



ARKANSAS HOUSING POLICY NOTES

PRIVATE PROPERTY RESTORATION ACT

- Arkansas does not have a state law limiting property use restrictions to only those that are demonstrably necessary and narrowly tailored to fulfill a compelling governmental interest, like public health and safety.

GOLDEN GIRLS ACT

- Arkansas does not have a state law that requires roommate occupancy limits to be designed to protect health and safety instead of arbitrarily banning unrelated roommates.

PLUS ACT

- Arkansas does not have a state law that prevents downzoning or requires just compensation be paid to property owners who have their properties downzoned.

THIRD PARTY DEVELOPMENT PERMITS ACT

- Arkansas does not have a state law that restricts third parties' standing to challenge development permits to only those with property physically adjacent to the property that is the subject of the development permit and who can demonstrate a concrete and particularized harm.

PERMITTING APPROVAL TIMELINESS ACT

- Under § 14-1-504, a local government official shall act by approval, denial, or a request for revision of an applicant's request for permit within sixty (60) days from the date the local government official receives the request for permit. If the local government official does not approve, deny, or request a revision of an applicant's request for permit within sixty (60) days as required under the request for permit is automatically approved.

BY-RIGHT DEVELOPMENT ACT

- Arkansas does not have a state law that requires all housing development permit applications be approved by right if the proposed development meets all the rules for such development in a given community.



FAIR ZONING ACT

- Arkansas does not have a state law that bans challenges to zoning changes that expand the allowable use of private property unless the challenge is brought in a court of law by a property owner who can demonstrate a concrete and particularized harm.

SAFE HARBOR FROM EXCESSIVE EXACTIONS ACT

- Under § 14-56-103, “a municipality or a municipal service agency may assess by ordinance a development impact fee to offset costs to the municipality or to a municipal service agency that are reasonably attributable to providing necessary public facilities to new development.”

ENDING HOUSING EXTORTION ACT

- Arkansas does not have a state law banning housing exactions for deed restricted housing.
- Cities like Bentonville and Fayetteville encourage developers to include affordable or workforce housing through voluntary programs. These typically include:
 - Density Bonuses: Allowing developers to build more units per acre than the base zoning permits in exchange for including a designated percentage of affordable units.
 - Fee Waivers or Reductions: Waiving standard utility or permitting fees for developments that commit to long-term affordability.
 - Expedited Permitting: Moving affordable or infill projects to the front of the line for review and approval.