

ORDINANCE NO. 2020-38

AN ORDINANCE AMENDING CHAPTER 14 ZONING CODE OF THE  
BENTONVILLE MUNICIPAL CODE.

WHEREAS, the City of Bentonville periodically reviews the Zoning Code to identify needs for clarification or updates to meet current conditions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTONVILLE, ARKANSAS:

**Section 1.** That within this ordinance, except section headings, all underlined text shall be added and strikethrough text shall be deleted.

**Section 2.** That the following sections of the Bentonville Municipal Code, Chapter 14 Zoning Code, shall be and are hereby amended with the respective attachment, an electronic copy and paper copy of which are on file with the City Clerk, and are hereby adopted by reference as though they were copied herein fully:

- Attachment A: Art. 201 Definitions Amendments
- Attachment B: Art. 401 Zoning District Regulations Amendments
- Attachment C: Art. 601 Use Regulations Amendments
- Attachment D: Art. 801 Sign Ordinance – Private Property Amendments.

**Section 6.** This Ordinance shall be in full force and effect 30 days from the date of its passage and approval.

PASSED and APPROVED this 11<sup>th</sup> day of February, 2020.

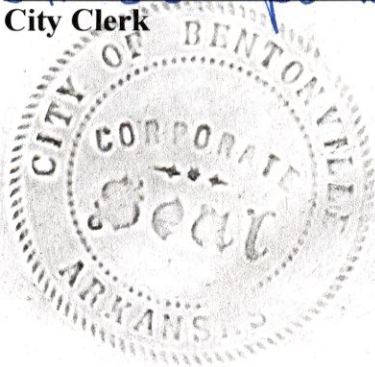
Approved:

Stephanie Orman

Mayor Stephanie Orman

ATTEST:

Linda Spence  
City Clerk



Attachment A  
Article 201 Definitions Amendments

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**Sec. 201.02 Definitions of terms and uses.**

For the purpose of these regulations, certain terms and words are to be used and interpreted as defined hereinafter. Where any words are not defined, the standard dictionary definition shall apply. In addition some definitions listed restrict and define the meaning and intent of permitted uses set forth in this ordinance.

**Block:** A parcel of land, intended to be used for urban purposes, that is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks, drainage channels or a combination thereof.

**Block, mid-:** A parcel of land located in the middle of a block.

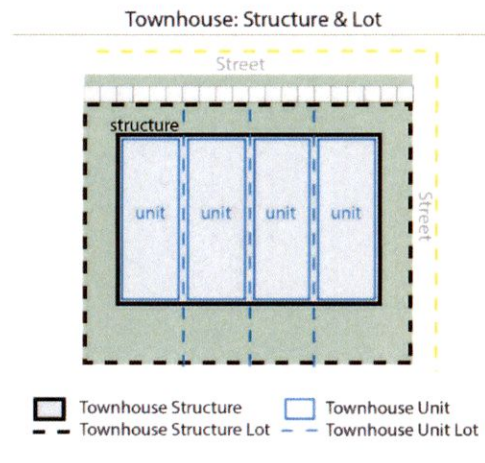
**Block, end-:** A parcel of land located at the end of block with at least two intersecting property lines adjacent to public streets, highways, railroad rights-of-way, public walks, parks, drainage channels or a combination thereof.

**Convenience Store:** A retail commercial establishment, not exceeding 2,500 square feet in gross floor area, supplying a limited range of food items, magazines, toiletries, and tobacco products to meet the day-to-day needs of residents in the immediate neighborhood ~~and which may or may not include fuel sales.~~

**Drive-Through:** A business establishment so developed that its retail or service character is dependent on providing a driveway approach ~~or parking spaces~~ and window serving for motor vehicles to take and deliver orders ~~serve to~~ patrons while in the motor vehicle, rather than within the building or structure.

**Dwelling, Townhouse unit:** A single dwelling unit in a townhouse structure attached to the adjoining dwelling unit by a common wall extending from the ground to the roof with all exits opening directly to the outside, and located on, or capable of being located on, a separate lot.

