

An ordinance repealing Chapter 23, Subpart B of the Code of the City of Abilene, Texas, entitled "Mobile Homes and Vacation Travel Trailers"; stating the authority; setting forth the scope and purpose, defining terms, describing development-related regulations, establishing standards for design, providing for limited variance opportunity, providing for general requirements, fixing the penalties for violation and providing for publication.

Whereas, the Planning and Zoning Commission of the City of Abilene has recommended that the existing Mobile Home and Vacation Travel Trailer Ordinance of the City of Abilene be repealed, and the following substituted therefore; and

Whereas, it is the opinion of the City Council of the City of Abilene that such recommendation should be accepted and a new Mobile Home Parks ordinance be adopted, now, therefore,

Be it ordained by the City Council of the City of Abilene, Texas:

PART 1: That Chapter 23, Subpart B of the Code of the City of Abilene, Texas, entitled "Mobile Homes and Vacation Travel Trailers" be and is hereby repealed.

PART 2: That the Code of the City of Abilene, Texas be and is hereby amended by adding thereto a new Chapter 23, Subpart B, which should read as follows:

CHAPTER 23 SUBPART B

SECTION 23-11. AUTHORITY

The scope of this ordinance shall be to govern the establishment and operation of mobile home parks within the corporate limits of the City of Abilene.

The purpose of this ordinance is to regulate the design and use of mobile home parks because public services must be provided, and the health, safety, and welfare of the community and mobile home park residents must be maintained.

SECTION 23-12. DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this ordinance:

- A. "Building Official" shall mean the Building Official of the City of Abilene, Texas, or his duly authorized representative.
- B. "City" shall mean the City of Abilene, Texas.
- C. "City Council" shall mean the duly elected governing body of the City of Abilene, Texas.
- D. "City Engineer" shall mean the City Engineer of the City of Abilene, Texas, or his duly authorized representative.
- E. "Director of Planning" shall mean the Director of Planning of the City of Abilene, Texas, or his duly authorized representative.
- F. "Director of Public Health" shall mean the legally designated health authority of the City of Abilene, Texas, or his duly authorized representative.
- G. "Fire Chief" shall mean the Fire Chief of the City of Abilene, Texas, or his duly authorized representative.
- H. "Mobile Home" shall mean a structure, constructed on or after June 15, 1976, according to the rules of the U.S. Department of Housing and Urban Development, transportable in one or more sections which, in the travelling mode, is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems. Mobile homes constructed prior to June 15, 1976, shall meet the above requirements, though not constructed according to the rules of the U.S. Department of Housing and Urban Development, and shall meet the requirements of the Uniform Housing Code, 1979 Edition. Mobile homes shall mean the same as manufactured housing as defined by the State of Texas.
- I. "Mobile Home Park" shall mean a tract of land under single ownership of four (4) acres or more where accommodation is provided for the placement of mobile homes as described herein and occupied as residences.
- J. "Mobile Home Space" shall mean a plot of ground within a mobile home park designed for the accommodation of a single mobile home.
- K. "Space Width" shall mean a piece of real property horizontally distant between the mobile home space side boundary lines, measured at right angles to the mobile home space depth at a point midway between the front and rear mobile home space lines.

SECTION 23-13. MUNICIPAL DEVELOPMENT REGULATION COMPLIANCE

It shall be unlawful for any person or firm to construct, alter or expand any mobile home park within the corporate limits of the City of Abilene, Texas, after the effective date of passage of this ordinance without complying with the following regulations, herein specified and adopted by reference, except where such activity occurs under the provisions of a Planned Development Mobile Home Ordinance.

A. Subdivision

1. Mobile home parks shall be located on land formally subdivided according to the Subdivision Regulations of the City of Abilene.
2. Accompanying all applications for subdivision of land to be used for mobile home park purposes shall be two (2) copies of a schematic drawing indicating the placement of all public or private utility lines and other such facilities. Such schematic must also indicate those utilities adjacent to the park to which hook-up and/or extension is proposed.
3. All water and sewer utilities within mobile home parks shall be considered private, unless such utilities pass through the park to serve, or intended to serve, development beyond it, or if such water lines lie within the park for the purpose of providing fire protection and suppression, in which case the utilities shall be considered public.

Private water and sewer lines shall be maintained and protected by the park owner/operator.

