

ORDINANCE NO. 1999-07

AN ORDINANCE AMENDING THE ZONING ORDINANCE 1995-9 OF THE CITY OF MT. VERNON, TEXAS, BY CREATING A HUD-CODE MANUFACTURED HOUSING DISTRICT; DEFINING THE UNIFORM HEIGHT AND AREA REGULATIONS OF SUCH DISTRICT; DESIGNATING A GEOGRAPHIC AREA AS A HUD-CODE MANUFACTURED HOUSING DISTRICT; AMENDING THE ZONING ORDINANCE OF THE CITY OF MT. VERNON, TEXAS, BY FURTHER DEFINING MOBILE HOME AND HUD-CODE MANUFACTURED HOUSING; CREATING A PROHIBITION ON THE INSTALLATION OF CERTAIN MOBILE HOMES WITHIN THE CITY OF MT. VERNON, TEXAS; AMENDING THE DEFINITION OF MOBILE HOME PARK AND THE USE OF THE TERM MOBILE HOME AS CONTAINED IN THE MOBILE HOME DISTRICT; PROVIDING FOR SEVERABILITY AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MT. VERNON, TEXAS:

WHEREAS, the City Council of the City of Mt. Vernon, Texas, finds that there has arisen a need for areas to place single-family dwellings designated as HUD-Code Manufactured Homes since no area has officially been created and in an attempt to prevent certain discriminations that exist with regard to manufactured housing;

WHEREAS, the City Council of the City of Mt. Vernon, Texas, has determined that certain mobile homes may pose a threat to the health, safety and welfare of the public and as such should be prohibited within the City of Mt. Vernon, Texas;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MT. VERNON, TEXAS, THAT THE ZONING ORDINANCE OF THE CITY OF MT. VERNON, TEXAS, IS HEREBY AMENDED BY:

ARTICLE I.

I. Adding ARTICLE ____ 11 - HUDMH HUD-Code Manufactured Housing District, which shall read as follows:

Section 11-____ - HUD-Code Manufactured Housing District

A. Purpose of District

The HUD-Code Manufactured Housing District is created to provide developed single-family homesites for HUD-Code Manufactured Housing.

B. Principal Uses

The following uses are permitted in this district:

1. Location of a HUD-Code Manufactured dwelling.
2. Any use allowed in R-6 Residential District.

C. Accessory Uses

Any use may be established as an accessory use to any permitted principal use provided that such accessory use:

- (a) Is customarily incident to and is maintained and operated as a part of the principal use; and
- (b) Is not hazardous to and does not impair the use or enjoyment of nearby property in greater degree than the principal use with which it is associated; and
- (c) Does not create levels of noise, odors, vibration and lighting, or degrees of traffic congestion, dust or other pollutants, in a greater amount than that customarily created by the principal uses; and
- (d) Is located behind the minimum front and side street building setback lines.

D. Special Exceptions

The following may be established only when authorized by the Council under the provisions of Article V. Any accessory use may be permitted without specific Council approval provided it complies with the provisions of Sub-Section C, above. Other special exceptions shall be permitted as provided in Section 5 - 1.

1. Church, subject only to approval of a site development plan.

2. Real estate development tract or field office.
3. Subdivision advertising sign.
4. Day care center as an accessory use to a dwelling, community center or church.
5. Privately or municipally owned utility buildings and structures: power substation, water tank or reservoir, water or sewage treatment plant.

E. Height and Area Regulations

The uniform height and area regulations set forth in Section 11-2 shall apply to all buildings, walls and uses established on all properties contained within the district but shall be subject to the specific limitations and modifications set forth elsewhere in this ordinance.

F. Sign Controls

The following signs shall be permitted by right in conjunction with any permitted principal use or authorized special exception subject to the conditions listed.

1. Facility Identification Signs:
 - (a) A sign or combination of signs shall have a maximum allowable area or exposure along each dedicated street frontage of not more than one (1) square foot of sign area for each ten (10) linear feet of frontage along said street; provided, however, a minimum of at least one (1) sign shall be allowed having an area to twelve (12) square feet.
 - (b) Signs may be illuminated but the source of light shall not be visible and shall not be intermittent or flashing; revolving signs shall not be permitted.
 - (c) Not more than fifty (50) percent of the total allowable sign area may be located in the required yard space along a dedicated street. However, no individual sign in such required yard space shall exceed twenty (20) square feet in sign area.
2. Subdivision Identification Signs:

Shall be subject to the above limitation for Facility Identification Signs.
3. Directional Signs:
 - (a) Shall be permitted only for public and quasi-public uses.
 - (b) May be illuminated but the source of light shall not be visible and shall not be intermittent or flashing; revolving signs shall not be permitted.

- (c) Shall not exceed six (6) square feet in area.
- (d) May be located in any yard space.

II. Amending Table IV of Section 11-2 Uniform Height and Area Regulations by adding to living area zones:

HUDMH	6,000	60	2,400	25	6-10	10	30	4	7	40	0.3	6,000	8
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III. The following described area is hereby designated a HUDMH - HUD-Code Manufactured Housing District: The area encompassed by the east city limits to Cottonbelt Street to Holbrook Street to Rutherford Street to Kaufman Street to Miller Street to Franklin Street and Gadlin Street to Holbrook (Spur 423) back to east city limits (as per map approved by the City Council).

Section 11 - MH Mobile Home District of Article XI is hereby amended to read as follows:

Mobile Homes shall not be permitted within the city limits of the City of Mt. Vernon, Texas. Any such prohibition is prospective and shall not apply to a mobile home previously legally permitted and used or occupied as a residential dwelling within the city.

