

ORDINANCE NO. 2026-13

AN ORDINANCE OF THE CITY OF BRECKENRIDGE, TEXAS PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF BRECKENRIDGE, TEXAS; PROVIDING FOR A CONDITIONAL USE PERMIT FOR A “MANUFACTURED HOME” IN A SINGLE-FAMILY RESIDENTIAL (SF 7.5) ZONED DISTRICT ON PROPERTY LEGALLY DESCRIBED AS A 4.78 ACRE TRACT OF LAND OUT OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE LUNATIC ASYLUM LANDS, SECTION NO. 9, ABSTRACT NO. 997, CITY OF BRECKENRIDGE, STEPHENS COUNTY, TEXAS, AND COMMONLY KNOWN AS 309 DALLAS, BRECKENRIDGE, TEXAS; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Breckenridge (the “City”) is a home rule municipality operating under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution;

WHEREAS, the City Commission of the City of Breckenridge, Texas (the “City Commission”) has adopted a comprehensive zoning ordinance, codified as Chapter 22 of the Breckenridge Code of Ordinances (the “Zoning Ordinance”);

WHEREAS, WWT Cattle, LLC (hereinafter the “Applicant”) has made application under the provisions of the Zoning Ordinance for a Conditional Use Permit for a “Manufactured Home”, as defined by the Zoning Ordinance, in a Single-Family Residential (SF 7.5) District, on property legally described as a 4.78 acre tract of land out of the east half of the southeast quarter of the Lunatic Asylum Lands, Section No. 9, Abstract No. 997, City of Breckenridge, Stephens County Texas, commonly known as 309 Dallas, Breckenridge, Texas (the “Property”);

WHEREAS, Article III “Zoning District Regulations”, Section 7 “Schedule of Permitted Uses”, Subsection 7.E “Use Tables”, Table 2 “Residential Uses” of the Zoning Ordinance allows for a “Manufactured Home” in a Single-Family Residential (SF 7.5) District with the grant of a Conditional Use Permit;

WHEREAS, public hearings on said application were held before the Planning and Zoning Commission on June 29, 2026 and the City Commission on July 7, 2026, after due notice of the public hearings having been provided as required by the Zoning Ordinance;

WHEREAS, the Planning and Zoning Commission recommended that the Conditional Use Permit requested by the Applicant be granted;

WHEREAS, the City Commission has considered the evidence and testimony provided by all parties appearing before the City Commission, in person and in writing, and the recommendation of the Planning and Zoning Commission relative to the proposed Conditional Use Permit, and has further considered all written approvals and protests, all as required by law; and

WHEREAS, the City Commission has determined that the use of the Property for a Manufactured Home is compatible with surrounding properties, is appropriate for the location of the

Property, and meets the conditions of Article IV “Overlay and Special Districts”, Section 24 “Conditional Use Permits (CUP)”, Subsection C “Approval Process” of the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS THAT:

I. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

II. Zoning Map and Conditional Use Permit Approved. The Official Zoning Map of the City is hereby amended to reflect the following zoning use changes and the Conditional Use Permit is approved as follows:

2.1. Rezoning. The Property is rezoned from Single-Family Residential (SF 7.5) District to Single-Family Residential (SF 7.5) District with Conditional Use Permit for a “Manufactured Home”.

2.2. Conditional Use Permit with Conditions Approved. A Conditional Use Permit (“CUP”) for the Property authorizing a “Manufactured Home” is hereby approved as set forth herein, and the CUP and the use for which it is granted is subject to all Applicable Regulations (defined below) and to the following conditions:

- A. Uses. In addition to uses allowed by right in the Single-Family Residential (SF 7.5) District, the following uses shall be permitted in accordance with the conditions of this CUP: “Manufactured Home” shall only apply to the existing Property.
- B. Applicable Regulations. This CUP shall be subject to all ordinances and regulations of the City applicable to the Property, including without limitation the Zoning Ordinance and those regulations governing the Single-Family Residential (SF 7.5) District (“Applicable Regulations”). The CUP granted by this Ordinance shall control in cases of conflict between this Ordinance and/or the Zoning Ordinance.

III. Failure to Comply/Expiration/Transferable. All terms of this CUP shall be complied with prior to issuance of a certificate of occupancy. This CUP shall be declared null and void and of no force and effect and shall discontinue if or for any one or more of the following:

- A. Any failure to comply with any term or condition of this Ordinance or the Applicable Regulations, as they exist or may be amended; or
- B. Any improvements, the Property, uses, or structures regulated by this CUP are enlarged, modified, structurally altered or otherwise significantly changed unless a separate Conditional Use Permit or other required authorization is granted therefor; or
- C. The manufactured home that is authorized hereunder is not actively occupied as a residence within ninety (90) days of the effective date of this Ordinance; or
- D. A structure for which this CUP is granted remains vacant for a continuous period of one

hundred eighty (180) calendar days; or

E. This CUP was obtained by fraud or deception; or

F. Ownership of the Property is not longer held by the Applicants; or

G. As otherwise permitted by law, this Ordinance and/or the Zoning Ordinance, as they exist or may be amended, including without limitation the requirements of Article II “Zoning Procedures & Administration”, Section 3 “Nonconforming Uses and Structures”.

IV. Repeal. Any prior ordinances or ordinance provisions are hereby repealed to the extent they are in conflict with the terms of this Ordinance. Any remaining provisions of said ordinances shall remain in full force and effect.

V. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Breckenridge hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, clauses, or phrases be declared unconstitutional or invalid.

VI. Effective Date. This Ordinance shall become effective upon its adoption by the City Commission.

PASSED, APPROVED, AND ADOPTED on this the 4th day of August 2026.

ATTEST:

Kord Trammel, Mayor

Jessica Sutter, City Secretary

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