with these development standards shall be demonstrated and submitted as a supplement to a Special Use Permit Application.
2. For STR-2 Applications, compliance with these development standards shall be demonstrated and submitted as a supplement to the minimum criteria required for the submittal of a Planned Zoning District Application.
3. Density of Short-Term Rentals - There shall be no more than 500 Short-Term Rentals at any one time within the corporate boundary of the City of Little Rock.

(b.) Development Standards.

1. Hosting of private parties and special events such as weddings, receptions, and other similar gatherings is not allowed in Short-Term Rentals.
2. No tours for a fee are allowed to anyone other than an occupant.
3. The Occupancy Fee may include any meal to be served to paying guests; no other meal service is permitted.
4. Allowable signage is that as permitted by the Single-Family Residential Standard.
5. Parking plan must be provided with permit application. Off-Street Standard for STRs shall be provided in accordance with Little Rock Arkansas Code, Chapter 36 36-54 (e) (1).

If on-street parking is proposed as an alternative to meet the above requirements, parking must be available for guest use within 330 feet of the Short-Term Rental and parking plan must address neighborhood impact. If the Short-Term Rental is proposed within a Design Overlay District, any alternate parking requirements, as provided in Little Rock,

1 Arkansas Rev. Code, Chapter 36. Zoning, Article V. District Regulations  
2 shall be applicable.

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



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

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

5                   **ARTICLE XIV. SECTION 36.604 COMPLIANCE**

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

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

16                  (c.) Sanctions:

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

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

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

- c. Should the owner and/or Responsible Party request an appeal within the ten (10)-day period, the Director of the Planning & 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 Short-Term Rental 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**

//  
 //  
 //  
 //  
 //  
 //