

ORDINANCE O-92-19

AN ORDINANCE OF THE CITY OF ATHENS, TEXAS,
AMENDING MANUFACTURED HOME REGULATIONS
FOUND IN SECTIONS 14.5, 17.5(F), 18.5(F) AND 32.2 OF THE
OF THE CITY OF ATHENS ZONING CODE

WHEREAS, heretofore, on the 5th day of August 2019 the Planning Commission of the City of Athens, Texas after due notice and hearing did hereby recommend approval of the amendments below;

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

That the “Special Requirements” for Agriculture zoning districts found in Section 14.5 of the City of Athens Zoning Code is amended as shown below. For clarity, text to be removed is struck through and new text is in italics. All changes are highlighted.

14.5 SPECIAL REQUIREMENTS:

- A. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of one or more acres.
- C. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, etc.).
- D. Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering.
- E. Site plan approval (see Section 12) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the A district.
- F. Other Regulations. As established in the Development Standards, Sections 33 through 41.
- G. *A Manufactured home, not more than five years old shall be permitted providing the following conditions are met:*
 - 1. *All other requirements of the district are met;*
 - 2. *The unit is underpinned to a permanent foundation and the transportation wheels are removed;*
 - 3. *A Specific Use Permit is approved;*
 - 4. *The towing mechanism (i.e. tongue) is removed.*

That the “Special Requirements” for Single-Family – 7 zoning districts found in Section 17.5(F) of the City of Athens Zoning Code is amended as shown below. For clarity, text to be removed is struck through and new text is in italics. All changes are highlighted.

17.5 SPECIAL REQUIREMENTS:

- A. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
 - B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of one or more acres.
 - C. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, etc.).
 - D. Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering.
 - E. Site plan approval (see Section 12) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the A district.
 - F. A Manufactured home, not more than five years old shall be permitted providing the following conditions are met:
 - 1. All other requirements of the district are met;
 - 2. The unit is underpinned to a permanent foundation and the transportation wheels are removed;
 - 3. ~~Seventy five percent of all property owners within 200 feet of the site submit written approval of the proposed location of the manufactured home(s)~~ *A Specific Use Permit is approved*; and
 - 4. The towing mechanism (i.e. tongue) is removed.
 - G. Other Regulations. As established in the Development Standards, Sections 33 through 41.
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That the “Special Requirements” for Single-Family – 5 zoning districts found in Section 18.5(F) of the City of Athens Zoning Code is amended as shown below. For clarity, text to be removed is struck through and new text is in italics. All changes are highlighted.

18.5 SPECIAL REQUIREMENTS:

- A. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes.
- B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on parcels of one or more acres.
- C. Open storage is prohibited (except for materials for the resident's personal use or consumption such as firewood, garden materials, etc.).
- D. Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering.
- E. Site plan approval (see Section 12) shall be required for any nonresidential use (e.g., school, church, child care center, private recreation facility, etc.) in the A district.
- F. A Manufactured home, not more than five years old shall be permitted providing the following conditions are met:
 - 1. All other requirements of the district are met;
 - 2. The unit is underpinned to a permanent foundation and the transportation wheels are removed;

3. ~~Seventy five percent of all property owners within 200 feet of the site submit written approval of the proposed location of the manufactured home(s) A Specific Use Permit is approved;~~ and
 4. The towing mechanism (i.e. tongue) is removed.
- G. Other Regulations. As established in the Development Standards, Sections 33 through 41.

And that the use of “Mobile Home or HUD-Code Manufactured Home” found in Section 32.9 of the City of Athens Zoning Code is amended as shown below. For clarity, text to be removed is struck through and new text is in italics. All changes are highlighted.

Section 32.9 PRIMARY RESIDENTIAL USES	SEE APPENDIX A-3 FOR DEFINITIONS	AGRICULTURE	SINGLE-FAMILY RESIDENTIAL 15,000 S.F. LOTS	SINGLE-FAMILY RESIDENTIAL 10,000 S.F. LOTS	SINGLE-FAMILY RESIDENTIAL 7,000 S.F. LOTS	SINGLE-FAMILY RESIDENTIAL 5,000 S.F. LOTS	SINGLE-FAMILY RESIDENTIAL PATIO HOME (ZERO-LOT-LINE)	TWO-FAMILY RESIDENTIAL (DUPLICATE)	SINGLE-FAMILY RESIDENTIAL (ATTACHED)	MULTI-FAMILY RESIDENTIAL-4 (TRIPLEX/QUADRIplex)	MULTI-FAMILY RESIDENTIAL-5 (APARTMENTS)	MANUFACTURED HOME	OFFICE	RETAIL	CENTRAL BUSINESS DISTRICT	COMMERCIAL	INDUSTRIAL	SINGLE-FAMILY RESIDENTIAL COTTAGE HOUSING 55+
	*	A	SF-15	SF-10	SF-7	SF-5	SF-PH	MF-2	SFA	MF-4	MF-5	MH	O	R	CBD	C	I	SF-CH 55+
Accessory Dwelling Unit	*	●	●	●	●	●												
Bed & Breakfast Inn or Facility	*		S	S	S	S	S	S	S	●	●		●	●	●	●		
Boarding or Rooming House	*									S	S		●	●	●	●	●	
Community Home	*	●	●	●	●	●	●	●	●	●	●	S	S	S	S		S	●
Housing for the Elderly/Senior/Apartments/Congregate Housing	*							S	S	●	●				S			●
Industrialized Home	*	●	●	●	●	●	●	●	●	●	●	●						●
Manufactured/Mobile Home Park	*											●						
Mobile Home or HUD-Code Manufactured Home	*	S			● S	● S						●						
(Remainder of chart to be left as is)																		

First reading this the 12th day of August 2019.

PASSED, APPROVED and ADOPTED this the **26th** day of **August, 2019** at a regular meeting of the City Council of the City of Athens, Texas, with the following record vote:

Monte Montgomery, Mayor	Aye
Ed McCain, Councilmember/Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
Toni Clay, Councilmember	Aye
Robert Gross, Councilmember	Aye

5 voted in favor of the motion and
0 voted against the motion.

Motion carried 5-0

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary