



**HOT SPRINGS VILLAGE  
PROPERTY OWNERS' ASSOCIATION**

**Commercial Rules & Regulations**

# **Hot Springs Village Property Owners' Association**

## **Commercial**

### **Rules & Regulations**

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## **Commercial Information**

# Rules & Regulations

## 1.0 GENERAL

The purpose of this document is to clarify rules and regulations regarding commercial development within Hot Springs Village (HSV).

### 1.1 Gates / Entrances to Hot Springs Village.

- A. Only authorized persons are permitted access to HSV. Authorized persons include members, guests of members, visitors/service employees and contractors, or those conducting business with professional services.
- B. 'Tailgating' another vehicle through an electronic gate is prohibited and will be considered an abuse of the card privilege. Only one car per gate activation is permitted.
- C. Delivery drivers without a valid Work pass and active POA gate card must use the East and West gates only.
  - i. **West Gate** (staffed daily 24 hours) – 111 DeSoto Blvd – 501-922-1640
  - ii. **East Gate** (staffed daily from 6:00 am until 10:00 pm) – 1570 DeSoto Blvd – 501-922-5015
  - iii. **Cortez Gate** (card access only)
  - iv. **Danville Gate** (card access only)
  - v. **Balboa Gate** (card access only)
  - vi. **Glazy Peau Gate** (card access only)
- D. How to obtain a Work Pass: Contact Member Services at 501-922-5556

## 2.0 COMMUNITY SUPPORT

**The Community Support division of the POA is the enforcing department for violations of POA policies, rules and regulations, and other published governing documents. Repeat offenders having three or more of the same violation in any twelve (12) month period are subject to an immediate fine pursuant to HSVPOA Declaration Article VIII Section 3 (j). [Hot Springs Village Declaration and Protective Covenants](#)**

### 2.1 Work Times

All outside work activities may be conducted from 7:00 a.m. to 5:00 p.m. from September 16<sup>th</sup> through May 14<sup>th</sup> and from 6:00 a.m. to 6:00 p.m. from May 15<sup>th</sup> through September 15<sup>th</sup>. A variance may be applied through the Permitting & Inspections Office in emergencies requiring immediate action.

### 2.2 Vehicles Parking on Streets and Common Property

Commercial vehicles may not be parked on the street except for vehicles actively servicing an adjacent residence or business. Vehicles may not be parked on common property except in designated parking lots.

### 2.3 Exterior Property

- A. Exterior property must be maintained free from hazardous conditions, building materials (other than active construction sites), appliances, household items, rubbish, garbage, clutter, debris, and similar items, including at yards, sidewalks, driveways, carports, porches, walkways, stairs, parking spaces, and similar areas not completely enclosed.
- B. Exterior property must be properly maintained regarding paint, repair, replacing and care for trim, roofs, gutters, downspouts, fencing, and exterior building surfaces.
- C. Trees, shrubs, and bushes must be properly maintained, free of disease and not be unsightly.

### 2.4 Storage of Vehicles on Commercial Property

- A. All Commercial vehicles and trailers must be in working condition and display a valid and current license plate.

### 3.0 PERMITTING & INSPECTIONS

The Permitting & Inspections Division issues and monitors all residential and commercial building permits. Permits are required for commercial buildings. Detailed rules and regulations and more information are available in the Permitting & Inspections Department in the POA Administration Building, online at [Permitting and Inspections](#), or by calling 501.922.5559. *The ACC reviews all permits on a case-by-case basis, and variances may sometimes be issued.*

#### 3.1 Administrative Fines

Pursuant to the [POA Declaration](#), Article VIII, Section 3, paragraph (j) the POA can impose a monetary penalty for any incident or ongoing infraction as defined in its Protective Covenants and Rules and Regulations. Such violations include, but are not limited to, temporary structures, obstructing lines of sight, installation of prohibited signs, obstructing easements, livestock, poultry, pet complaints, parking on residential property, and commercial vehicles. In addition, fines may also be imposed for failure to obtain a required permit and to clean up the site/right-of-way after completion of a landscaping job, or other violations, of the Architectural Control Committee Policy, Chapter 5, Article 1. Violators are subject to fines as established by the Board of Directors.

#### 3.2 Commercial Fencing and Screening

- A. All commercial fencing will be evaluated on a case-by-case basis.
- B. Privacy fencing may be allowed for screening in commercial zones.

#### 3.3 Commercial Landscaping

The Standards of this section apply to all landscaping.

- A. Landscaping must be completed within six (6) months of issuing a landscaping permit or certificate of occupancy.
- B. Site Development Landscape Standards:
  - i. Landscaping is required on all newly developed properties.
  - ii. Landscape plans are evaluated on a case-by-case basis.
  - iii. Landscaping design plans must include a mixture of living and hard materials.
  - iv. Erosion Control Measures must be met until all landscaping is complete.
- C. Irrigation Systems: Pumps in lakes require a permit and must be covered or screened, as approved by the Lakes Manager and ACC, and identified with electrical hazard signage as approved by the ACC. The Waiver of Liability and Indemnity Agreement must be included with the permit if the irrigation system is lake-based.
- D. Landscaping should be drought tolerant and suitable for Arkansas. Native plants, grasses, and drought tolerant plant suggestions can be found at <https://www.uaex.uada.edu>

#### 3.4 Signs

- A. Exempted Signs: *Signs in this section **do not require a permit** when all associated regulations are followed.*
  - i. Preexisting Signs: Changing copy, maintaining, or repainting (same color) of previously permitted signs is exempt, provided structural and electrical changes are not made without a permit.
  - ii. Indoor Signage: Signs erected entirely within the confines of a commercial site provided the sign cannot be viewed from streets or common property, are exempt.
  - iii. Official Signs:
    - Any sign erected by the HSVPOA, Garland, Saline counties, or federal government.
    - Public utility signs and traffic signs.
  - iv. Warning and Instructional Signs:
    - Any warning sign, non-advertising sign (e.g., “no trespassing,” “no dumping”), or non-advertising symbol that pertains to the parcel of property upon which it is located, provided any such sign does not exceed one (1) square foot in copy area, is not illuminated and is limited to two (2) per property.
    - Any special instruction sign (e.g., “open,” “closed,” “hours of business,” “no smoking”)

provided any such sign does not exceed two (2) square feet in the copy area.

v. Miscellaneous:

- Any generic architectural design integrated and constructed as part of a building.

### 3.5 Prohibited Signs and Locations

- A. Billboards.
- B. Any sign advertising products or articles not manufactured, assembled, processed, repaired, or for services not sold on the premises.
- C. Two or more signs that convey a single, cumulative advertising message, part of which is contained on each sign in the series.
- D. Inflatable Signs.
- E. Any sign that simulates emergency lights on emergency vehicles, traffic-control signals, or devices.
- F. Any sign that uses intermittent lights, including flashlights, beach lights, strobe lights, rotating beacons, chasing lights, and zip lights.
- G. Any attachment to a permanent sign that is wind or power-operated, including flags, streamers, pinwheels, balloons, and feather flags.
- H. No permanent sign may be located within a triangle measured thirty feet from the intersection along each right of way.
- I. No signs may be placed in a location that causes a pedestrian or vehicular traffic hazard.
- J. Signage is prohibited at the HSV entrance gates, including:
  - **West Gate:** On DeSoto Blvd., from Hwy 7 to San Fernando Road, and up W. Villena Drive to Nevada Lane (1<sup>st</sup> street to the left).
  - **East Gate:** On DeSoto Blvd., from Hwy 5 to Entereza Way.
  - **Glazy Peau Gate:** On Estrella Way, from Warren Watson Road to Mazarron Drive, and, on Mazarron Drive South to Pyrenees Way, and North to Jalisco Circle.
  - **Danville Gate:** On the access road from Balearic to the West side of Danville Rd.
  - **Cortez Gate:** On Cortez, from Cortez Road to Cortez Gate.

### 3.6 Permitted Signs (*a permit is required for all signs in this section*)

- A. General – Signs must conform to the following standards:
  - i. Exterior signs must be made of durable, weather-resistant materials.
  - ii. No signs, once approved, may be moved, or altered without additional approval, excluding maintenance or repainting required to restore a sign to its original, approved condition.
  - iii. Signs located along streets must be a minimum of two (2) feet from a curb, ramp, driveway, light pole, street sign, or fire hydrant.
  - iv. Internal sign illumination is limited to window and wall signs within storefronts.
  - v. Light sources must be mounted, shielded, and pointed towards the sign face to eliminate spillover glare onto adjacent streets, properties, or skywards.
  - vi. Exposed bulbs or lamps must not exceed the equivalent of twenty-five (25) watts of light.

### 3.7 Open House / Model Home Signs

- A. An annual permit is required for real estate companies with open houses.
- B. Signs must be free-standing on stake or frame.
- C. The business name must be identified on signs with a minimum of two (2)-inch copy.
- D. Balloons, streamers, feathers, and other types of decoration may not be used.
- E. Up to four (4) signs may be located off-site.

### 3.8 Commercial Electronic Messaging Center (EMS) Signs

- A. Electronic Messaging Signs are strictly prohibited. However, any current EMS signs are allowed until replacement becomes necessary.

### 3.9 Commercial Banners Signs

- A. Banner signs must be made of flexible materials such as cloth, canvas, and vinyl.
- B. Banner signs may be hung on the side of a building or suspended from a portion of a building structure.

### **3.10 Commercial Signs for Residential Construction**

- C. Signs are limited to identifying the architect, contractor, subcontractors, landscaper, and financier.
- D. The contractor is allowed one (1) sign with a maximum area of nine (9) square feet.
- E. Signage must not exceed four (4) feet from the street grade.
- F. Signs may only be erected after a building permit has been issued.
- G. Signage must be removed within 5 days of the final inspection or when professional services are complete.

### **3.11 Commercial Ground Signs**

- H. Ground signs are limited to the following locations:
  - i. Side Street lot lines.
  - ii. Front lot lines.
  - iii. The bottom of the sign must be within two (2) feet of the grade.
  - iv. Ground signs must be set back within property lines.

### **3.12 Commercial Window Signs**

- I. Letters painted directly on the window.
- J. Hanging signs hung on the interior of the glass.
- K. Vinyl appliqué letters applied to the window, consisting of individual letters or graphics with no visible background.

### **3.13 Commercial Yard Signs**

- L. Yard signs may be erected during business hours and must be free-standing and constructed using solid materials to prevent the sign from being destroyed or blown away.

### **3.14 Temporary Signs (Permit Required)**

- M. Off-premises signs for businesses holding a single special event.
- N. Businesses holding one special event per year seeking signage should apply for a permit at least thirty (30) days before the event.
- O. Temporary event signage for a special event may be erected three (3) days before the event and must be removed within twenty-four (24) hours of the event's completion.
- P. Temporary signs at street intersections are limited to thirty (30) inches in height within a triangle measured thirty (30) feet from the intersection along each right of way.
- Q. Businesses seeking temporary event signage are limited to a maximum of five (5) A-Frame ground signs.

### **3.15 Events Signs**

- R. Organizations holding multiple annual events, including special and regular events, require an annual permit submitted by January 31<sup>st</sup> of the current year. The permit application must include the date and name of each special event.
- S. Organizations holding up to three (3) special events (maximum) per year seeking signage should apply for a permit two (2) months before the event.
- T. Organizations seeking special event signage are limited to A-Frame ground signs and yard signs subject to the following requirements:
  - i. Up to five (5) signs are allowed per event, four (4) of which may be located on property other than the property where the event is being held.

### **3.16 General Sign Size and Zoning Restrictions**

- A. FOR SALE: Residential/Commercial Zones – Three (3) square feet on each side.
- B. OPEN HOUSE / ESTATE SALE / MODEL HOME: Residential/Commercial Zones – Three (3) square feet on each side.
- C. A-FRAME: Commercial Zones only – Maximum nine (9) squares feet on each side and only allowed during business hours.
- D. BANNER: Commercial Zones only – Size approved by ACC on a case-by-case basis.
- E. CANOPY: Commercial Zones only – Two (2) square feet per linear foot of shopfront.



- F. COMMERCIAL CONSTRUCTION: Commercial Zones only – Maximum thirty-two (32) square feet.
- G. CORNER: Commercial Zones only – Maximum forty (40) square feet.
- H. GROUND: Commercial Zones only – Thirty-six (36) square feet on each side.
- I. HANGING: Commercial Zones only – Six (6) square feet on each side.
- J. MARQUEE: Commercial Zones only – Size approved by ACC on a case-by-case basis.
- K. MURAL: Commercial Zones only – Size and design approved by ACC on a case-by-case basis.
- L. WALL SIGN: Commercial Zones only – Three (3) square feet per linear foot.
- M. YARD SIGN: Commercial Zones only – One (1) per fifty (50) feet of frontage; six (6) square feet on each side.

### **3.17 Political Signs or Political Flags**

Political signs must conform with the following requirements:

- A. Political signs are limited to three (3) square feet and may not exceed thirty inches above grade.
- B. Political signs and flags may be erected 30 days prior to the advertised election date and must be removed within 5 days of the advertised election date.
- C. One sign per candidate or referendum item on the current ballot is permitted per lot, up to three (3) signs total, except at any building being used as polling place.

## **4.0 PUBLIC SERVICES – TRASH PICK-UP, YARD WASTE, SPECIAL PICK-UP, LITTER CONTROL** (*State fines for littering apply to all violators under Arkansas Code 8-6-401.*)

### **4.1 Commercial Solid Waste**

- A. All commercial establishments shall receive a large metal commercial container for solid waste collection and pickup unless the amount of waste generated is small enough to allow for the practical use of residential trash cans.
- B. Commercial customers shall notify HSVPOA of their need to empty the assigned container in a timely manner to prevent litter and/or overflow problems from occurring.
- C. Commercial customers shall promptly clean up any solid waste that escapes or falls from a commercial container.
- D. Frequent or regular overfilling of a large commercial container or group of residential containers may result in the POA assigning an additional container for an additional fee to accommodate the commercial customer.
- E. If a commercial establishment determines they need an additional container, they must notify the HSVPOA within seventy-two (72) hours prior to their need.
- F. No industrial waste is allowed in any containers provided by HSVPOA.
- G. Customers are responsible for the cleanliness of the streets adjacent to their property.
- H. Commercial customers will be charged a return trip fee as outlined in the HSVPOA fee schedule for any nonscheduled return trip required due to the container being locked or inaccessible by the customer.

### **4.2 Hazardous Waste Handling and Disposal**

- A. Do not dispose of hazardous waste materials in or at any trash receptacles in HSV. The person who brought the hazardous waste to the HSVPOA facility will be held responsible for any expense or consequence to the HSVPOA.

## **5.0 FIRE REGULATIONS**

- A. Open burning is prohibited in HSV unless specifically approved in writing by the HSV Fire Department (FD).

## **6.0 PUBLIC SAFETY**

### **6.1 Traffic Control**

- A. Motor vehicle operators must observe all laws per the State of Arkansas, including observation of all speed limits, traffic lights, and signs posted in HSV. Arkansas Motor Vehicle Traffic Laws apply, and

citations may be issued for violations. All vehicles operating on HSV roadways shall conform to state regulations regarding lights, horsepower, and weight loading.

## **6.2 County Ordinances**

- A. Ordinances regulating [Animal Control](#), [Noise](#), and [Exterior Maintenance of Property](#) within HSV have been enacted by the Garland and Saline County Quorum Courts.

## **7.0 PRE-APPLICATION MEETING FOR COMMERCIAL DEVELOPMENT PROJECTS**

- A. Staff will coordinate a pre-application meeting between Applicants and Staff to discuss the extent of the development proposal.
- B. The applicant will receive written comments and make appropriate changes for submission.
- C. Should staff determine that additional public review is required before moving forward, Public Services may require the applicant to hold a Public Meeting.
- D. Supporting material is not required in advance of pre-application meetings.

## **7.1 Permit Applications**

- A. Permit applications may be obtained on the Village website: <https://www.explorethevillage.com/services/permitting-inspections-compliance> or from the Permitting and Inspections Division of the POA. Requirements are specified on the application.

## **7.2 Inspections**

- A. Upon completion of the installation, or portion completed by separate trade, the following steps will be taken for final approval:
  - i. Written or call-in notification to the Permitting and Inspections Division of the POA must be provided to set an appointment for inspections.
  - ii. The department official (or approved 3rd party) will inspect the installation to ensure code compliance.
  - iii. A list of deficiencies will be provided to the applicant upon inspection completion.
  - iv. Certificate of Occupancy will be issued to the applicant upon completion of the final inspection.
  - v. The applicant must correct items on the list to set a final inspection appointment.
  - vi. The department official (or approved 3rd party) will perform the final inspection.

