

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1706

By: Representative Mitchum

For An Act To Be Entitled

"AN ACT PERTAINING TO THE POWER AND AUTHORITY OF CITIES AND COUNTIES TO EXCLUDE DWELLINGS CONSTRUCTED IN A MANUFACTURING FACILITY BY PLANNING AND ZONING REGULATIONS; TO ESTABLISH APPROPRIATE STANDARDS AND REQUIREMENTS FOR SUCH DWELLINGS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. On and after the effective date of this act, no authority granted to a city government under the planning and zoning laws of Chapter 56 of Title 14 of the Arkansas Code of 1987 Annotated or to county government under the county planning or metropolitan or regional planning laws of Chapter 17 of Title 14 of the Arkansas Code of 1987 Annotated to regulate land use or to exercise planning and zoning powers shall be used to totally exclude the placement of a manufactured home on land designated for residential use solely because the manufactured home is partially or completely constructed in a manufacturing facility.

SECTION 2. For purposes of this act, a manufactured home is defined as a detached dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at a building site as a permanent residential structure with transport features removed, bearing a seal certifying that it is built in compliance with the current Federal Manufactured Housing Construction and Safety Standards Code.

SECTION 3. (a) In allowing the placement of manufactured housing units, a city or county government may require a manufactured home and the lot on which it is placed to meet the same standards and requirements that they place on a conventionally constructed residential dwelling unit on the same or

similar lot. The standards and requirements may include, but are not limited to:

- (1) minimum lot size;
- (2) front yard set back distances;
- (3) side and rear area clearances;
- (4) standards for foundations and enclosures; and
- (5) access and vehicle parking requirements.

(b) In addition to the these standards, a city or county government may impose any other reasonable design standards or requirements that are intended to insure that a manufactured home will be compatible in appearance and design with the neighborhood in which it is located. These standards and requirements may include, but are not limited to:

- (1) minimum square footage and/or dimensional requirement of the manufactured home;
- (2) types of exterior materials permitted that are consistent with materials used in a conventional housing construction site; and
- (3) types of roofing materials permitted, including requirements that each type shall be installed onto a surface appropriately pitched for the material used.

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 6. This act shall be effective on and after July 1, 1989.