

ORDINANCE NO. 232

AN ORDINANCE AMENDING CHAPTERS 14.04, ZONING IN GENERAL, 14.12, ZONING DISTRICTS, 14.20, MOBILE HOMES, 14.18, MANUFACTURED HOMES, AND 14.36 DEFINITIONS, OF TITLE 14, ZONING, CHANGING MOBILE HOMES/MANUFACTURED HOUSING FROM A CONDITIONAL USE TO A PERMITTED USE IN R-2 MEDIUM RESIDENTIAL DISTRICTS ENACTING A CONDITIONAL USE PROCEDURE AND FOR OTHER RELATED PURPOSES.

WHEREAS, the Greenland Planning Commission has continued its review and assessment of current City Ordinances regarding planning, subdivisions and zoning.

WHEREAS, the Planning Commission desires to establish a formal written conditional use policy to guide citizens and staff in that area of planning.

WHEREAS, the Planning Commission has recommended changing mobile homes/manufactured housing from a conditional use to a permitted use in R-2 districts.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENLAND, ARKANSAS, THAT:

Section 1: That Section 14.12.02 of the Greenland Municipal Code, entitled Medium Density Residential is hereby amended in two (2) respects:

that Subparagraph A (Permitted Uses) is amended by adding the words "manufactured housing" immediately after the word "duplexes" and before the word "churches"

- that Subparagraph B (Conditional Uses) is amended by deleting the words "mobile homes" which appears immediately before the word "wireless", (the words "mobile home parks" remain) and the words "home occupation" are added to Subparagraph B immediately before the word "wireless" and the words "recreational vehicle parks" are added to Subparagraph B

immediately after the words "Wireless Communications Facilities".

Section 2: That Section 14.12.01 Low Density Residential of Chapter 14.12, Zoning Districts, is hereby amended in two (2) respects:

the words, "mobile houses, mobile home parks, Recreational Vehicle Parks" which appear immediately before the word "Wireless" in subparagraph B (Conditional Uses) are deleted.

- the words, "Planning Commission "are inserted in subparagraph B in place of the words "Board of Adjustment "(which are hereby deleted).

Section 3: That the listing of the various section under the Chapter 14.04 heading "Zoning in General" is hereby amended by adding to that listing, "14.04.08 Conditional Use Procedure".

Section 4: That Chapter 14.04, "Zoning In General" is hereby amended by deleting Section 14.04.07 New Subdivisions in its entirety, and substitution of the following section immediately after the text of Section 14.04.06 Zoning Map:

"14.04.07 Conditional Use Procedure: An owner of real property may apply for a conditional use in any zoning district by completing a Conditional Use Application (to be formulated from time to time by the Planning Commission and/or City Staff), filing the application with the City Recorder/Treasurer, and paying the applicable fee. Thereafter, the applicant, or the applicants' duly authorized representative may appear before the Greenland Planning Commission to pursue the applicant's request. Any affected owner/resident may appeal the grant/denial of a conditional use to the Greenland City Council.

The Conditional Use Applications shall be available at City Hall, and the Planning

Commission will periodically review and revise (if necessary) the Conditional Use Procedure for owners, applicants and City Staff to follow. The City Council shall, from time to time, set a reasonable fee for the filing and handling of a Conditional Use Application by the City, by proper resolution".

The listing of Sections under Chapter 14.04 Zoning in General shall be amended to reflect this change.

Section 5: Section 14.20.02 entitled Definitions Added of Chapter 14.20 is hereby amended by deleting the following:

"Mobile Homes: It shall be unlawful to allow any mobile home to be placed on a lot outside of a mobile home subdivision."

Section 6: Section 14.36.01, Definitions of Chapter 14.36, Definitions, is hereby amended in these two (2) respects:

- the definition of "Dwelling, Single Family" shall have the following language added and the period deleted immediately after the word "only", "and having an overall width of not less than twenty-two (22) feet and having heated/cooled area of not less than fourteen hundred (1400) square feet."

- the definition of "Dwelling, Mobile Home" shall have the following language added and the period deleted immediately after the word "operations", "and having an overall width of not less than twenty-two (22) feet and having heated/cooled area of not less than fourteen hundred (1400) square feet."

Section 7: That Chapter 14.20 Mobile Houses is hereby amended by adding the following language under Section 14.20.02 Definitions Added, "Mobile Home - A detached

residential dwelling unit designed for transportation on streets or highways on its own wheels or on flatbed or other trailers and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations and having an overall width of not less than twenty-two (22) feet and having heated/cooled area of not less than fourteen-hundred (1400) square feet.”

Section 8: Chapter 14.18 Manufactured Homes is hereby amended by adding Subsection F under 14.18.01 which is entitled Manufactured Homes, as follows, “F. A manufactured home is a detached residential dwelling unit manufactured offsite, which is designed to be transported to the site where it is to be permanently attached to a foundation and ready to be occupied as a dwelling complete and ready for occupancy except for utility connection and other minor or incidental unpacking and assembly operations; which unit shall have an overall width of not less than twenty-two (22) feet and having heated/cooled area of not less than fourteen-hundred (1400) square feet.

PASSES AND APPROVED this 10<sup>th</sup> day of October, 2005.

William Yoer  
WILLIAM YOES, Mayor

ATTEST:

Donna Cheevers  
DONNA CHEEVERS, Recorder-Treasurer

*Subscribed and sworn to before me this 10<sup>th</sup> of October, 2005*

*Patricia L. Watkins*

STATE OF WASHINGTON  
PATRICIA L. WATKINS  
NOTARY PUBLIC  
WASHINGTON COUNTY  
My Comm. Exp. 01-26-10

