

AMENDMENT

ORDINANCE NO : 121911 – ZONING ORDINANCE

AMENDMENT NO: III

ORDINANCE NO. 121911 IS HEREBY AMENDED AS FOLLOWS:

Summary of Changes to the City’s Zoning Ordinance to Regulate Industrialized Structures (Also called Modular)

Change No. 1

Add the following definitions to “Appendix B Definitions”:

Duplex – A building on an individual lot with a common wall between dwellings which is arranged, intended, or designed for occupancy by two families living independently of each other in an attached structure.

Industrialized Housing – is a residential structure that is (1) designed for occupancy of one or more families; (2) constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site; and (3) designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site erected or installed on a permanent foundation system, and includes the structure’s plumbing, heating, air conditioning and electrical systems. Industrial Housing does not include (1) a residential structure that exceeds three stories or 49 feet in height; (2) housing constructed of a sectional or panelized system that does not use a modular component, or (3) 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 the purpose of selling and moving the home to another location.

Industrialized Building – is a commercial structure that is (1) constructed in one or more modules or constructed using one or more modular components built at a location other than the commercial site; and (2) designed to be used as a commercial building when the module or the modular component is transported to the commercial site and erected or installed and includes the structure’s plumbing, heating, air conditioning and electrical systems. An Industrialized Building includes a permanent commercial structure and a commercial structure designed to be transported from one commercial site to another commercial site but does not include (1) a commercial structure that exceeds three stories or 49 feet in height, or (2) a commercial building or structure that is (a) installed in a manner other than on a permanent foundation; and (b) either, (i) not open to the public; or

(ii) less than 1,500 square feet in total area and used other than as a school or a place of religious worship.

Modular Component – means a structural part of housing or a 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) damages; or (2) removal and reconstruction of a part of the housing or building.

Change No. 2

Modify the following definition in “Appendix B”:

Dwelling - Any building or portion thereof which is designed for or used for residential purposes and built primarily onsite in the traditional manner (“stick built”), together with Accessory Buildings.

Town House – A single family Dwelling on an individual lot which is one of a series of Dwelling Units having one or two common walls with the other units in the series.

Change No. 3

In all applicable categories of Appendix A:

“One Family Dwelling Detached” changed to “Dwelling, Single Family”

“Two Family Dwelling” to “Dwelling, Duplex”

“Multi-Family (Apartment Dwelling)” to “Dwelling, Multi-Family”

“One Family Dwelling Attached (Town House) – See Provisions Article VI” to “Town House”

Change No. 4

Add the following uses to SINGLE FAMILY DWELLING MANUFACTURED HOUSING DISTRICT (R-4):

Manufactured Home (as restricted by Article VIII, Section 4)

Dwelling, Single Family

Dwelling, Duplex

Dwelling, Single Family, Townhome

Change No. 5

Add the following Appendix to the Zoning Ordinance

Appendix G

APPENDIX G

The following provisions shall be met by Industrialized Housing and Buildings in accordance with the Texas Occupations Code:

- (1) The municipality shall prior to the on-site construction or installation of industrialized housing and building:
 - a. Require and review for compliance with mandatory building codes, a complete set of designs, plans and specifications bearing the Texas Industrialized Building Code Council's stamp of approval for each installation of industrialized housing or buildings in the municipality;
 - b. Require that all applicable local permits and licenses be obtained before construction begins on a building site;
 - c. Require, in accordance with the Texas Commission of Licensing and Regulation's (the Commission) rules, that all modular components bear an approved decal or insignia indicating inspection by the Commission; and
 - d. Establish procedures for the inspection of:
 - (i) the erection and installation of industrialized housing to be located in the municipality, to ensure compliance with mandatory building codes and the Commission rules; and
 - (ii) all foundation and other on-site construction, to ensure compliance with approved designs, plans, and specifications.

The following provisions shall be met by single-family and duplex industrialized housing in accordance with the Texas Occupations Code:

- (1) Single-family or duplex industrialized housing must have all local permits and licenses that are applicable to other single-family or duplex dwellings.
- (2) Single family or duplex industrialized housing shall:

- a. Have a value equal to or greater than the median taxable value for each single-family dwelling located with 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for each county in which the properties are located;
 - b. 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 housing is proposed to be located;
 - c. Comply with municipal aesthetic standards, building setbacks, side and rear building offsets, subdivision control, square footage, and other site requirements applicable to single-family dwellings; and
 - d. Be securely fixed to a permanent foundation.
- (3) For purposes of subsection (2) “value” means the taxable value of the industrialized housing and the lot after installation of the housing.
- (4) For purposes of subsection (2), the applicant for the local permits are solely responsible for providing the value of dwellings located within 500 feet of the lot in question and the value of the industrialized housing.

PASSED and **APPROVED** this 18th day of June, 2012

Travis Pruski -- Mayor

ATTEST:

Rose Huizar, City Secretary