

ORDINANCE #96-00102

AN ORDINANCE DECLARING AND IMPOSING A TEMPORARY MORATORIUM ON THE ISSUANCE OF PERMITS FOR THE LOCATION OF NEW MOBILE HOMES AND MANUFACTURED HOMES ON PROPERTY NOT ZONED SPECIFICALLY FOR SUCH HOMES; MAKING FINDINGS OF FACT; RATIFYING AND CONFIRMING PREVIOUS ACTIONS; DECLARING AN EMERGENCY; AND PROVIDING FOR RELATED MATTERS

WHEREAS, the City of Mustang Ridge Zoning Ordinance is hereby amended to add new zoning districts; zoning categories M-1 and M-2 that permit mobile, modular or manufactured housing to be placed on property having such zoning classification;

WHEREAS, the City has permitted mobile homes and manufactured homes to be located and placed on land that was not zoned specifically for mobile homes or manufactured homes;

WHEREAS, this Ordinance shall not prevent any person from applying for the rezoning of any property to M-1 or M-2, or applying for and receiving a permit to place and locate a mobile home on any property zoned M-1 or M-2;

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct, are incorporated herein as findings of fact, and are made a part of this Ordinance for all purposes.

WHEREAS, Definitions -

Mobile home district is hereby identified as M-1 category:

Mobile Home. A single-family dwelling unit characterized by all of the following:

- a. Is transportable to and from the site upon which it will be occupied.
- b. Has construction standards approved under state statutory requirements.
- c. Sits on a nonpermanent foundation.
- d. Is suitable for occupancy year-round.

Modular home district is hereby identified as M-2 category:

Modular Home. A single or multifamily dwelling unit characterized by all of the following:

- a. Transported to the site, in parts (components) or in whole, but not intended to be relocated to other sites.
- b. The construction standards consistent with local codes.
- c. A permanent foundation, either integral with the unit or its components, or constructed on the site prior to unit installation.
- d. Location determined by normal code requirements applicable to units of standard residential contraction.

Section 2. Temporary Moratorium. A temporary moratorium is hereby established and declared prohibiting the location or placement, of the issuance of any building permit authorizing the location or placement, of a mobile home or a HUD manufactured home, on any lot, tract, or parcel of and within the City unless said lot, tract, or parcel of land is zoned M-1 or M-2 and provided further that this Ordinance shall not prevent any person from making application for the rezoning of any property to M-1 or M-2 zoning.

Section 3. Enforcement. The City Council and the Building Official of the City are hereby directed to enforce this Ordinance and to not permit or knowingly allow any person or entity to locate or place any mobile home, or HUD manufactured home, on any property within the City that is not then zoned M-1 or M-2.

Section 4. Exceptions. Upon application made in writing and public notice being given as required by Chapter 551, Tex. Gov't. Code, the City Council may by majority vote make exceptions to the moratorium in those specific instances found to be warranted by the City Council based upon the applicable facts and circumstances.

Section 5. City Council Action. The City Council is requested to cause notice to be given and published for a hearing and meeting to consider amending the Zoning Ordinance of the City with respect to the location and placement of mobile homes, and HUD manufactured homes, in the City, to consider and prepare a recommended Ordinance, and to make its recommendation to the City Council at the first regular scheduled Council meeting in May, 1996.

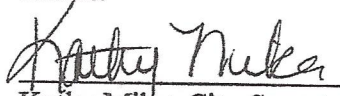
Section 6. Emergency. The City Council hereby finds and declares that the adoption, passage and immediate enforcement of this Ordinance is an emergency and is necessary for the preservation and protection of the City and its citizens.


Section 7. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below.

Section 8. Open Meetings. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND ADOPTED, THIS 12TH DAY OF MARCH, 1996.

Attest:


Kathy Mika, City Secretary


Billie Morrison, Mayor