**Dwelling, Townhouse structure:** A dwelling structure consisting of three or more attached townhouse dwelling units.



**Event Center:** A multi-purpose commercial facility with single or multiple assembly rooms or spaces and related support facilities, such as catering kitchens, indoor/outdoor seating and stage or event area for the primary purpose of hosting special events such as graduations, weddings, anniversaries, holiday gatherings, corporate functions or parties, concert settings, and general get-togethers. This does not include outdoor music venues that are separately defined and regulated.

Art. 201 Definitions

**Fence:** An artificially constructed barrier or enclosure of wood, masonry, stone, wire, metal or other manufactured material or combination of materials used as a boundary, means of protection, privacy screening, separation of areas, or confinement, but not including hedges, shrubs, trees or other natural growth.

**Height:** The vertical distance as measured through the central axis of the building from the elevation of the lowest finished floor level to the high point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip and gambrel roofs.

**Outdoor Music Venue:** An outdoor area used to accommodate musical performances, including live music, the presentation of music played on sound equipment operated by the owner or by an employee, an agent or a contractor of the venue commonly known as a “disc jockey” or “DJ”, and karaoke. An outdoor music venue may be a stand alone use or may be associated with another use. This does not include “event center or “bars, taverns or lounges” which are separately defined and regulated.

**Packaged Liquor Store:** A retail establishment with the primary purpose of selling beer, light wine and spirits for off-site consumption. This definition does not include a convenience store when the sale of beer, light wine and/or spirits for off-site consumption is not the primary retail product.

**Restaurant:** An establishment in which food or beverages are cooked or prepared and offered for sale and where consumption is ~~permitted~~ allowed on the premises, whether or not entertainment is offered, and includes establishments commonly known as grills, and cafes, drive-through and any fast food establishment permitting consumption on the premises. This definition does not include drive-in restaurants or restaurants that offer drive-through service, which are separately defined and regulated.

**Restaurant, Drive-in:** Any restaurant whose primary business is designed to permit or facilitate the serving of meals, sandwiches, ice cream, beverages or other food, served directly to, ~~or permitted to be consumed by,~~ patrons in automobiles or other vehicles parked on the premises for on-site consumption. ~~or permitted to be consumed by patrons elsewhere on the site, outside the main building.~~ This does not include restaurants with drive-through service, which is separately defined and regulated.

**Restaurant, Drive-through:** A restaurant that provides a driveway approach and window for taking and/or delivering orders to patrons while in their motor vehicle, rather than within the building or structure, for off-site consumption. This definition does not include a drive-in restaurant, which is separately defined and regulated.

**Restaurant, Microbrewery:** As defined by the Division of Alcoholic Beverage Control of the State of Arkansas and defined generally as any establishment in which beer, malt, and hard cider are brewed and sold at retail in a restaurant setting under the same ownership in the same building or attached buildings.

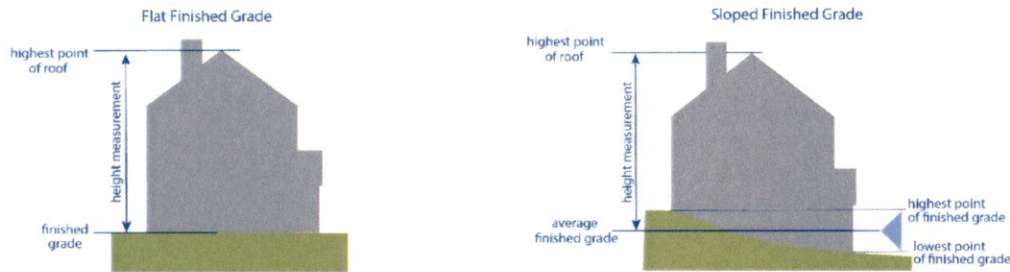
## Attachment B

### Art. 401 Zoning District Regulations Amendments

*Underlined text to be added and strikethrough text to be deleted.  
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#### Sec. 401.03 Calculations and measurements.