## **8.0 EXTERIOR PROPERTY PREMISES MAINTENANCE OF STRUCTURES AND PAVEMENT**

- A. Exterior property premises must be maintained free from hazardous conditions, building materials (other than active construction sites), appliances, household items, rubbish, garbage, clutter, debris, and similar items, including at yards, sidewalks, driveways, carports, porches, walkways, stairs, parking spaces, and similar areas not completely enclosed.
- B. Exterior property premises must be maintained appropriately regarding paint, repair, replacement, and care for trim, roofs, gutters, downspouts, and exterior building surfaces.
- C. Trees, shrubs, and bushes must be adequately maintained, free of disease, and not be unsightly.

## **9.0 SPRINKLER SYSTEMS CONNECTED TO HSVPOA WATER SYSTEM**

- A. Adequate protection of the RPZ valve to prevent freezing is required.
- B. Damaged or malfunctioning sprinkler heads must be replaced.
- C. The owner must provide an annual inspection certificate to the POA.

## **10.0 STORMWATER MANAGEMENT REQUIREMENTS**

- A. A Stormwater Management Plan must be developed and submitted with the New Construction Packet. The Stormwater Management Plan is in addition to any county-specific requirements. Submitting and approving a Construction Stormwater Management Plan is required before issuing the Construction



Permit.

## **11.0 CONSTRUCTION STORMWATER MANAGEMENT PLAN**

- A. Survey showing proposed development with a detailed sketch plan and a narrative description of the proposed Construction Stormwater Management practices to be implemented during construction.
- B. It is encouraged to consult with our Stormwater Site-Inspector for information on developing a Stormwater Management Plan and the requirements for managing stormwater runoff on proposed construction sites.

## **12.0 EROSION AND SEDIMENT CONTROL MEASURES**

- A. Silt Fence (wire-reinforced silt fence with base buried may be necessary in some cases)
- B. Erosion Control Blankets
- C. Riprap (4" to 10" rock)
- D. Diversion Berms and Conveyance Channels
- E. Storm wattles
- F. Sandbags
- G. Earth/Rock Berms
- H. Vegetative Buffer Area
- I. Straw Bales
- J. Check Dams
- K. Erosion control must be in place during all construction phases, including clearing, grubbing, and grading. Erosion control measures must be maintained.
- L. Site inspections will be conducted regularly by the Public Services Department. In the case job sites do not have the proper erosion and sediment control measures in place, the contractor will first receive a verbal notice to meet the requirements within a given time. Failure to comply with inspections, maintenance, and repairs is subject to a Stop Work Order, fines, and denial of future permits.
- M. The erosion control measures used during construction must continue to be implemented until landscaping is complete and long-term erosion control measures are in place. Upon completion of permitted construction activity on any site, the property owner will be responsible for continued compliance with the Stormwater Management Requirements.

## **13.0 UTILITIES**

- A. Utility location and sizing must be coordinated with the Public Services Department.
- B. Utility lines, including franchised utilities, must be supplied through underground networks unless otherwise approved by the Public Services Department.
- C. The developer must make the necessary arrangements for service with each utility in accordance with the utility's established policies.
- D. The Public Services Director may permit on-site sewage disposal systems (OSDS) on a case-by-case basis.
- E. Easements providing maintenance access to utility lines must be provided as required by the Public Services Department and any franchised utilities.
- F. Shared trenching should be used wherever feasible.
- G. Geothermal Systems: Lake geothermal systems are strictly prohibited. However, the current geothermal systems are allowed until replacement of unit is necessary.

## **14.0 SUPPORTING DOCUMENTS**

- A. Hot Springs Village Property Owners' Association Declaration, Protective Covenants, By-laws, Policies, Rules and Regulations, and County Ordinances. The Hot Springs Village Property Owner's Association reserves the right to change and/or adopt rules and regulations at any time without notice (provided they do not violate any state or federal law and do not conflict with the terms of the Declaration and Covenants and Restrictions. [HSVPOA Governing Documents](#))

**THE GENERAL RULES AND REGULATIONS CONTAINED HEREIN DO NOT REPRESENT ALL OF**

**THE RULES AND REGULATIONS APPLICABLE TO HOT SPRINGS VILLAGE AND ITS FACILITIES. FOR QUESTIONS, CONTACT THE POA ADMINISTRATIVE OFFICES OR VISIT THE WEBSITE AT [WWW.EXPLORETHEVILLAGE.COM](http://WWW.EXPLORETHEVILLAGE.COM)**