

STAFF REPORT



SUBJECT: Mobile Homes

On May 19, 2021, the Planning and Zoning Commission requested staff research what actions would be necessary for the Commission to establish a mobile home district.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen

BACKGROUND:

The Zoning Code, Section 154.03, defines the following:

Manufactured housing or home. A HUD-Code manufactured home or a mobile home, as defined in Tex. Rev. Civ. Stat., Art. 5221f. This term shall not include any of the following:

- (1) Industrialized housing or buildings, as defined in Tex. Rev. Civ. Stat., Art. 5221f-1;
- (2) Ready-built homes or portable buildings built as a single unit or section at a temporary location for the purpose of selling it and moving it to another location; and/or
- (3) Recreational vehicles.

Mobile home. A movable, detached single-family dwelling unit conforming to the minimum housing code requirements of both the State of Texas and the City of Stephenville for permanent long-term occupancy; is constructed or fabricated within a factory, complete with an integral utility system capable of being connected to an outside system; can be transported over the road on its own chassis and wheels to the site where it is to be connected semi-permanently to a separate utility system and is not permanently attached to any foundation as required for a permanent conventional dwelling or structure.

Mobile home park. Any development site, parcel or tract of land designed, maintained or intended to be used for the purpose of providing long-term occupancy of more than 30 days for the placement of ten or more mobile homes, including all buildings used or maintained for the use of the residents of the development. This term is not to be used in conjunction with any mobile home or trailer sales lots which contain unoccupied units that are intended for purposes of inspection and sale.

Nonconformance. A structure or tract of land which does not conform to the regulations of the zoning district in which it is situated.

Nonconforming use. A structure or tract of land occupied by a land use activity that does not conform to the regulations of the zoning district where it is located.

Mobile Home Parks are regulated by Chapter 153. Any existing park that is to be expanded, or any new park to be constructed, must meet the requirements set forth by Chapter 153. Also notable, Chapter 153 further defines a Mobile Home Park as "A unified development of ten or more mobile home spaces arranged on a tract of land under single person ownership, meeting all requirements of this chapter."

There are no Manufactured Housing Districts under current zoning; however, there is such district under futureland use as illustrated below.

DESCRIPTION OF EXISTING ZONING

Sec. 154.05.7. Manufactured housing district (MH).

5.7.A Description. The Manufactured Housing District is intended to serve as a residential district for persons living in manufactured homes outside of a mobile home park. The primary use of land is for single-family dwellings, along with related uses to provide the basic elements of an attractive living area.

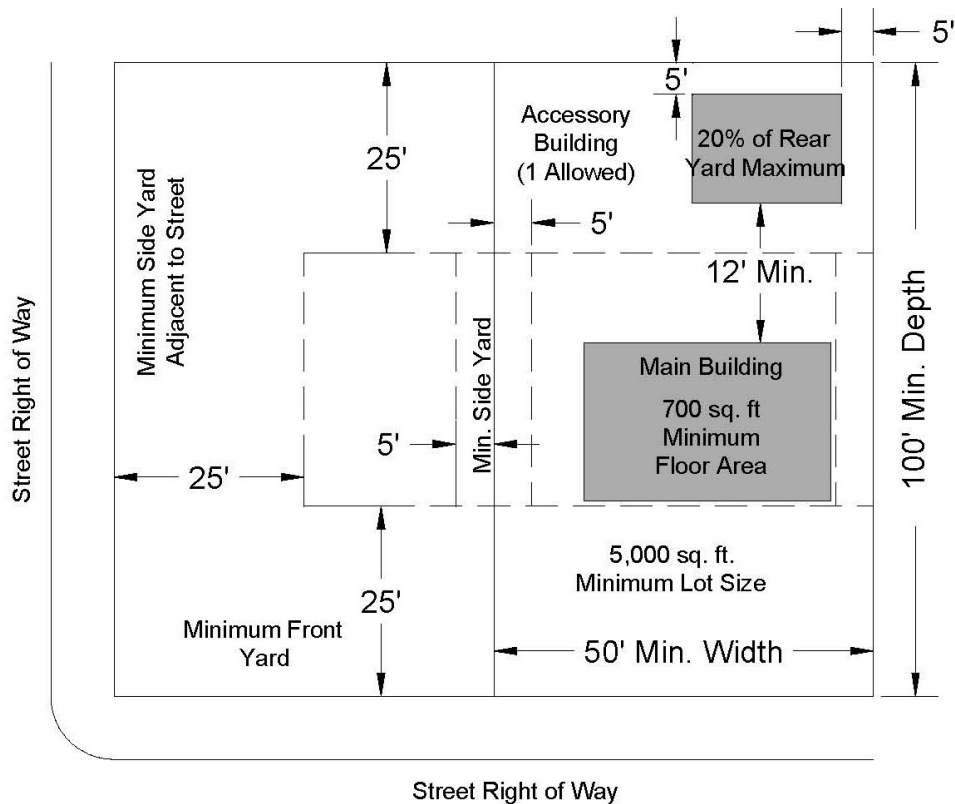
5.7.B Permitted Uses.

