



Legislation Text

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AN ORDINANCE TO AMEND CHAPTER 14.20, MOBILE HOMES AND MOBILE HOME PARKS, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, TO AMEND ALL SECTIONS RELATING TO MOBILE HOMES EXCEPT THOSE REGARDING MOBILE HOME PARKS, TO ADD A NEW SECTION, 14.20.03, MANUFACTURED HOME SUBDIVISIONS, AND FOR OTHER PURPOSES. **(NOTE: THIS ORDINANCE WAS AMENDED BY ORD-90:1142 ON MAY 21, 1990; ORD-90:1133 ON JULY 16, 1990)**

BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

SECTION 1: That Chapter 14.20, Mobile Homes and Mobile Home Parks, of the Code of Ordinances of the City of Jonesboro, Arkansas, Section 14.20.02 is hereby renamed from “Conditional Uses Enumerated” to “Mobile Home Parks” and renumbered as Section 14.20.06, and Section 14.20.01 is hereby deleted and amended to read as follows:

CHAPTER 14.20 MANUFACTURED HOMES AND MOBILE HOMES

SECTIONS: 14.20.01 Definitions

14.20.02 Manufactured Housing Subdivisions

14.20.03 Individual Manufactured home or mobile home not in Manufactured Housing Subdivision, Mobile Home Park or Court - Conditional Use

14.20.04 Individual Manufactured home or Subdivision, Mobile Home Park of Court - Special Use

14.20.05 Enforcement

14.20.06 Mobile Home Parks (Existing Section 14.20.02)

14.20.01 Definitions. For purposes of this chapter, the following words are specifically defined.

(1) MANUFACTURED HOME. A residential structure, transportable in one or more sections, built on a permanent chassis and designed to be used as a single family dwelling with permanent foundations when connected to the required utilities, and including the plumbing, heating, air conditioning and electrical systems contained therein. A manufactured home is further classified under one of the following categories:

(a) Class “A” Manufactured Home - New manufactured housing, and used manufactured housing, found upon inspection to be in good condition, safe and suitable for residential occupancy, certified with a date plate attached to the unit specifying “This mobile home is designed to comply with Federal Mobile Home Construction and Safety Standards in force at the time of manufacture”, which meets the “National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, ET. Seq.)”, and which was manufactured after June 15, 1976 and contains the U.S. Department of Housing an Urban Development Seal.

(b) Class “B” Manufactured Home - Used Manufactured homes meeting the “National Mobile Home Standards” in (a) above, found upon inspection to be in poor condition, unsafe or unsuitable for residential use.

(2) MANUFACTURED HOME INSPECTION. The Building Inspector’s initial inspection of any manufactured home or mobile home to determine its classification and its suitability for occupancy.

(3) MANUFACTURED HOUSING SUBDIVISION. A single family subdivision to be used specifically for single family residential use, for manufactured homes.

(4) MOBILE HOME. A residential structure transportable in one or more sections built on a chassis and designed to be used as a single family dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. A trailer or recreational vehicle of any size which is designed and intended for temporary residential use is not a mobile home. A mobile home is further classified under one of the following categories:

- (a) Class "A" Mobile Home - Used mobile home in good condition.
- (b) Class "B" Mobile Home - Used mobile homes, found upon inspection to be in poor condition, unsafe or unsuitable for residential use.

14.20.02 Manufactured Housing Subdivision.

(1) LOCATIONS AND PERMITTED USES- Manufactured housing subdivisions are permitted in the R-1, R-2, and R-3, Residential Districts. Only the following principal uses are permitted in a Manufactured Housing Subdivision:

- (a) Permitted uses in Sections 14.08.02 (a), 14.08.03 (a), and 14.08.04 (a) for the applicable R-1, R-2, and R-3 district in which the manufactured housing sub-division is proposed, subject to the restrictions of said districts.
- (b) One Class "A" multi-section manufactured home per lot as a principal use, with at least one-thousand square feet (1,000 sq. ft.) in size, having been manufactured within the past eight (8) years, and having a shingle roof with a pitch of not less than two (2) inch vertical rise for each twelve (12) inches of horizontal run, and not-metallic composition siding to include wood, vinyl or other similar in appearance to a site-built residence in the R-1 District. Proposals for more than one manufactured home per lot are considered a mobile home park, which must meet all of the applicable requirements of Section 14.20.06.

(2) BULK REGULATIONS - The bulk regulations for manufactured housing in the R-1, R-2 and R-3 districts are the same as those for single family dwellings in Sections 14.08.02 (d), 14.08.03 (d), and 14.08.04 (d), respectively.

(3) PROCEDURE FOR APPROVAL OF MANUFACTURED HOUSING SUBDIVISION. Applications for proposed manufactured housing subdivisions in an R-1, R-2 or R-3 District shall be the same as for a Residential Planned Unit Development, and must be reviewed by the Metropolitan Area Planning Commission and approved by the City Council in accordance with the requirements of Ordinance Numbers 1790 and 1962. All manufactured housing to be located within any approved manufactured housing subdivision must be a Class "A" manufactured home. The minimum size for any manufactured housing subdivision is the same minimum size for a planned unit development in each residential zoning district: R-1 - 5 acres; R-2 - 2 acres; and R-3 - 1 acre.

14.20.03 Individual Manufactured Home or Mobile Home Not In Subdivision, Park or Court - Conditional Use.

(1) CONDITIONAL USE - The City Council may grant a Conditional Use Permit for only one individual Class "A" manufactured home or Class "A" Mobile home, with tongue, tow bar, wheels and axles attached for future transport away from the lot, on a lot in any residential zoning district when it shall find that the applicant is a resident owner of a dwelling who has a special need to provide temporary, nearby living quarters for an aged or dependent relative, and the use of a manufactured home or mobile home for such purpose would alleviate a social, economic or physical hardship for said owner or his or her dependent(s). Proof of such

hardship is required, as evidenced by a letter from a physician or other appropriate professional. A permit granted for such purpose shall expire whenever the designated dependent(s) no longer reside in the manufactured home or mobile home, and no such manufactured home or mobile home shall be used as rental property. Class "B" manufactured homes and Class "B" mobile homes shall not be permitted.

