AGENDA ITEM HISTORY SHEET

ITEM TITLE	AGENDA NO. 23
Ord.2025-17 AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING	AGENDA DATE: 12/16/2025

FUNDING CERTIFICATION (Finance Director) (Signature, if applicable)

MANAGEMENT STAFF REVIEW (Signature)

MAYOR (Signature)

ITEM HISTORY (Previous Council reviews, action related to this item, and other pertinent history)

DRC 11/13/25 - Recommended for approval. PC 11/13/25 - Public Hearing and recommended approval by Planning Commission. CC 11/18/25 - 1st reading of proposed ordinance. One change suggested to height of fencing.

ITEM COMMENTARY (Background discussion, key points, recommendations, etc.) Please identify any or all impacts this proposed action would have on the City budget, personnel resources, and/or residents.

This item went before the DRC on 11/13/25 where it was reviewed and recommended for approval. It was placed on the November PC meeting agenda where a public hearing was advertised and held for the changes. The commission voted to recommend the Zoning Code changes to City Council. The proposed Ordinance was voted to be added to the City Council Agenda on 11/18/25 where the first reading occurred. One change was recommended by Council Member Roedel on the fencing height requirement. The proposed ordinance has changed to reflect that recommendation.

(This section to be completed by the Mayor)

ACTION PROPOSED (Motion for Consideration)

Approve

ORDINANCE NUMBER 2025 - ___

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BRYANT TO THE BRYANT ZONING CODE.

WHEREAS, the City of Bryant established the Bryant Zoning Regulations under Ordinance 99-16 dated September 27,1999; and

WHEREAS, the Bryant Planning Commission has prepared new regulations to implement the needed changes to the Zoning Regulations; and

WHEREAS, the Planning Commission of the City of Bryant, Arkansas conducted a duly advertised public hearing concerning the proposed regulations, subsequent to which they credited the proposed regulation to the City Council for its adoption.

NOW, THEREFORE, BE IT ORDIANED BY THE CITY COUNCIL OF THE CITY OF BRYANT ARKANSAS:

Section 1. Adoption

The City of Bryant does hereby adopt the attached sections of the Zoning Regulations of the City of Bryant shall be amended by reference as a technical code amendment pursuant to A.C.A. 14-55-207.

Section 2. Codification

The City of Bryant City Council does hereby direct the Planning and Development Director to codify and organize these adopted sections with the Zoning Code in a proper manner.

Section 3. General Repealer

All laws, ordinances, resolutions, or parts of the same, which are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency or conflict.

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Section 4. Severability

Should any title, section, paragraph, item, sentence, clause, or phrase of this Ordinance be declared or adjudged invalid or unlawful by a court of competent jurisdiction, 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 or unconstitutional was not originally a part of the Ordinance.

PASSED AND APPROVED this _____ day of_____, 2025.

Approved:

_____
Mayor Chris Treat

Attest:

_____
Mark Smith, City Clerk

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SECTION 4 – RESIDENTIAL DISTRICTS

Section 4.2: Table of Uses

LANGUAGE TO BE ADDED TO DEFINITIONS

Vegetable Garden: A plot of ground or an elevated soil bed on residential property where vegetables, herbs, fruits, flowers, pollinator plants, leafy greens, or other edible plants are cultivated.