Public water and sewer lines, and all appurtenances thereto, shall be located in easements of sufficient width and character as necessary to allow access and inhibit encroachment. Said easements shall be depicted on the subdivision plat at the time of plat approval.

All nonmunicipal utilities constructed in mobile home parks shall comply with the policies for installation of the utility provider.

4. As described in Section 23-15 of this ordinance, all interior park streets shall be private. If necessary, they may be refuse collection, public access, emergency vehicle access, utility (public) or drainage easements, and so labelled on the plat map. If private streets are to be used as municipal vehicle access easements, a private property refuse collection agreement, and any other similar agreements formulated after the effective date of this ordinance, must be executed between the subdivider and the City prior to subdivision approval. Names for all interior streets shall be depicted on the plat. Such names shall be subject to the same requirements as names of public streets.

5. All mobile home spaces must front onto an interior street. Any property intended to allow direct access from a mobile home onto a public street shall be formally subdivided, according to the Subdivision Regulations of the City of Abilene, so as to create subdivided lots that have frontage on the public street. Such lots shall conform to the design standards contained within the Subdivision Regulations and the Zoning Ordinance, and shall be considered subdivision lots rather than mobile home spaces.

B. Site Plan

1. Prior to issuance of permits to construct park facilities or place mobile homes within a park, a site plan for the park shall be submitted to and approved by the Site Plan Review Committee. The site plan shall indicate:
  - a. The legal description of the subject property.
  - b. The location of all boundary lines for the subject property.
  - c. The location and width of all platted streets, alleys and easements within or adjacent to the subject property.
  - d. The location and width of all parkways adjacent to the subject property.
  - e. The names of streets adjacent to the subject property.
  - f. The location, size and character of all permanent buildings on the subject property, and the square footage of each.
  - g. The setting of all structures on adjoining property, if said structures are located within fifteen (15) feet of the subject property's boundary.
  - h. Address numbers for each building and mobile home, according to the City of Abilene numbering system.
  - i. Location of all off-street parking spaces, driveways, vehicle maneuvering areas, barriers, curb cuts, and loading facilities.
  - j. Types of surfacing.
  - k. Indication of landscaping, to include all planting strips, trees, retaining walls and other improvements or alterations to the land.
  - l. Height and character of all screening walls and fences.
  - m. Height of all structures.
  - n. Height and location of all free-standing light standards and type of luminaires.
  - o. Location of facilities for refuse disposal.
  - p. Location of nearest fire hydrants.
  - q. Location, type and size of all drainage facilities.
  - r. Direction of drainage across property and outfall from property.
  - s. Location, type and size of all public water and sewer lines within and adjacent to property.
  - t. Notation of regulatory flood hazard or floodway boundary.
  - u. Finished ground floor elevations for permanent structures.
  - v. Location, type, size and height of all signs, other than wall signs.

- w. Proposed uses classified, to the extent reasonably possible, according to the description of permitted use included with Section 23-306 of Zoning Ordinance.
  - x. North arrow and graphic scale.
  - y. Bench mark elevation.
  - z. Depiction of mobile home spaces
2. Site plans will be considered by the Site Plan Review Committee in accordance with Section 23-356 of the Zoning Ordinance of the City of Abilene.

C. Building Permits

- 1. Installation of mobile homes on individual park spaces shall comply with all applicable state laws.
- 2. The placement of individual mobile homes on park spaces requires the issuance of a Mobile Home Installation Permit by the City of Abilene. The permit shall authorize:
  - o water and sewer connection
  - o gas utility connection to existing opening
  - o electrical utility connection to existing meter base with lifeline
  - o air-conditioning
 In addition, permit issuance is dependent on conformance with appropriate building setbacks and addressing of the mobile home.
- 3. All new construction of mobile home parks, or extensions to them and the placement of mobile homes, accessory structures, sanitary facilities, recreation facilities and permanent buildings shall comply with all applicable development-related regulations of the City of Abilene.