- (a) *Measuring lot width.* Lot width is measured from side lot line to side lot line along the front building setback line.
- (b) *Measuring lot depth.* The minimum lot depth is measured at its shallowest point measured at right angles or radial to the street right-of-way line.
- (c) *Measuring building height.*
- (1) *Measuring height.* Building height shall be measured as the vertical distance from the elevation of the ~~natural~~ finished grade level to the highest point of the roofline or parapet wall. For sloped sites, building height is measured as the vertical distance from the elevation of the average of the highest and lowest finished grade level to the highest point of the roofline or parapet wall.
  - (2) *Exceptions.* Chimneys, elevators, poles, spires, tanks, towers, and other projections not used for human occupancy may extend above the height limit.



(d) *Measuring setbacks.* Setbacks shall be measured as the horizontal distance between the property line and/or right-of-way line and the structure's foundation.

~~(e) *Computing density.* When computing gross density of a tract of land, any and all common open space may be used in said calculation.~~

(Ord. No. 2012-58, § 2, 07-24-2012; Ord. No. 2018-62, § 6, 03-27-2018; Ord. No. 2019-160, § 3, 10-22-2019)

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#### Sec. 401.05 Table of uses for zoning districts.

TABLE OF USES

Use	Use Regs.	A1	RE	R1	R2	R3	R4	R-C2	R-C3	R-MH	R-ZL	RO	DN-1	DN-2	DN-3	DN-4	C1	C2	C3	DC	DE	I1	I2	
<b>Recreation, education, public assembly</b>																								
<u>outdoor music venue</u>		<u>C</u>																<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>	
<b>Retail</b>																								
convenience store that sells beer and/or light wine for off-site consumption	601.29																	<u>A</u>	●	●	●	C		
convenience store that sells beer and/or light wine for off-site consumption within 500' of a city owned park or trail	601.29																	<u>A</u> <u>C</u>	C	C	C	C		
convenience store that sells beer, light wine and/or spirits for off-site consumption	601.29																	<u>A</u>	●	●	●			
convenience store that sells beer, light wine and/or spirits for off-site consumption within 500 ft. of a city owned park or trail	601.29																	<u>A</u> <u>C</u>	C	C	C			
packaged liquor store	601.29																			●				
package liquor store within 500 ft. of a city owned & maintained park or trail	601.29																				C			
restaurant									C									A	C	●	●	●	C	
restaurant, drive-in																				●	●			
<u>restaurant, drive-through</u>																		<u>C</u>	<u>●</u>	<u>●</u>				
restaurant, microbrewery	601.29																	A	C	C		C		C

#### Sec. 401.06 A-1, Agricultural district regulations.

(a) *Description and purpose.* The regulations for the A-1 Agricultural District are designed to preserve and protect prime agricultural lands and to protect undeveloped areas from intensive uses until a use pattern is approved.

(b) *Bulk and area regulations.*

(1) *Density.* The table below establishes the maximum density for agricultural districts.

AGRICULTURAL (A) DISTRICT DENSITY STANDARDS	
Zoning district	Maximum density allowed
A-1	1 dwelling unit per 5 acres

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#### Sec. 401.07 Residential (R) districts regulations.

~~(b) Residential (R) districts density standards.~~ The table below establishes the maximum density allowed for each residential zoning district.

RESIDENTIAL (R) DISTRICTS  
DENSITY STANDARDS

Zoning district	Maximum density allowed
R-E	1 dwelling unit per 2 acres
R-1	6 dwelling units per acre
R-2	9 dwelling units per acre
R-3	12 dwelling units per acre
R-4	24 dwelling units per acre
R-MH	6 dwelling units per acre
R-ZL	9 dwelling units per acre
R-O	6 dwelling units per acre
R-C2	18 dwelling units per acre
R-C3	36 dwelling units per acre

(c) Residential (R) districts lot and area standards.

(1) Standards. The table below establishes minimum residential lot and area standards.