Permitted Uses	*R-1*	*R-1.S*	*R-2*	*R-E*	*R-M*	*Special Provisions*
A. Residential						
Accessory Dwelling Units	~~CU~~ P	~~CU~~ P	~~CU~~ P	~~CU~~ P	~~CU~~ P	Section 10.1
Accessory Structures and Uses	P	P	P	P	P	Section 10.2
Single-Family Dwelling	P	P	P	P	P	
Two-Family Dwelling	P	X	X	X	CU	
Multi-Family Dwelling	X	X	X	X	X	
Mobile Home	X	X	X	X	X	
Manufactured Home	X	X	X	X	P	
Manufactured Home Park	X	X	X	X	CU	Section 10.6
Townhouse	X	X	X	X	X	
Model Home – Temporary (18-month limit)	P	P	P	P	X	
B. Commercial						
Bed & Breakfast	X	X	X	CU	X	
Child Care Center	CU	CU	CU	CU	CU	
Elder/Adult Care Center	CU	CU	CU	CU	CU	
Home Occupation	P	P	P	P	P	Section 10.4
Short Term Rental	CU	CU	CU	CU	CU	Section 10.9
C. Community Facilities and Public Utilities						
Cemetery	CU	CU	CU	P	CU	
Church or other place of worship	P	P	P	CU	P	Section 10.12
Community building, public	CU	CU	CU	CU	CU	
Public Utility Buildings/Facilities	CU	CU	CU	CU	CU	Section 10.14
Residential establishment for care of alcoholic, drug, or psychiatric patients	X	X	X	X	X	
Half-way House	X	X	X	X	X	
Hospital, health center, institution for aged or children, and extensions or additions to existing	CU	CU	CU	CU	CU	
Library	CU	CU	CU	CU	CU	
Nursing or rest home and extensions or additions to existing ones	CU	CU	CU	CU	CU	

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Park or playground	CU	CU	CU	CU	CU	
School, public, parochial, or private non- profit	CU	CU	CU	CU	CU	Section 10.12
D. Agricultural						
Animal husbandry, dairying, and pasturage	X	X	X	CU	X	
Field crops, horticulture, or nursery truck gardening, but not including retail sales on the premises – Gardens under 2 acres are permitted in all districts	X	X	X	P	X	
Vegetable Gardens	P	P	P	P	P	
E. Other						
Other similar uses, not specifically listed above	CU	CU	CU	CU	CU	

Section 4.3: Area Requirements

Every building and use built or located in a residential district shall have the lot area and widths identified below. No buildings shall be built or enlarged unless the following yard setbacks are provided and maintained in connection with such building, structure, or enlargement.

Yard (front, rear, interior, exterior) are identified in the definition section of this Code. Front, rear, interior, and exterior yard setbacks shall be measured from the property line or, when greater, the projected edge of the proposed street right-of- way shown on the Master Street Plan. The projection of open balconies, bay windows, and uncovered porches (patios) into yard space is permissible.

Chimneys, cooling or water towers, elevators, bulkheads, fire towers, monuments, stacks, storage towers, tanks, spires, church steeples, radio towers, or necessary mechanical apparatus shall not be subject to the height requirements.

RESIDENTIAL LOT, YARD, & HEIGHT REQUIREMENTS

Zoning District	*Min. Lot Area*	*Max. Lot Coverage*	*Min. Lot Width*	*Setback Requirements*				*Max. Height*
				Front	*Interior*	*Exterior*	*Rear*	
R-1	6,000 Sq. ft.	40%	60 ft.	20 ft.*	8 ft.	15 ft.*	20 ft.	48 ft.
R-1.S	6,000 Sq. ft.	40%	60 ft.	20 ft.*	8 ft.	15 ft.*	20 ft.	48 ft.
R-2	9,000 Sq. ft.	25%	75 ft.	25 ft.*	8 ft.	15 ft.*	25 ft.	48 ft.
R-E	43,560 Sq. ft. / 1 acre	25%	125 ft.	25 ft.*	15 ft.	25 ft.*	25 ft.	48 ft.
R-M	6,000 Sq. ft. MHP: 20 acres	40%	60 ft.	20 ft.*	8 ft.	15 ft.*	20 ft.	48 ft.

All R Districts	Community Building, Assembly, Church, School or similar: 1 acre	40%	100 ft.	20 ft.*	25 ft.	20 ft.*	25 ft.	48 ft.

Note: Existing platted lots of records that do not meet the above requirements may be used subject to ~~Section 4, paragraph f.~~ Section 3.2, paragraph e).

*When a majority of the lots on one side or street face of a block have existing principal structures on them and those structures do not meet the minimum required front setback or exterior setback, the required setback may be reduced. In such cases, the setback of all the structures on the street face of the block (no more than 6 lots) may be a measured to determine the average setback. This calculated front setback may be used as the front or exterior setback line for any new construction or expansion of existing structures.

