



# STAFF REPORT

## Board of Aldermen

### AN ORDINANCE AMENDING SECTION 94-61 OF THE BRANSON MUNICIPAL CODE PERTAINING TO MANUFACTURED HOMES.

**FIRST READING:** MAY 28, 2024

**FINAL READING:** JUNE 11, 2024

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**Initiated By:** Planning and Development

**Approved By:** *Cathy Stepp*

**Financial Impact:** No Impact/Not Applicable

**Community Plan 2030:** LU-5:Development Codes & Regulations

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#### **FACTS:**

In the 1960's and 1970's, the City of Branson, Missouri ("City") adopted the Zoning Ordinance, now existing in Chapter 94, referred to as the Unified Development Code and Utilities Code to promote health, safety, morals and a general welfare of the community, including its aesthetic appearance; lessen congestion in the streets; secure safety from fires, panic and other dangers; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; bring about the gradual conformity of the uses of land and buildings throughout the City; facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements; protect and conserve the value of land throughout the City; and provide a policy to efficiently process permits and other applications by the City.

Due to recent code amendments, staff has identified an area of code pertaining to the use and structure standards for manufactured homes to be in direct conflict with the newly updated zoning regulations.

#### **HISTORY:**

On February 6, 2024 the Planning and Zoning Commission voted unanimously to amend Branson Municipal Code, Chapter 94-60. Table of Permitted Uses through Resolution No. MC24-02. In summary, the code amendment allows for modular housing in Agricultural, Low Density Residential, Medium Density Residential, and High Density Residential zoning districts; prohibits manufactured homes in Low Density Residential, Medium Density Residential and High Density Residential zoning districts; and modifies the Agricultural zoning district from a "permitted use" to a "use" requiring a special use permit. An excerpt of the amended table is shown below.

**Table 94-60.1 Permitted Uses**

Use Category	Ag/Residential					Mixed-Use/Nonresidential								Supplemental Use Standards
Subcategory	CON	A	LDR	MDR	HDR	NC	CC	MU	D	ENT	BUS	I	Note: This reference is to use-specific standards only, other code requirements may apply	
Specific Use Type														
Residential														
Household Living														
Dwelling														
Single-Family, Detached		P	P	P	P	P		P						
Single-Family, Attached (3 or more units)				P	P	P		P						
Single-Family, Two-Unit				P	P	P		P						
Single-Family, Patio Home				P	P	P		P					94-49(a)	
Multi-Family					P	P	P	P	P	P				
Home Occupation		P	P	P	P	P							94-61(b)(1), 94-62(a)(1)	
Live/Work						P	P	P	P	P			94-61(b)(2)	
Loft						P		P	P					
Manufactured Homes		S											94-62(a)(2)	
Modular Housing		P	P	P	P									
Mobile Home Community					S								94-62(a)(3)	

Subsequently, the proposed code amendment was approved on March 12, 2024 by the Board of Aldermen through Bill No. 6420, an ordinance amending chapter 94-60 of the Branson Municipal Code pertaining to the table of permitted uses and manufactured and modular housing.

Due to the recent code amendments, staff has identified use and structure standards for manufactured homes, found in Section 94-61.3.a, to be in direct conflict of the new zoning regulations, thus requiring an additional amendment to the Branson Municipal Code.

### **DETAILED ANALYSIS:**

NOTE: LANGUAGE WHICH IS BOLD, UNDERLINED HAS BEEN ADDED; LANGUAGE WHICH IS [BRACKETED, STRICKEN] HAS BEEN REMOVED.

#### Chapter 94

#### Article IV. Uses

#### Sec. 94-61. Use and Structure Standards

#### Subsection 3. Manufactured homes

##### (3) Manufactured homes.

a. New manufactured homes may be placed on any individual lot within a ~~[residential zoning district]~~ **city approved mobile home community or an agricultural zoning district through the issuance of a special use permit**, with the following restrictions and regulations:

(i) Manufactured homes shall not be placed or occupied on an individual lot without a building

permit issued under these regulations.

(ii) Each manufactured home placed on an individual lot shall:

1. Be occupied only as a single-family dwelling or business unit.
  2. Be placed in conformance with all zoning and setback requirements established for the district in which located.
  3. Accessory structures shall be placed in conformance with the setback and dimensional requirements established for the district in which located. The exterior covering and roofing material of the accessory structure must be the same as that of the dwelling unit.
  4. Have a minimum width of not less than 24 foundation feet as measured at all points perpendicular to the length of the manufactured home which shall be not less than 42 foundation feet. This standard is intended to restrict units to the type which are brought to the site in parts, typically two halves and at least 1,008 square feet minimum.
  5. Roof must be a gable, hip or shed roof of at least three in 12 or greater, and covered with material that is residential in appearance including, but not limited to, approved wood, asphalt composition or fiberglass shingles, but excluding corrugated aluminum, corrugated fiberglass or metal roofs; except for permitted deck areas, all roof structures shall provide an eave projection of no less than six inches and no greater than 30 inches.
  6. Have the main entry door facing the street on which the manufactured home is located. A sidewalk shall be installed from the street, driveway or sidewalk adjoining neighboring lots to the front door. The unit must be oriented on the lot so that its long axis is parallel with the street. A perpendicular or diagonal placement may be permitted if there is a building addition or substantial landscaping so the narrow dimension of the unit, as so modified and facing the street, is no less than 50 percent of the unit's long dimension.
  7. Have exterior surface and window treatments that are architecturally compatible with those of neighboring properties, excluding smooth, ribbed or corrugated metal or plastic panels.
  8. Meet applicable off-street parking requirements.
  9. Be placed on a parcel according to approved, pre-submitted building permit, and have a manufacturer's installation manual and an illustration of the finished appearance of the unit.
  10. Units shall be attached to a continuous permanent foundation, which manner of placement shall be as stated on the building permit, and meet all manufacturer's specifications for support.
  11. The exterior foundation material shall consist of continuous concrete or masonry suitable for the outer portion of a finished residence.
  12. Have the tongue and running gear, including axles, removed.
  13. Maintain a minimum of 18 inches of crawl space under the entire manufactured home.
  14. Have permanent steps set at all exits.
  15. Be served by a water supply and sewage disposal system meeting the established city requirements.
  16. Underground public utilities shall be required.
- b. Pre-owned manufactured homes. Pre-owned manufactured homes may not be moved onto an individual lot within the city.

### **STAFF RECOMMENDATION:**

In order to have zoning regulations in the Branson Municipal Code that are clear and concise for understanding and interpretation, staff is in support of the proposed resolution.

**PLANNING COMMISSION RECOMMENDATION:**

The proposed code amendments throughout Chapter 94, more particularly section 94-61. use and structure standards, more specifically 94-61.3.a. manufactured homes was recommended for approval by the Planning Commission on May 7, 2024 by Resolution No. MC24-04 (Exhibit 1), with a unanimous vote of 7-0.

**BACKUP DOCUMENTATION:**

Staff Report Exhibit 1- Resolution No. MC24-03