Section 2-4 - Buildings, Structures and Uses of Article II is amended by adding the definitions:

Mobile Home - shall have the same definition as shown in Article 5221f Texas Revised Civil Statutes, Manufactured Housing Standards Act, as amended.

HUD-Code Manufacturing Home or Housing - shall have the same definition as shown in Article 5221f Texas Revised Civil Statutes, Manufactured Housing Standards Act, as amended.

Section 2-4 - Buildings, Structures and Used of Article II is amended as follows:

Mobile Home Park is hereby deleted and the following is substituted:

HUD-Code Manufactured Home Park: An area designated, arranged or used for the parking or storing of one or more HUD-Code manufactured homes which are occupied or intended

for occupancy as semi-permanent living quarters by individuals or families.

Section 11 - MH Mobile Home District is hereby amended to read as follows:

Any reference in this section to mobile home is hereby deleted and the term HUD-Code manufactured home is hereby substituted.

ARTICLE II.

If any section or part of any section or paragraph of this Ordinance is declared invalid or unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this Ordinance.

ARTICLE III.

All ordinances, resolutions or parts of ordinances heretofore passed and adopted by the City Council of Mt. Vernon, Texas, are hereby repealed to the extent that said ordinances, resolutions or parts of ordinances are in conflict herewith.

PASSED, ADOPTED AND APPROVED by an affirmative vote of all members of the City Council, this the 29 day of April, 1999.

CITY OF MT. VERNON, TEXAS

By: H. H. Spiller
Mayor

ATTEST:

Cherry C. Onley
City Secretary

ZONING ORDINANCE DISTRICT DESCRIPTIONS

SECTION 11- MH MOBILE HOME DISTRICT

A. Purpose of District

The MH Mobile Home District is designed for the specific residential environment needs of mobile home dwellers. Individual mobile home spaces are located in designed mobile home parks. Traditional urban-type public improvements must be supplemented by special on-site facilities for recreation, storage, fire protection and waste disposal.

B. Principal Uses

In this district no building or land shall be used and no building shall be hereafter erected, reconstructed or structurally altered or enlarged except for one or more of the following principal uses.

1. Mobile home park

C. Accessory Uses

Any use may be established as an accessory use to any permitted principal use provided that such accessory use:

- (a) Is customarily incident to and is maintained and operated as a part of the principal use; and
- (b) Is not hazardous to and does not impair the use or enjoyment of nearby property in greater degree than the principal use with which it is associated; and
- (c) Does not create levels of noise, odors, vibration and lighting or degrees of traffic congestion, dust or other pollutants, in a greater amount than that customarily created by the principal use; and
- (d) Is located behind the minimum front and side street building set-back lines.

Within a mobile home park and on a site designated for such purposes on a recorded subdivision plat, there may be established convenience establishments of a commercial nature, including stores, coin-operated laundry and dry cleaning establishments, laundry and dry cleaning agency, beauty shop and barber shop, when such establishments and the parking areas primarily related to their operations: (1) occupy more than 10% of the area of the park, (2) are subordinate to the residential use and character of the park, (3) are located, designed and intended to serve frequent trade or service needs of persons residing in the park, and (4) present no visible evidence of their commercial character outside the park.

Sec. 11- :MH
A,B,C

D. Special Exceptions

The following may be established only when authorized by the Council under the provisions of Article V. Any accessory use may be permitted without specific Council approval provided it complies with the provisions of Sub-Section C, above. Other special exceptions shall be permitted as provided in Section 5-1.

1. Church, subject only to approval of a site development plan.
2. Utility buildings and structures: power sub-station, water tank or reservoir, water and sewage treatment plant.
3. Private kindergartens, elementary and secondary schools whose curricula satisfy the requirements of the State Public School Laws and the regulations of the State Department of Education.

E. Uniform Height and Area Regulations

The uniform height and area regulations set forth in Section 11-2 shall apply to all buildings, walls and uses established on all properties contained within the district but shall be subject to the specific limitations and modifications set forth elsewhere in this ordinance.

1. Perimeter requirements: Around the perimeter of the mobile home park site the setbacks and yard requirements of each adjoining district shall apply to development within the park along the extent of such common boundary with the other district. Where the adjoining district requires no setback from that property line the following shall govern:
 - (a) Minimum Front Yard: 25 feet.
 - (b) Minimum Side Yard: Along interior lot line: 10 feet
Along side street lot line: 10 feet.
 - (c) Minimum Rear Yard: 10 feet.
2. Tract requirements: The following general provisions shall apply to the design and operation of a mobile home park:
 - (a) Minimum area of tract: 3 acres, comprised of a single tract except where the site is divided by a public alley.
 - (b) Minimum width of tract: For portions used only for general vehicular entrances and exits: 50 feet. For portions containing mobile home stands and buildings open generally to occupants: 100 feet.

Sec. 11- :MH
D,E

(c) Bulk Controls

Maximum Floor Area Ratio for Mobile Home Dwelling Units: 0.4, based upon total area in park less commercial and common use areas, driveways, and permanent dwellings.

(d) Minimum number of spaces completed and ready for occupancy before first occupant is permitted. 25

(e) Length of residential occupancy: No space shall be rented for residential use of an approved mobile home in any such park except for periods of thirty (30) days or more.

F. Sign Controls

The following signs shall be permitted by right in conjunction with any permitted principal use or authorized special exception subject to the conditions listed.

Facility Identification Signs shall be permitted subject to the following provisions:

1. A sign or combination of signs shall have a maximum allowable area of exposure along each dedicated street frontage of not more than one square foot of sign area for each ten (10) linear feet of frontage along said street.
2. Signs may be illuminated but the source of light shall not be visible and shall not be intermittent or flashing; revolving signs shall not be permitted.