District	Building type	Min. lot area (sq. ft.)	Min. land area / dwelling unit (sq. ft.)	Min. lot width	Max. lot coverage	
					Interior lot	Exterior / corner lot
R-E	All	87,120 (2 acres)	-	100'	10%	15%
R-1	All	6,000	-	60'	40%	45%
R-2	Single-family	6,000	-	60'	40%	45%
	Two-family	7,000	-	70'	50%	55%
	Townhouse unit	3,000	-	30'	<del>50%</del>	<del>55%</del>
	Townhouse structure	<del>40,500</del> <u>9,000</u>	<del>3,500</del> <u>3,000</u>	<del>405'</del> <u>90'</u>	65%	70%
	All others <u>not listed</u>	6,000	6,000	60'	40%	45%

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### Art. 401 Zoning District Regulations Amendments

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District	Building type	Min. lot area (sq. ft.)	Min. land area / dwelling unit (sq. ft.)	Min. lot width	Max. lot coverage	
					Interior lot	Exterior / corner lot
R-3	Single-family	6,000	-	60'	40%	45%
	Two-family	7,000	-	70'	50%	55%
	Townhouse unit	2,500	-	25'	<del>50%</del> --	<del>55%</del> --
	Townhouse structure	<del>9,000</del> <u>7,500</u>	<del>3,000</del> <u>2,500</u>	<del>90'</del> <u>75'</u>	<del>50%</del> <u>65%</u>	<del>55%</del> <u>70%</u>
	<u>Multi-family</u>	<u>10,000</u>	<u>800</u>	<u>100'</u>	<u>50%</u>	<u>55%</u>
	All others <u>not listed</u>	<del>6,000</del> <u>10,000</u>	<del>6,000</del> --	<del>60'</del> <u>100'</u>	<del>40%</del> <u>50%</u>	<del>45%</del> <u>55%</u>
R-4	Single-family	6,000	-	60'	40%	45%
	Two-family	7,000	-	65'	50%	55%
	Townhouse unit	2,500	-	25'	<del>50%</del> --	<del>55%</del> --
	Townhouse structure	<del>9,000</del> <u>7,500</u>	<del>3,000</del> <u>2,500</u>	<del>90'</del> <u>75'</u>	<del>50%</del> <u>65%</u>	<del>55%</del> <u>70%</u>
	<u>Multi-family</u>	<u>10,000</u>	<u>800</u>	<u>100'</u>	<u>50%</u>	<u>55%</u>
	All others <u>not listed</u>	10,000	-	<del>65'</del> <u>100'</u>	50%	55%
R-MH	Manufactured home lots	4,500	4,500	50'	30%	35%
	Manufactured home parks	11,000	3,500	60'	30%	35%
	All others <u>not listed</u>	7,000	7,000	65'	40%	45%
R-ZL	Zero lot line	4,000	-	40'	60%	65%
R-O	Single-family	6,000	-	60'	40%	45%
	Two-family	7,000	-	70'	50%	55%
	All others <u>not listed</u>	6,000	6,000	60'	60%	65%
R-C2	Single-family and all others not specifically listed	4,000	-	35', rear access via alley or private drive; 50', no rear access via alley or private drive	--	--
	Two-family / duplex Townhomes – end block	--	2,000	20', rear access via alley or private drive ; 25', no rear access via alley or private drive	--	--
R-C3	Single-family	3,000	-	15'	70%	<del>70%</del> <u>75%</u>
	Two-family / Duplex	7,000	-	15'	70%	<del>70%</del> <u>75%</u>
	Townhomes <u>Structure (attached)</u>	-	1,200	15' per unit	No max.	No max.
	Multi-family (4+ units)	-	1,200	No minimum	No max.	No max.
	All others <u>not listed</u>	4,000	--	15'	70%	<del>70%</del> <u>75%</u>

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(d) Residential (R) districts setback standards.

(1) Standards: The table below establishes the minimum residential setback standards.

