

Regulation
No. 405-1-15

12 May 2004

Real Estate
COMMERCIAL CONCESSION LIVING QUARTERS

1. Purpose. The purpose of this policy is to offer decision considerations for evaluating requests for living quarters on commercial concessionaires sites and to determine the type of structure that may be placed there.
2. Applicability. This regulation applies to all commercial lease sites in the Little Rock District.
3. References.
 - a. ER 405-1-12, dated 30 Sep 94, subject: Real Estate Handbook.
 - b. ER 1130-2-540, dated 15 Nov 96, subject: Environmental Stewardship Operations and Maintenance Policies.
4. Objective. Commercial concession living quarters at lease sites is inconsistent with adjacent project and park related uses and is discouraged as a matter of policy. The opportunity for placement of living quarters is not categorically denied, but potential park conflicts resulting from approving concession living quarters makes necessary the clarification of the type of housing that might be considered. This policy specifies the type of living quarters that will be placed, if permitted, and it will include a listing of impacts of concession quarters on project and park users.
5. Policy for Commercial Concession Living Quarters. Living quarters on project fee lands and waters are prohibited except as approved by the District Commander. Should the District Commander determine that housing for a concessionaire or concession staff is necessary or beneficial to the public for the proper functioning of the concession, they may be permitted on an as needed basis. Living quarters, if permitted, shall be limited to a single temporary mobile home of the minimum size necessary to house one family unit and be maintained in a mobile condition. No permanent housing will be authorized.
6. Considerations and Requirements. Due to negative impacts on park and project uses, the decision to permit living quarters will be made only after all other options have been exhausted. Also established are required standards for living quarters.
 - a. The priority considerations in establishment of living quarters for concessionaires on public lands will require the applicant to indicate that no privately owned lands exist within one mile of the lease site for use as a living quarters, that remote sensing and remotely monitored

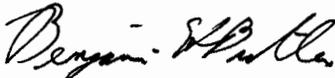
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security systems are not practical, and that contract security services are unavailable.

b. Any decision to permit living quarters on public lands will consider uses that would imply private ownership rights and the resulting potential issues such as household noise, excessive vehicular traffic, unrestrained and noisy dogs, domestic disputes, unkempt property, and children operating non-street legal vehicles in parks and on park roads. Any violation of park rules at concession living quarters may result in issuance of a violation notice in accordance with Chapter III, Title 36, CFR, and further referral of the matter to Chief, Real Estate Division. In addition, from a park management perspective, living quarters will not be placed in such a way as to impede or limit park development plans, nor will they occupy valuable space that could be utilized for higher priority purposes.

c. Mobile homes will not be masonry veneered, covered with a freestanding roof, or otherwise made to appear permanent in nature. They will be anchored to withstand winds, and they will meet applicable federal, state or local standards for mobile home anchoring. They must be underpinned for aesthetics and safety. Decks are allowed with the written approval of Chief, Real Estate Division. With the exception of portable carports and entrance/exit steps and landings, replacements to existing structural mobile home additions will not be permitted. Existing permanent living quarters may not be expanded and when circumstances require must be replaced with a mobile home.

7. Responsibilities. It is the responsibility of the Chief, Real Estate Division to receive requests for commercial concessionaire living quarters and coordinate any action with Chief, Operations Division.


BENJAMIN H. BUTLER
Colonel, US Army
Commanding