

ORDINANCE NO. 2022- 5

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OZARK, ARKANSAS, AN ORDINANCE ENTITLED:

“AN ORDINANCE AMENDING ORDINANCE NO. 2009-11, COMMONLY KNOWN AS THE OZARK ZONING ORDINANCE, THE SAME BEING CODIFIED AS CHAPTER 14.04 OF THE MUNICIPAL CODE TO PROVIDE FOR FEDERALLY MANDATED AFFORDABLE HOUSING, AND FOR OTHER PURPOSES”

Section 1. There is hereby created a zone to be known as Residential 2-Affordable Housing District (R-2 AHD). The area and location of such district shall be recommended by the Ozark Planning and Zoning Commission within sixty (60) days of the passage of this Ordinance considering the Description and Purpose of the zone as set forth below. The area of such zone shall roughly be the same ratio to the total area of the City of Ozark as the total number of the City’s residents below the nationally prescribed poverty line to the total population of the City of Ozark as such numbers are reflected by the United States Census Bureau. No such recommendation by the Ozark Planning and Zoning Commission shall take effect unless approved by a vote of the City Council. The location of such district may overlap any presently designated zone or district, in which case either the existing regulations for the original zone or district OR on election of the property owner, the provisions of this Ordinance shall be in effect as to such lot or parcel.

Section 2. This district or zone encourages affordable housing of varied types in specified locations within the city. The district permits site-built housing, manufactured housing (as defined herein), and modular housing (as defined herein), on individual lots with uniform design guidelines imposed to maintain neighborhood harmony and homogeneity of appearance. The provisions of this district seek to achieve the following goals:

- (a) To provide a choice of housing types with the city and to expand housing choices for all families with a goal to provide space within the City for affordable housing alternatives.
- (b) To maintain efficiency and economy in the process of development by encouraging infill development with the medium housing densities.
- (c) To encourage the appropriate and best use of land by placing uniform size and appearance guidelines on new housing placements.
- (d) To promote healthful and convenient distribution of population by achieving higher densities through the utilization of vacant or underdeveloped properties.
- (e) To encourage good civic design and arrangement by maintaining reasonable and uniformly applied design standards within existing neighborhoods. And
- (f) To maintain the economic stability of existing neighborhoods by maintaining consistent size, bulk and appearance standards.

Section 3. The following uses shall be permitted in this district or zone:

- (1) Small Single family, including "garden homes" built on site of less than 1,200 square feet of heated and cooled space. And
- (2) Manufactured homes as defined by Act 624 of 2003 (Ark. Code Ann. Section 14-54-1601) and Ark. Code Ann. Section 20-25-201.

Section 4. The following lot size requirements shall be in effect for each lot or parcel in Zone R-2-AHD: A minimum of 6,000 square feet total lot size; minimum lot width at the building placement or erection line shall be 60 feet; setback from the front of the lot line shall be at least 25 feet and from the side lot line shall be 7.5 feet, unless such side lot line borders a street and in such case shall be 15 feet; setback from the rear lot line shall be at least 10 feet. Each such lot shall have off-street parking to accommodate at least two vehicles on a paved or concrete surface.

Section 5: The following special provisions shall apply to all home structures erected or placed in Zone R-2-AHD:

- (a) All units constructed in or set up in this district, whether by new construction, addition to an existing unit, placement of a multi-section manufactured or modular home shall have a minimum dimension on each side of said structure of at least 20 feet.
- (b) All units constructed or set up in this district with a crawl space shall have continuous masonry underpinning around said crawl space.
- (c) All units constructed or set up in this district shall have the front door oriented toward the front yard and street, unless approved as a planned unit development.
- (d) All units constructed or set up in this district shall have shingle roofs unless specifically approved by the Planning and Zoning Commission or Board of Zoning Adjustment.
- (e) All units shall constructed or set up in this district that do not have built-in porch as a part of the structure shall have a covered front landing accessible b stairs and a handrail. The landing shall be oriented to the front yard.
- (f) All units constructed or set up in this district shall have foundation systems that meet the city's building code or, in the case of manufactured housing, be anchored in accordance with the manufacturer's instructions of the regulation of the Arkansas Manufactured Home Commission.
- (g) All units moved into this district from off site shall be new and under warranty or inspected by the city's code enforcement officer prior to being moved on site to ensure compliance with the following standards:
 - (1) All roofing material shall be secure without gaps or damaged shingles;
 - (2) All windows shall be operative without broken panes or damaged trim or screening;
 - (3) All exterior siding shall be in place and undamaged. No dented, torn, burned, loose, or mildewed siding shall be allowed;
 - (4) All kitchen and bathroom facilities shall be fully operational and all mechanical equipment shall be in good working order;
 - (5) Any attached gutters shall be secure and functional;

- (6) All cornice materials shall be in place and undamaged;
- (7) All paint shall be uniform and unblemished;
- (8) Doors shall be plumb and fully operational. No damaged screening or door fixtures shall be allowed;
- (9) All flooring shall be structurally undamaged, and secure. Holes in the flooring or flooring that is missing, dented, broken or in a state of damage, decay or disrepair shall not be allowed.

Section 6. This ordinance being necessary to comply with the provisions of State and Federal law pertaining to affordable housing, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage.

PASSED this 10th day of January, 2022.

APPROVED:

Roxie Hall

Roxie Hall, Mayor

Approved date: 1-10-2022

ATTEST:

Susan Stevens

Susan Stevens, Clerk/Recorder

Attest date: 1-10-2022