(2) NON-TRANSFERABILITY OF PERMIT. Under no conditions shall a Conditional Used Permit issued pursuant to the provisions of this section be assignable or transferable, but shall be valid only for the designated use by the permittee. Each Permit so granted shall be subject to an annual fee designated by the City Council covering the costs of two Staff reviews per year to determine whether the need upon which the Permit was granted still exists.

(3) REMOVAL. Upon expiration of such Conditional Use Permit, the subject manufactured home or mobile home shall be promptly vacated, and within ninety days of expiration of the Permit, be removed from the premises.

14.20.04 Individual Manufactured Home or Mobile Home Not In Subdivision, Park or Court - Special Use.1. Special Use - The Board of Zoning Adjustment may grant a Special Use Permit, according to the provisions of Chapter 14.12 for Variances, only for an individual Class "A" manufactured home or Class "A" mobile home on a lot only in the R-2 or the R-3 zoning districts when it shall find that the owner of the manufactured home or mobile home has met the following criteria:

- (a) Compatibility with surrounding development - Test to be applied by the Board is whether the Manufactured home or mobile home is significantly different than surrounding residences.
- (b) Manufactured home or mobile home shall contain not less than 720 square feet of living area.
- (c) The electrical, gas, water and drain connections for the Manufactured home or mobile home shall be made permanent and in accordance with other applicable City regulations.
- (d) Manufactured home or mobile home shall have suitable permanent skirting installed to enclose all areas between the lower edge of the outside walls and the ground.
- (e) Manufactured home or mobile home shall be placed on permanent foundations, or on footings, or piers, or on blocks in accordance with building code requirements and manufacturers recommendations, and shall be tied down with a minimum of four (4) frame ties on each side, one for every fifteen (15) feet of length, and at least two (2) over top ties, one at each end, and under the exterior covering, when possible.
- (f) Manufactured home or mobile home shall maintain a minimum of twenty-four (24) inch crawl space under the entire unit, unless limited by topography or other land constraints.
- (g) Manufactured home or mobile home shall have permanent steps affixed to all exits.
- (h) Owner of Manufactured home or mobile home must declare as real property within six (6) months of attachment to the permanent foundation.
- (i) Manufactured home or mobile home shall have a roof with a pitch of not less than two (2) inch vertical rise for each twelve (12) inches of horizontal run, except for manufactured homes which are at least nine-hundred-twenty (920) square feet in size and that have been manufactured within the past eight (8) years.
- (j) Manufactured home or mobile home shall not have been or be altered in violation of applicable codes.
- (k) Manufactured home or mobile home shall first be inspected by the Building Inspector who will determine its class and certify it as meeting all pertinent requirements of the building, plumbing and electrical codes prior to occupancy.
- (l) Any manufactured home or mobile home found by the building inspector to be a Class "B" manufactured home or Class "B" Mobile Home shall not be permitted.

(2) TRANSFERABILITY OF PERMIT WITH INSPECTION. Whenever a manufactured home or mobile home, which has a Special Use Permit approved in accordance with the provisions of this Section is sold, the owner who has the Permit must request an inspection by the Building Inspector to assure that the mobile home continues to meet the standards in 1 (a) - (l) above, before the Permit can be transferred with the transfer of ownership. If said mobile home does not meet any one or more of the standards in 1 (a) - (l) above, the owner must make the necessary repairs/alterations to be in compliance or the Permit will expire. Expiration of the existing Special Use Permit will require that the new owner request approval of a new Special Use permit, or the mobile home will be required to be removed.

14.20.05 ENFORCEMENT.

(1) Upon any inspection of the manufactured home or mobile home for connection or re-connection of utilities, to determine compliance with any standards of this Section, or for purposes of condemning said structure under the provisions of Chapter 11.32 of the Jonesboro Code, when it is found that the manufactured home or mobile home does not comply with the standards in Section 14.20.04 (1) (a) - (1), or is found to be a Class "B" manufactured home or mobile home, the owner of the manufactured home or mobile home shall be given thirty (30) days by the appropriate Code Enforcement Officer to make the repairs necessary to bring the manufactured home or mobile home up to a Class "A" rating. If the owner fails to make said repairs within the thirty (30) day period, he shall be notified in writing that the manufactured home or mobile home is in violation of this Section, and that a Special Use Permit cannot be issued until the manufactured home or mobile home is in compliance with the standards of this Section, that utilities cannot be connected or reconnected until the manufactured home or mobile home is in compliance with the standards of this Section, or that the manufactured home or mobile home must be promptly vacated and required to be removed from the premises under the same procedures and time schedule as for a condemned single family dwelling. The Building Inspector or Condemnation Code Enforcement Officer shall prepare a report which identifies what, if any, repairs are required and shall be responsible for enforcement of this Section.

(2) The Building Inspector may issue a temporary permit to allow emergency housing which does not meet one or more of the standards in this Section, when it is found upon inspection that the emergency housing does meet minimum standards for temporary occupancy. The temporary permit shall be reviewed to ensure that due diligence is being made to alleviate the emergency which requires its use.

SECTION 2: It is found and declared by the City Council that an emergency exists and this Ordinance being necessary for the preservation of the public peace, health, and safety, it shall take effect from and after its passage and approval.

PASSED AND ADOPTED this 19th day of February, 1990.