**RESIDENTIAL (R) DISTRICTS  
MINIMUM SETBACK STANDARDS**

District	Building Type	Front	Side		Rear
			Interior	Exterior	
R-E	All	30'	30'	30'	30'
R-1	All	20'	7'	20'	25'
R-2	All	20'	7'	20'	25'
R-3	All	20'	10'	20'	25'
R-4	All	20'	10'	20'	25'
R-MH	Manufactured home lots	20'	10'	20'	25'
	Manufactured home park	25'	15'	25'	25'
R-ZL	Zero lot line	20'	12'/0'	20'	25'
R-O	Single-family	20'	7'	20'	25'
	Two-family	20'	10'	20'	25'
	Office with parking in front	50'	10'	50' parking; 20' no parking	25'
	Office w/o parking in front	20'	10'	20'	25'
R-C2	Single-family and all others not specifically listed	20'	7'	20'	15'
	Two-family, <del>duplex</del>	20'	7'; 0' where attached	20'	15'
	Townhome <u>structure</u> - end block	10'	7'; 0' where attached	10'	15'
R-C3	Single-family	0'	0'	5'	7'
	<del>Duplex</del> <u>Two-family</u>	0'	0'	5'	7'
	Townhome <u>structure</u>	10'	0'	10'	10'
	Multi- <del>f</del> family	0'	0'	10'	7'
	All others <u>not listed</u>	0'	7'	5'	7'

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#### Sec. 401.07-B Downtown Neighborhood (DN) districts regulations.

(c) *DN districts lot and area standards.*

- (1) *Standards.* The table below establishes the lot and area standards for all development in the Downtown Neighborhood districts. Accessory dwelling units (ADUs) are permitted in DN-1 and DN-2 on lots with single-family structures and do not require additional land area per the table below, but are subject to additional standards in *Article 601.02 Accessory dwelling units.*

**DOWNTOWN NEIGHBORHOOD (DN) DISTRICTS  
LOT AND AREA STANDARDS**

District	Building Type	Min. Lot Area (sq. ft.) Ⓐ	Min. Land Area / Dwelling Unit (sq. ft.)	Lot Width		Max. Lot Coverage Ⓒ	
				Min. Lot Width Ⓑ	Max. Lot Width	Interior lot	Exterior /corner
<b>DN-1</b>	Single-family	6,000	-	60'	-	40%	45%
	Single-family, alley access	4,000	-	40'	-	50%	55%
	Single-family, no alley access	5,000	-	50'	-	50%	55%
	Single-family attached unit	2,000	-	20'	-	<del>50%</del>	<del>55%</del>
	Single-family attached structure, alley access	4,000	-	40'	-	50%	55%
<b>DN-2</b>	Single-family attached structure, no alley access	5,000	-	50'	-	50%	55%
	Two-family, alley access	4,000	-	40'	-	50%	55%
	Two-family, no alley access	5,000	-	50'	-	50%	55%
	Townhouse unit	2,000	-	20'	-	<del>60%</del>	<del>65%</del>
	Townhouse structure	7,500	2,500	75'	-	60%	65%
<b>DN-3</b>	Single-family, alley access	4,000	-	40'	-	50%	55%
	Single-family, no alley access	5,000	-	50'	-	50%	55%
	Single-family attached unit	2,000	-	20'	-	<del>50%</del>	<del>55%</del>
	Single-family attached structure, alley access	4,000	-	40'	-	50%	55%
	Single-family attached structure, no alley access	5,000	-	50'	-	50%	55%
	Two-family, alley access	4,000	-	40'	-	50%	55%

