

AN ORDINANCE TO ESTABLISH CLEAR STANDARDS FOR THE DEVELOPMENT OF ACCESSORY DWELLING UNITS IN COMPLIANCE WITH ACT 313 OF 2025, TO AMEND ORDINANCES AND CITY CODE PROVISIONS OF THE LITTLE ROCK REVISED CODE OF ORDINANCES (1988) ACCORDINGLY, TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Arkansas General Assembly enacted Act 313 of 2025, which mandates that municipalities allow at least one (1) accessory dwelling unit as a permitted use on lots containing single-family dwellings; and,

WHEREAS, it is desirable for the City of Little Rock to establish a clear regulatory framework for the development of accessory dwelling units to ensure compliance with Act 313 of 2025; and,

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

Section 1. Little Rock, Ark, Rev. Code Chapter 36, Article I, Subsection 36-2 is amended as follows:

Accessory building or use means a building or use which:

- (1) Is located on the same zoning lot as the principal building or principal use;
- (2) Serves the principal building or principal use;
- (3) In other than a residentially-zoned district, is subordinate in area, extent or purpose to the principal building or principal use served. Accessory structures in residentially-zoned districts shall be subordinate in area, extent and purpose to the principal building and residential use; and
- (4) Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use.

Accessory dwelling unit means a self-contained and independently accessed living unit that includes its own cooking, sleeping, and sanitation facilities, and that is a subordinate accessory unit to a primary or principal structure of a greater square footage on the same lot or parcel. Such accessory dwellings shall comply with the

1 bulk and area provisions of Sec. 36-156 and Sec. 36-252, unless applicable to
2 regulations set forth in Sec. 36-204.

3 **Section 2.** Little Rock, Ark, Rev. Code Chapter 36, Article V, Division 1, Subsection 36-204

4 is amended as follows:

5 (a) *Purpose and Intent.*

6 The purpose of this section is to establish clear standards for the development of one (1)
7 accessory dwelling unit on single-family residential lots as a permitted use by right, in
8 accordance with Act 313 of 2025 of the State of Arkansas.

9 (b) *Permitted use.*

10 (1) A maximum of one (1) accessory dwelling unit is allowed as a permitted use in
11 all zoning districts when it is an accessory unit to a single-family dwelling of a
12 greater square footage on the same parcel or lot, meeting the definition of an
13 accessory dwelling unit and all applicable development standards outlined in
14 [subsection (b)].

15 a. A detached accessory dwelling unit shall not be erected or occupied before
16 the primary single-family dwelling is erected on the same parcel or lot,
17 unless approved for temporary use during construction by the Director of
18 the Planning and Development Department.

19 b. A will-serve letter is required from applicable water and wastewater
20 utilities.

21 c. No provision of this section shall be construed so as to relieve compliance
22 with all other applicable requirements of the municipal code, not in
23 contradiction with A.C.A. § 14-56-205.

24 (2) *Development standards.* The development standards shall apply to all accessory
25 dwelling units allowed by-right per [section (b)(1)].

26 a. *Location.* An accessory dwelling unit may be attached, detached, or
27 internal to the single-family dwelling on the lot or parcel. Whether
28 detached, attached, or internal, the unit shall conform to the setback

1 requirements applicable to single-family dwellings of the applicable
2 zoning district.

3 b. *Area.* When detached or attached, the unit shall not be more than seventy-
4 five percent (75%) of the gross floor area of the single-family dwelling or
5 one thousand square feet (1,000 sq. ft.), whichever is less.

6 c. *Lot Coverage.* The accessory dwelling unit shall conform to the lot
7 coverage requirements for single-family developments of the applicable
8 district where prescribed.

9 d. *Height.* No accessory dwelling shall exceed the permitted height of the
10 respective applicable zoning district.

11 (c) *Variances.*

12 (1) Accessory dwelling units defined by [section (b)(1)] but which do not meet the
13 development standards outlined in [section (b)(2)] shall be processed as a request
14 for a variance as per Sec. 36-69—70 of the Little Rock Municipal Code, through
15 the Board of Adjustments.

16 (2) The mere fact that the placement of an accessory dwelling unit is to be placed on
17 a location previously granted a variance for a non-residential use does not
18 guarantee that any variance for an accessory dwelling unit will be granted.

19 (d) *Applicability.* Any regulation or restriction in Chapter 36 that is more restrictive than this
20 section shall not apply to accessory dwelling units defined by [section (b)(1)]. The
21 regulations of this section for accessory dwelling units defined by [section(b)(1)] shall
22 supersede any regulation in Chapter 36 that is more permissive than this section.

23 (e) *Additional Units.* Any additional accessory dwelling units, beyond one (1) unit as defined
24 by [section (b)(1)], or units accessory to non-single-family primary structures on a lot or
25 parcel, shall conform to applicable regulations of the municipal code.

26 (f) *Short-term rentals.* No provision of this section shall be construed so as to relieve
27 compliance with Sec. 36-601 of the Little Rock Municipal Code.

1 **Section 3.** Little Rock, Ark, Rev. Code Chapter 36, Article VIII, Subsection 36-502 is
2 amended as follows:

3 (b) The following shall constitute minimum standards for the provision of off-street parking
4 spaces:

5 (1) *Residential uses.*

6 a. Single-family dwelling, 1.0 space per dwelling unit.

7 b. Accessory dwelling, 1.0 space per unit. Accessory dwelling defined by Sec. 36-204
8 (b)(1), no space per dwelling unit required.

9 **Section 6. Severability.** In the event any title, section, paragraph, item, clause, phrase, or word
10 of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or
11 adjudication shall not affect the remaining portion of the ordinance which shall remain in full force
12 and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally
13 a part of the ordinance.

14 **Section 7. Repealer.** All laws, ordinances, resolutions, including but not limited to Little Rock,
15 Ark., Ordinance No. 18,228 (March 7, 2000), or parts of the same that are inconsistent with the
16 provisions of this ordinance area hereby repealed to the extent of such inconsistency.

17 **Section 8. Emergency Clause.** The implementation of new legislation that takes effect on
18 August 5, 2025, includes new legislative definitions and regulations for accessory dwelling units,
19 and the City has already received such applications which requires immediate change to the City's
20 zoning ordinances in order to protect the public health, safety and welfare; an emergency is,
21 therefore, declared to exist and this ordinance shall be in full force and effect from and after the
22 date of its passage.

23 **PASSED: August 19, 2025**

24 **ATTEST:**

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Allison Segars, City Clerk

28 **APPROVED AS TO LEGAL FORM:**

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Thomas M. Carpenter, City Attorney

24 **APPROVED:**

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Frank Scott, Jr., Mayor