- (1) Single-family detached dwelling, limited to occupancy by a family having no more than three individuals who are unrelated by blood, legal adoption, marriage or conservatorship. The owner and any agent of the owner shall be legally responsible for directly or indirectly allowing, permitting, causing or failing to prohibit residential use of a dwelling in this district by more than three unrelated individuals;
- (2) Accessory building to main use;
- (3) Manufactured homes; and
- (4) Home occupation.

5.7.C Conditional Uses. None.

5.7.D Height, Area, Yard and Lot Coverage Requirements.

- (1) Maximum density: one dwelling unit per lot.
- (2) Minimum lot area: 5,000 ft².
- (3) Minimum lot width and lot frontage: 50 feet.
- (4) Minimum lot depth: 100 feet.
- (5) Minimum depth of front setback: 25 feet.
- (6) Minimum depth of rear setback: 25 feet.
- (7) Minimum width of side setback:
 - (a) Internal lot: five feet.
 - (b) Corner lot: 25 feet from intersecting side street.
- (8) (a) Minimum area of main building: 700 ft².
 - (b) Maximum main building coverage as a percentage of lot area: 40%.
- (9) Accessory buildings:
 - (a) Maximum accessory building coverage of rear yard: 20%.
 - (b) Maximum number of accessory buildings: one.
 - (c) Minimum depth of side setback: five feet.
 - (d) Minimum depth of rear setback: five feet.
 - (e) Minimum depth from the edge of the main building: 12 feet.
- (10) Maximum height of structures: 35 feet.
- (11) Public, semi-public or public service buildings, hospitals, institutions or schools may not exceed a height of 60 feet. Churches, temples, and mosques may not exceed 75 feet, if the building is set back from each yard line at least one foot for each two feet additional height above the height limit in this district.



5.7.E Parking Regulations. A Single-Family, MH District lot shall provide a minimum of two vehicle parking spaces, with a driveway connecting the parking spaces with a street or alley, and meet all the pertinent requirements contained in this ordinance, Section 11, Parking Regulations of this ordinance.

5.7.F Development and Installation Regulations. Any property developed within the MH district as a HUD Code Manufactured Home or as a Manufactured Housing Subdivision shall meet the following requirements:

- (A) The axles, wheels and tow bar or tongue shall be removed.
- (B) Secured to a permanent foundation or footing and piers, in accordance with manufacturer's specifications.
- (C) Permanent steps installed at all exits.
- (D) Skirting will be installed on all sides within 30 days of home installation. Skirting materials shall consist of materials compatible with the design of the home, enhancing its appearance. Unpainted or untreated corrugated metal, screen or wire, or lattice-style skirting is prohibited.
- (E) A building official of the City of Stephenville must approve any structural alteration or modification made on site. All structural additions shall comply with the city's building codes and ordinances.

LOCAL GOVERNMENT CODE CHAPTER 211

Sec. 211.006. PROCEDURES GOVERNING ADOPTION OF ZONING REGULATIONS AND DISTRICT BOUNDARIES. (a) The governing body of a municipality wishing to exercise the authority relating to zoning regulations and zoning district boundaries shall establish procedures for adopting and enforcing the regulations and boundaries. A

regulation or boundary is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the municipality.

(b) In addition to the notice required by Subsection (a), a general-law municipality that does not have a zoning commission shall give notice of a proposed change in a zoning classification to each property owner who would be entitled to notice under Section [211.007](#)(c) if the municipality had a zoning commission. That notice must be given in the same manner as required for notice to property owners under Section [211.007](#)(c). The governing body may not adopt the proposed change until after the 30th day after the date the notice required by this subsection is given.

(c) If the governing body of a home-rule municipality conducts a hearing under Subsection (a), the governing body may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the public hearing. Notice requirements prescribed under this subsection are in addition to the publication of notice required by Subsection (a).

(d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:

(1) the area of the lots or land covered by the proposed change; or

(2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

(e) In computing the percentage of land area under Subsection (d), the area of streets and alleys shall be included.

(f) The governing body by ordinance may provide that the affirmative vote of at least three-fourths of all its members is required to overrule a recommendation of the municipality's zoning

commission that a proposed change to a regulation or boundary be denied.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.