## Attachment B

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District	Building Type	Min. Lot Area (sq. ft.) Ⓐ	Min. Land Area / Dwelling Unit (sq. ft.)	Lot Width		Max. Lot Coverage Ⓒ	
				Min. Lot Width Ⓑ	Max. Lot Width	Interior lot	Exterior /corner
	Two-family, no alley access	5,000	-	50'	-	50%	55%
	Townhouse unit	2,000	-	20'	-	<del>65%</del>	<del>70%</del>
	Townhouse structure	<del>7,500</del> <u>6,000</u>	<del>2,500</del> <u>2,000</u>	<del>75'</del> <u>60'</u>	-	65%	70%
	Multi-family and all others not listed	10,000	800	<del>125'</del> <u>100'</u>	-	65%	70%
<b>DN-4</b>	Single-family, alley access	4,000	-	40'	50'	50%	55%
	Single-family, no alley access	5,000	-	50'	-	50%	55%
	Single-family attached unit	2,000	-	20'	-	50%	55%
	Single-family attached structure, alley access	4,000	-	40'	-	50%	55%
	Single-family attached structure, no alley access	5,000	-	50'	-	50%	55%
	Two-family, alley access	4,000	-	40'	50'	50%	55%
	Two-family, no alley access	5,000	-	50'	-	50%	55%
	Townhouse unit	2,000	-	20'	-	<del>65%</del>	<del>70%</del>
	Townhouse structure	<del>7,500</del> <u>6,000</u>	<del>2,500</del> <u>2,000</u>	<del>75'</del> <u>60'</u>	-	65%	70%
	Multi-family	<del>10,000</del> <u>8,000</u>	800	<del>125'</del> <u>80'</u>	-	75%	80%
	Mixed-use and all others not listed	10,000	800	<del>75'</del> <u>80'</u>	-	75%	80%

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Art. 401 Zoning District Regulations Amendments

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(d) *DN districts setback standards.* The table below establishes the setback standards for the Downtown Neighborhood districts.

DOWNTOWN NEIGHBORHOOD (DN) DISTRICTS  
MINIMUM SETBACK STANDARDS

District	Building type	Front Yard		Side Yard				Rear Yard (R)
				Exterior /Corner Side Yard (CS)		Interior Side Yard (S)		
		Min. (F1)	Max. (F2)	Min.	Max.	Detached Yard	Attached Yard	
DN-1	All	15'	25'	15'	-	7'	0'	25'
DN-2	Single-family and Two-family	12'	25'	12'	25'	7'	0'	25'
	Townhouse block-end and all others not listed	12'	25'	12'	25'	10'	0'	25'
DN-3	Single-family and Two-family	10'	20'	10'	20'	7'	0'	25'
	Townhouse	10'	20'	10'	20'	10'	0'	25'
	Multi-family block-end and others not listed	10'	20'	10'	20'	10'	0'	<del>25'</del> <u>15'</u>
DN-4	Single-family and Two-family	8'	15'	8'	15'	7'	0'	25'
	Townhouse	8'	15'	8'	15'	10'	0'	25'
	Multi-family	8'	15'	8'	15'	10'	0'	<del>25'</del> <u>15'</u>
	Mixed-use and others not listed	0'	15'	0'	15'	0', 12' if adjacent to a non mixed-use building	0'	<del>25'</del> <u>15'</u>

(e) *DN districts height standards.* The table below establishes the maximum height allowed in the Downtown Neighborhood districts.

DOWNTOWN NEIGHBORHOOD (DN) DISTRICTS  
HEIGHT STANDARDS

District	Single-family and two-family	Townhouse	Multi-family	Mixed-use
DN-1	36'	--	--	--
DN-2	36'	<del>35'</del> <u>36'</u>	--	--
DN-3	40'	40'	40'	--
DN-4	40'	40'	50'	50'

Attachment B

Art. 401 Zoning District Regulations Amendments

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**Sec. 401.08 Commercial (C) districts regulations.**

(b) *Commercial (C) districts density standards.* The table below establishes the maximum density when residential is allowed in a commercial district.

COMMERCIAL (C) DISTRICTS  
DENSITY STANDARDS

District	Maximum density allowed
C-1	--
C-2	--
C-3	48 dwelling units per acre

(c) *Commercial (C) districts lot and area standards.* The table below establishes the lot and area standards for all development in commercial (C) districts.

