

What's zoning and why does it exist?

1. Zoning specifies where and how private property is used.

Zoning was created to separate noxious industrial activities from people's homes. The industrial revolution resulted in serious health issues due to unregulated proximity between factories and residences. Zoning emerged as one of several public health responses, and today it governs what types of activities—such as housing, restaurants, offices, or manufacturing—can occur on private land, and under what conditions.

2. Zoning organizes land use into different "districts" or "zones."

These zones typically define what types of buildings and uses are allowed in specific geographic areas to enact city planning goals, which organize the city into distinct downtown and commercial areas, residential neighborhoods, and manufacturing and warehouse districts.

3. Zoning shapes the built environment.

Beyond what activities can happen on a property, zoning also controls physical aspects like how tall buildings can be, how far they must be set back from streets or neighbors, how much parking is required, and how intense development can be, meaning how much activity or how many homes can be on a single property.

4. Zoning reflects community priorities and politics.

While zoning began as a health and safety tool, it now reflects broader social, economic, and political goals—like preserving neighborhood character, managing growth, protecting environmental resources, or addressing housing needs. It can also be controversial, as zoning decisions affect who can live where, what kinds of businesses or buildings are allowed, and what people are allowed to do with their property.

5. Zoning is evolving to address modern challenges.

Cities throughout the country are rethinking zoning to reflect changing preferences that prioritize compact and walkable neighborhoods, downtowns, and cities as a whole. Prior decades of zoning have produced sprawling cities that require cars to get most places, don't work well for public transportation, have segregated people by race and income level, produce significant traffic congestion, and have spread out city infrastructure and services without sufficient tax base to pay for it.

Why are land development laws so incomprehensible?

1. They weren't made for regular people.

Zoning codes were originally written for lawyers, engineers, architects, and bureaucrats—not for the public. They're packed with legal language, cross-references, technical charts, and terms like “nonconforming use” or “variance” that aren't intuitive. Even experienced professionals can struggle to interpret zoning requirements across different documents.

2. It's split into too many pieces.

Most cities have zoning, subdivision, design standards, and administrative procedures scattered across multiple ordinances. To understand what you can do on a property, you might need to read five or six documents, some of which may conflict or be out of date.

3. It focuses on regulation, not explanation.

Zoning tells you what's allowed, but rarely why. There's no context for how the rules connect to big-picture goals—like affordability, walkability, reduced traffic congestion, or rural preservation. That disconnect makes it hard for people to see how zoning supports or conflicts with what they value in their community.

4. It's reactive and piecemeal.

Over time, zoning codes get amended, patched, and layered without a full rewrite. That leads to inconsistencies, outdated categories, and rules that no longer reflect the city's current or future needs. This often makes the code feel arbitrary and unintuitive.

5. It's deeply connected to things people care about—but in invisible ways.

Zoning influences where homes, parks, stores, and schools go—but it's not something you see, like a building or street. Because its impacts are felt more than seen, it's easy to overlook until it creates a problem. And by then, it's often too late to change without a lengthy process.

What regulations affect the form of Bentonville?

1. The Zoning Code: Managing Private Property Use and Design.

Zoning is a set of regulations that governs how private property can be used and developed. It determines what activities—like housing, restaurants, or retail—can occur on a property, and it also regulates building height, setbacks, parking requirements for cars and bicycles, landscaping and tree preservation, fencing, accessory structures like sheds, signage, and other design elements. Together, these rules shape the look and function of neighborhoods and commercial areas across the city.

2. The Land Development Code: Designing New Neighborhoods.

The Land Development Code guides how undeveloped, “greenfield” areas are converted into new subdivisions. It regulates the layout of roads, the size and arrangement of lots, the density of housing, and the amount of open space required. While zoning and the Community Plan set the framework for what can be built, in practice, the specifics are often shaped through negotiation between developers, the Planning Commission, and the City Council.

3. The Community Plan: Setting Long-Term Vision.

Bentonville’s Community Plan is a visionary document that outlines long-term goals for the city related to housing, mobility, economic development, parks, environmental stewardship, and public services. It includes the Future Land Use Plan, which sets the intended character of different areas and guides zoning decisions by identifying where certain types of development are appropriate. The Community Plan serves as a foundation for both zoning and land development regulations.

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4. Area and Topic-Specific Plans and Policies: Adding Detail.

The city periodically adopts plans focused on specific issues or locations—such as the Parks Master Plan, Active Transportation Plan, or Downtown Master Plan. These documents allow the city to address complex topics in greater detail than citywide plans. Additionally, policy documents can change or add detail to various parts of the city's code, including zoning, land development, licensing, and more.

5. The Bentonville Municipal Code: Running the City.

The Bentonville Municipal Code governs how the city functions. It includes the Zoning Code and Land Development Code, but also addresses a wide range of other issues, such as business licensing, property maintenance, animal control, city council procedures, taxation, and city department responsibilities. Together, these regulations define both the daily operations of city government and the rights and responsibilities of residents.

6. The Arkansas State Code: Establishing Local Authority.

The Arkansas State Code establishes the powers and responsibilities of cities across the state, including the authority to regulate zoning and land development. It requires cities to adopt and periodically update a Future Land Use Plan and a Master Street Plan. While some states mandate extensive detail in local comprehensive plans (as in Florida or California), Arkansas allows greater local discretion, requiring only that future land use be identified and used to guide development decisions.