

FOR IMMEDIATE RELEASE

City of Fayetteville Develops Burdensome Design Regulations for Private Single-Family Residences

FAYETTEVILLE, Ark. (October 5, 2019) The Northwest Arkansas Board of REALTORS® today announced their opposition to a proposal by the City of Fayetteville Planning Commission. The proposed ordinance limits the width of driveways in certain single-family zoned residences and is aimed at precluding the right of private single-family homeowners to build front-oriented two car garages. The new ordinance will apply to all property zoned as NC, even some properties currently under development. The Planning Commission has also expressed an interest in expanding the NC zone to additional properties in the future thereby expanding the application of this new ordinance.

“The Northwest Arkansas Board of REALTORS® has a long history of supporting private property rights,” said president, Jennifer Welch. “We will continue to advocate for every individual’s right to the use of their own property free from the overreach of local government by vigorously opposing overburdensome regulations such as the ordinance proposed by the City of Fayetteville Planning Commission.”

The Board of REALTORS® contends the proposed ordinance amounts to a local zoning regulation prohibited by state law because it dictates design elements of single-family housing on private property. Act 446 of 2019 prohibits local regulations that dictate residential building design elements including location, design, placement, or architectural styling of windows and doors, garage doors and garage structures. While on its face, the proposed ordinance dictates only the width of driveways; it effectively dictates the design size and placement of garage structures by precluding the property owner’s options, putting it in conflict with state law.

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