District	Building Type	Min. lot area (sq. ft.)	Min. land area / dwelling unit (sq. ft.)	Lot width		Max. lot coverage	
				Min. lot width	Max. lot width	Interior lot	Exterior / corner lot
C-1	All	7,000	-	70'	-	50%	50%
C-2	All	7,000	-	70'	-	60%	60%
C-3	All except townhouses	<del>None</del> <u>--</u>	-	<del>25'</del> <u>--</u>	-	100%	100%
	Townhouses	None	-	14'	-	100%	100%

Attachment B

Art. 401 Zoning District Regulations Amendments

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**Sec. 401.8-B Downtown (D) districts regulations.**

~~(c) Downtown (D) districts density standards.~~ The table below establishes the density standards for the ~~downtown (D)~~ districts.

DOWNTOWN (D) DISTRICTS DENSITY STANDARDS

<u>Zoning district</u>	<u>Maximum density allowed</u>
<u>DC</u>	<u>48 du/acre</u>
<u>DE</u>	<u>18 du/acre</u>

Attachment C

Art. 601 Use Regulation Amendments

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Uses permitted or subject to a Conditional Use Permit in any district under this Ordinance shall be subject to the requirements of the district provisions as supplemented or modified by this Article.

**Sec. 601.01 Accessory buildings.**

(a) *Setbacks.*

(1) *Standards.* The table below establishes the minimum setback standards for accessory structures.

	<b>Detached Accessory Nonresidential</b>	<b>Detached Accessory Dwelling</b>	<b>Attached Accessory Dwelling</b>
Front setback	As required by zoning district	As required by zoning district	As required by zoning district
Side setback	7'	7'	As required by zoning district
Rear setback	7'	7'	As required by zoning district

(2) *Corner lots.* In the case of a corner lot, said accessory structure shall not project beyond the building line of the primary structure or existing primary structure on the adjacent lot.

(3) *Accessory garage setback.* An accessory garage that accesses from a rear alley and the garage door faces the alley shall have a minimum setback of 20' between the alley right-of-way and the garage door.

~~(3)~~(4) *Distance from primary structure.* Any detached accessory structure in excess of 200 square feet shall be located a minimum of 10' from the primary structure.

~~(4)~~(5) *Size variance.* An accessory structure footprint in excess of 720 square feet as approved through a variance shall conform to the required setbacks of the zoning district.

(5) *Exception.* Any accessory non-residential structure less than 200 square feet and not attached to a permanent foundation, shall have a minimum side and rear yard setback of five feet (5') and shall meet the front setback as required by the zoning district.

## Attachment C

### Art. 601 Use Regulation Amendments

*Underlined text to be added and strikethrough text to be deleted.  
Only code sections with amendments are shown.*

#### **Sec. 601.16 Outdoor music venue.**

(a) Conditional use permit required. No person or business shall operate a music venue within the city limits without a valid conditional use permit, except on those properties for which such use were established prior to adoption of these regulations.

(b) Applicability. An outdoor music venue conditional use permit may only be granted within those zoning districts identified as allowing outdoor music venues with a conditional use permit, subject to the provisions of this section.

(c) Application requirements. As part of the conditional use permit application, the applicant shall provide the following information:

1. A noise impact assessment completed by a professional acoustical engineering consultant prior to sound attenuation measures and after installation of sound attenuation measures.
2. Details of sound attenuation measures proposed to ensure that the outdoor music venue does not create a noise nuisance to surrounding properties.

(d) Review criteria. The planning commission may approve an outdoor music venue only if the planning commission first finds that:

1. The proposed venue is consistent with the Community Plan and the Land Development Code.
2. The nature, scale and operating characteristics of the venue are compatible with existing and future land use in the vicinity;
3. The noise impact assessment indicates decibel levels will not exceed the maximum decibel limits for the zoning district as set forth in the noise regulations; and,
4. When implemented, the management plan sufficiently assures ongoing compliance with hours of operation, security, noise control, parking management and all other conditions that may be attached to the conditional use permit.

#### **Sec. 601.25 Temporary uses and structures.**

*(a) Short-term temporary uses or structures.*

- (1) Applicability.* The regulations for short-term temporary uses or structures shall apply to temporary uses and/or temporary structures that do not exceed three (3) consecutive days in a 12-month time period ~~per location~~, no more than two times per calendar year per location; except outdoor vendors otherwise regulated in this chapter.