*The front setback for a residence or structure shall be at minimum the distance listed or the existing front façade line of the principal structure on the lot or parcel, whichever is greater. For purposes of this section, the "front façade line" means the line of the exterior wall of the principal structure that is closest to the front lot line.

SECTION 10 – SPECIAL PROVISIONS

Section 10.1: Accessory Dwelling Units

Accessory Dwellings Units shall only be allowed on lots where there is an existing single-family residence. An existing single-family dwelling can be converted to an accessory dwelling unit. An accessory dwelling unit may be attached, detached, or internal to the single-family dwelling on the lot or parcel. Existing Accessory Dwelling Units constructed prior to ~~April 30, 2018~~(Change to Date that Ordinance goes into effect) made non-conforming by these regulations shall be considered legal and conforming and may be reconstructed if demolished or destroyed for any reason.

LANGUAGE TO BE ADDED TO DEFINITIONS
Accessory Dwelling Unit: ~~A smaller, secondary site-built dwelling unit on the same lot as an existing single-family dwelling. The unit includes its own independent living facilities with provisions for sleeping, cooking, and sanitation, designed for residential occupancy independent of the primary dwelling unit.~~ A self-contained and independently accessed living unit on the same parcel as a single-family dwelling of greater square footage, that includes its own cooking, sleeping, and sanitation facilities.

Standards

A. ~~Owner Occupancy: The property owner must maintain permanent residence in either the principal structure or the accessory dwelling unit.~~

B. Maximum Occupancy: Occupancy of the Accessory Dwelling Unit shall be limited to one family.

C. Number Allowed: One (1) Accessory Dwelling Unit per ~~principal structure.~~ lot or parcel that contains a single-family dwelling.

D. Size Limits: ~~The accessory dwelling unit must be less than forty (40) percent of the size of the principal structure or 1,000 square feet in gross floor area, whichever is less. It must also be at least 300 square feet in gross floor area.~~ Aunit shall not be more than seventy-five percent (75%) of the gross floor area of the single-family dwelling or one thousand square feet (1,000 SF), whichever is less.

E. Setbacks and Height: The units shall meet all the required setbacks and maximum building heights for single-family dwellings in ~~accessory structures of~~ the zone ~~in~~ which it is located. ~~The height of the unit shall not exceed that of the principal structure, without approval of a conditional use permit.~~

F. Location: ~~The unit must be placed within the rear yard of the lot, behind the principal structure.~~ The unit must be located on the same lot as the principal dwelling. A detached ADU shall not extend closer to the front property line than the setback listed for the zone in which it is located or the existing front façade line of the principal structure on the lot or parcel, whichever is greater.

G. Design: If the accessory dwelling unit is detached from or attached to the single-family dwelling, it is suggested that the façade materials of the unit ~~must~~ match or complement the façade materials of the ~~principal structure,~~ single-family dwelling, but it is not required. ~~The applicant shall provide a materials list at the time of approval for the structure. The Development Review Committee shall have the authority to approve façade materials which do not meet this standard.~~

H. Parking: ~~One paved off-street parking space shall be provided.~~ It is recommended that at least one paved, off-street parking space be provided for the unit, but it is not required.

I. Accessory Structure Conversion: An existing accessory structure may be converted in whole or in part to an accessory dwelling unit provided the accessory structure is conforming and the structure or portion of the structure deemed an accessory dwelling unit meets the requirements of this section.

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Application Requirements and Review

A. Submittal Requirements to Provide
    1. A plot plan showing the parcel boundary, primary dwelling, proposed ADU footprint, setbacks, access, and utility connections.
    2. Floor plan and elevations for the ADU.
    3. Utility Plan
    4. Letter of approval from City of Bryant Utilities stating that there is sufficient capacity for connection to municipal water and sewer.
    5. If municipal water service or municipal sewer service is not available, and a septic or other on-site system is planned to be used, a letter of approval from the Department of Health must be provided.

