

ORDINANCE NO. 713

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, ADOPTING ARTICLE 3.09 TO ESTABLISH REGULATIONS FOR INDUSTRIALIZED HOUSING; ESTABLISHING A VARIANCE PROCEDURE; AMENDING SECTION 3.01.002 TO ESTABLISH DEFINITIONS FOR DRIVE APPROACH AND DRIVEWAY PROVIDING AN EFFECTIVE DATE, SAVINGS, SEVERABILITY, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, the Section 1202.253, Texas Occupations Code authorizes the City of Manor to regulate industrialized housing as set forth herein;

Whereas, the City Council hereby finds and determines that the regulations adopted herein are reasonable and necessary and promote and protect the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, THAT:

Section 1. Findings. The findings and recitations set out in the preamble of this Ordinance are found to be true and correct and that they are hereby adopted by the City Council and made a part hereof for all purposes.

Section 2. Addition of Definitions for “Drive Approach” and “Driveway” to Article 3.01. Section 3.01.002 of the Code of Ordinances is hereby amended to add definitions for “drive approach” and “driveway” to read as follows:

Drive approach means a paved surface connecting the street to a lot line.

Driveway means the surface connecting a drive approach with a parking space, parking lot, loading dock or garage. Properties of less than two acres shall construct driveways of concrete, asphalt or similar material. Properties of more than two acres shall pave the driveway with all-weather surface.

Section 3. Industrialized Housing Regulations. Chapter 3 of the City of Manor Code of Ordinances is hereby amended to adopt Article 3.09, entitled “Industrialized Housing” to read as follows:

Article 3.09 – Industrialized Housing

Sec. 3.09.001 – Definitions. For the purpose of this article, certain terms, words and phrases shall have the meaning hereinafter ascribed thereto:

Industrialized home means a residential structure that is designed for the occupancy of one or more families, constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site, designed to

be used as a permanent residential structure when the module or modular component is transported to the permanent site and erected or installed on permanent foundation system. Structures include plumbing, heating, air conditioning, and electrical systems. This term does not include housing constructed of a sectional or panelized system that does not use a modular component, or a ready built home constructed in a manner in which the entire living area is contained in a single unit or section at a temporary location for a purpose of selling and moving the home to another location.

Modular component means a structural part of housing or building constructed at a location other than the building site in a manner that prevents the construction from being adequately inspected for code compliance at the building site without:

- (1) Damage; or
- (2) Removal and reconstruction of a part of the housing or building.

Sec. 3.09.002 – Regulations. An industrialized home located in the agricultural (A), single-family estate (SF-E), single-family suburban (SF-1), single-family standard (SF-2), and two-family (TF) districts must meet the following criteria:

- (a) Masonry as applicable in [section 14.02.007\(c\)\(2\)\(A\)](#), which are adopted and incorporated herein by reference for all purpose as if fully stated herein;
- (b) Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized home is proposed to be located, as determined by the most recent certified tax appraisal roll of Travis County;
- (c) Have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized home is proposed to be located;
- (d) Comply with municipal aesthetics standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings, which are adopted and incorporated into this article by reference as if fully stated herein;
- (e) Designed only for erection or installation on a site-built permanent foundation and is not designed to be moved after installation; and

- (f) Designed and manufactured to conform to a nationally recognized model building code or an equivalent local code, or with a state or local modular building code recognized as generally equivalent to building codes for site-built housing; or to the manufacturer's knowledge, is not intended for use other than on a site-built permanent foundation.

Sec. 3.09.003 – Variance. An owner or tenant of the property upon which industrialized housing will be located may request that the City Council grant a variance from the terms of this article. The variance must be requested in writing using the application provided by the City, and an application submitted by the tenant must include the property owner’s written consent to the application. The City Council may impose conditions on a variance approval.

Section 4. Effective Date. This Ordinance shall take effect immediately from and after its passage.

Section 5. Amendment of Conflicting Ordinances. All ordinances or parts of ordinances in conflict with this Ordinance are hereby amended to the extent of a conflict herewith. In the event of a conflict between another ordinance of the City and this Ordinance, this Ordinance shall control.

Section 6. Savings Clause. All rights and remedies of the City of Manor are expressly saved as to any and all violations of the provisions of any ordinances within the City which have accrued at the time of the effective date of this Ordinance affecting industrialized housing; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 7. Severability. If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 8. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Tex. Gov't. Code.

PASSED AND APPROVED on this 2nd day of August 2023.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey, Mayor

ATTEST:

Lluvia T. Almaraz, City Secretary