## Attachment C

### Art. 601 Use Regulation Amendments

*Underlined text to be added and strikethrough text to be deleted.  
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#### **Sec. 601.29 Alcohol sales.**

*(b) Establishment types.*

- (1) *Wholesale manufacture and/or distribution.* The wholesale manufacture and/or distribution of intoxicating liquors to include alcoholic beverages of every kind and type shall be allowed ~~by right~~ in the I-1, Light Industrial and I-2, Heavy Industrial zoning districts and with the approval of a Conditional Use Permit in the C-2, General Commercial zoning district in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations, subject to the following additional provision:
  1. Any business that manufactures and/or distributes intoxicating liquors to include alcoholic beverages of every kind and type, that is located within 500 feet of any city owned and maintained park or trail, measured from the nearest point of the park or trail to the nearest point of the building to be permitted, shall not be entitled to so operate unless it first obtains a Conditional Use Permit.
- (2) *Microbrewery-Restaurant.* A microbrewery-restaurant as defined by the Division of Alcoholic Beverage Control of the State of Arkansas, shall be allowed in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations.
- (3) *Packaged Retail Sales.*
  1. *Beer and Light Wine – Districts Permitted.* The packaged retail sales of beer and/or light wine of every kind and type for consumption off the premises shall be allowed ~~by right~~ in the following zoning districts: C-1, Neighborhood Commercial, C-2, General Commercial and C-3, Central Commercial and with the issuance of a Conditional Use Permit in the DC, Downtown Core zoning district in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations, subject to the conditional use provisions as outlined below in Section C. Conditions for Use.
  2. *Beer, Wine and Spirits – Districts Permitted.* The packaged retail sales of intoxicating liquors to include alcoholic beverages of every kind and type for consumption off the premises shall be allowed ~~by right~~ in the C-2, General Commercial zoning district in the zoning districts as set forth in the Table of Uses in Article 401 Zoning Regulations, subject to the conditional use provisions as outlined below in Section C. Conditions for Use.

Attachment D

Art. 801 Sign Ordinance – Private Property Amendments

*Underlined text to be added and strikethrough text to be deleted.  
Only code sections with amendments are shown.*

**801.15 Signs allowed with a sign permit.**

The following signs may be installed, mounted, or placed on public display only pursuant to a duly authorized and issued sign permit, subject to the height, area and location regulations specified in this Section. A common signage plan is required in accordance with *SEC. 801.09 Common Signage Plan*. Erection of the following signs without a permit is a violation of this Section.

(a) *Height and area regulations.*

Sign Type	ZONING								Use	No. Allowed	Max. Height	Max. Area (per sign face)
	A1, RE R1, R2, R3, R4, RC-2, RC-3 PRD, DN1, DN2	RO	C1	C2	C3	DC, DE, DN3, DN4	I1 & I2	PUD				
Freestanding	•								Subdivision & Multifamily	2/street entrance	6 ft.	32 sq. ft.
	•	•	•		•				Non-residential	1/street entrance <u>frontage</u>	6 ft.	32 sq. ft.
		•							All	1/lot	6 ft.	32 sq. ft.
			•						All	1/street frontage	6 ft.	32 sq. ft.
				•			•	•	Single tenant	1/street frontage	8 ft.	60 sq. ft.
				•			•	•	Multiple tenant	1/street frontage	12 ft.	100 sq. ft.
					•				All	1/street frontage	6 ft.	32 sq. ft.
Wall	•	•							Residential	1/building	1 ft. above roof peak	4 sq. ft., non-illuminated
	•	•							Non-residential	1/building	1 ft. above roof peak	25 sq. ft.
			•	•	•	•	•	•	All <u>Non-residential</u>	No maximum number; however, the total area cumulative of all sign faces cannot exceed 15% of the wall area for the building, or suite if	1 ft. above roof peak	15% of wall area* (includes awning, canopy, <u>window, door</u> , projecting and roof signs)  25 sq. ft. min. allowed