B. Fees
    1. The application fee for the review of plans on an accessory dwelling unit is two hundred fifty dollars ($250).

C. Building Permit Review
    1. In addition to the accessory dwelling unit application, all necessary building permits must be applied for and obtained before construction can begin.

Section 10.14: Utility-Scale Solar Arrays

LANGUAGE TO BE ADDED TO DEFINITIONS:

- Utility-Scale Solar Energy System (USES): A solar power generation system designed primarily to supply power to off-site users or the utility grid, typically generating more than 1 megawatt (MW) of electricity.

- Accessory Solar Energy System: A solar array designed to serve on-site electrical needs.
- Glare: Light reflection that may cause visual discomfort or safety concerns, particularly for motorists or nearby property owners.

A. Purpose
    1. The purpose of these regulations are as follows:
        a) To ensure that utility-scale solar energy systems (USESs) are installed in a manner that preserves the public health, safety, and welfare of the community.

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B. Application Requirements and Review Process

1. A conditional use permit and an approved site development plan are required for the construction of a utility-scale solar energy system.

2. Utility-Scale Solar Energy Systems are permitted by Conditional Use Permit (CUP) in the following Zoning districts:
    a) Industrial/Mining
    b) Other districts as determined by the Planning Commission and approved by the City Council.

3. All applications for a USES shall include:
    a) Site development plan showing panel layout, fencing, setbacks, access roads
    b) Electrical diagram, including grid interconnection points
    c) Glare analysis for nearby residences and public roads
    d) Landscaping and screening plan
    e) Erosion and stormwater control plan (if disturbing >1 acre)
    f) Decommissioning plan (see Section 10.14.E)
    g) Proof of liability insurance

C. Development Standards

1. Lot Dimensions
    a) Lot Size: 5 Acres Min. – 10 Acres Max.

2. Setbacks
    a) Front, Side, and Rear – 100 Ft.
    b) Street ROW – 100 Ft.
    c) Must maintain a 300ft setback from any offsite residential structures.

3. Height
    a) 12 Ft Max. (Measured from grade to top of panel at maximum tilt.)

4. Fencing
    a) When abutting another Industrial / Mining (I/M) or commercial zoned property: Minimum 6-foot chain link or security fencing required around perimeter.

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b) When abutting a residential district, a minimum 10' high wood, rock or masonry fence is required with a landscape screen to buffer the solar arrays from the residential district. See the Bryant Landscape Regulation for specific landscape treatment.
c) A bond for the maintenance of the fencing and landscape buffer is required.

5. Screening & Landscaping
    a) Evergreen vegetative buffers (average spacing of 6ft OC) shall be placed along property lines abutting residentially zoned property or public right-of-way.
    b) Landscaping must be maintained and replaced as needed for the life of the project.

6. Glare, Noise, & Lighting
    a) Systems must be sited and designed to prevent glare onto neighboring homes, public rights-of-way, or aviation paths.
    b) USESs must not exceed 50 dBA at property boundaries.
    c) Night lighting must be fully shielded and motion-activated for safety.

7. Access & Maintenance
    a) All arrays must have locked, gated access with visible contact signage. Gate must have Knox Box or Knox Lock for Access by emergency services.
    b) Maintenance and inspection logs must be available to city inspectors upon request.

D. Decommissioning
1. A decommissioning plan must be submitted and approved before construction can begin on a USES. The plan must include the following:
    a) Removal of all solar equipment and support structures
    b) Restoration of topsoil and vegetation
    c) Timeframe for decommissioning (<12 months from cessation of operations)
    d) Cost estimate for decommissioning plan
    e) A financial surety bond in the amount of the cost for decommissioning shall be required and reviewed every 5 years.

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E. Permit Duration and Renewal

- CUPs shall be valid for 25 years, with an option for renewal upon application to the Planning Commission.

F. Enforcement and Revocation

- Failure to maintain the site or comply with permit conditions may result in revocation of CUP and enforcement under the City Code.

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