SECTION 23-14 DESIGN REQUIREMENTS

- A. Site Size. The initial development of any mobile home park shall not be less than four (4) acres fully improved, with serviced mobile home spaces.
- B. Density. The maximum site density of 8 units per acre shall apply to all mobile home parks.
- C. Setbacks and Spacing. Mobile home minimum setback and spacing requirements shall be as follows:
  - 1. Between mobile structures . . . . . 15 ft.\*
  - 2. Between mobile structures and permanent structures (excluding individual storage structure, patio roofs, carports) . . . . . 15 ft.\*
  - 3. Between patio roof or carport of one mobile structure and another mobile structure . . . . . 3 ft.
  - 4. From curb or edge of pavement of interior streets . . . . . 15 ft.\*

- 5. From curb or edge of pavement of cul-de-sac  
turnarounds . . . . . 25 ft.\*
- 6. From rear space lines . . . . . 5 ft.
- 7. From interior space lines:  
  - Minimum . . . . . 3 ft.
  - Total of both sides . . . . . 15 ft.
- 8. From rear park property line . . . . . 15 ft.
- 9. From side park property line . . . . . 15 ft.
- 10. From front park property line . . . . . 15 ft.

\*Specified setbacks in items 1, 2, 4, and 5 above shall not be subject to variance. Further, no variance to items 8, 9, and 10 above, shall cause a mobile home to be closer than 3 feet from any park property line. All other spacing and setback requirements of this section may be varied from by authority of the Board of Adjustment, according to the provisions of Section 23-356 of the Zoning Ordinance of the City of Abilene.

- D. Space design standards. The following minimum requirements shall apply to all mobile home spaces within mobile home parks:
  - 1. Space width . . . . . 45 ft.
  - 2. Space depth . . . . . 100 ft.

Space boundary lines shall be permanently delineated by placement of corner pins or monuments, or permanent curb designation. Space depth shall be measured from the edge of curb or easement boundary line, whichever is more restrictive.
- E. Variances. Provisions stipulated in Section 23-14(C) of this ordinance are subject to variance [except C(1), (2), (4) and (5)] to authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest, where, owing to specific conditions, a literal enforcement of the provisions of the Ordinance would result in unnecessary hardship, and the granting of the variance would provide substantial justice conforming with the spirit and intent thereof. Appeals made to the Board of Adjustment shall be as provided in Section 23-356 of the Zoning Ordinance of the City of Abilene.
- F. Fencing. Where off-street parking areas, not located on individual, occupied mobile home spaces, for more than 5 vehicles are located closer than 50 feet from a residential zoning district, said parking area shall be visually screened by an opaque fence or wall at least six (6) feet in height.
- G. Patio Roofs and Carports. Mobile home park spaces may have patio roofs and carports constructed of materials consistent with applicable Building Codes.
- H. Lighting. The interior private streets in mobile home parks shall be lighted. Street lighting is to meet the following design criteria:

1. Average pole spacing of 250 feet or less with 300 feet maximum spacing between poles for 70 watt high pressure sodium or 175 watt mercury vapor street light luminaires; an average pole spacing of 200 feet or less with a 250 feet maximum spacing between poles for 175 watt mercury vapor guard lights (measurements are straight line within the streets); or any lighting configuration that produces on the street an average lighting intensity of at least 0.22 footcandles and a minimum lighting intensity of 0.01 footcandles.
2. Lights to be located at as many intersections (including L intersections) as possible within the constraints of the overall layout.
3. A balanced layout for the overall development. In making adjustments, preference (in terms of uniformity and intensity) is to be given to streets in order of their importance from a traffic function.

- I. Each mobile home space shall have an off-street parking area to accommodate at least two (2) parking spaces. The parking area, the maneuvering area and the driveway connection to the street shall be paved.

#### SECTION 23-15. STREET SYSTEM

All mobile home spaces shall be provided with safe and convenient vehicular access from abutting streets. Access to mobile home parks shall be designed to minimize congestion and hazards at park entrances and exits to allow free movement of traffic on adjacent streets.

- A. Interior Street System. Interior streets shall be provided in mobile home parks, be private streets, and shall be of adequate width to accommodate anticipated traffic and shall meet the following minimum standards:
  1. All interior mobile home spaces shall abut a paved interior private street which ultimately shall connect with a public street.
  2. All interior private streets shall have a pavement width of not less than 36 feet, measured from face-to-face of curbs.
  3. All interior private streets shall have concrete curbs and gutters. Curbs may be lay-down or stand-up, and shall be installed according to City of Abilene specifications.
  4. All interior private streets shall be named. Street names shall be posted at all intersections.
  5. Cul-de-sac streets shall be limited to 500 feet in length measured from the center of the intersecting street to the center of the turn-around and shall provide a paved turn-around having an outside roadway diameter of at least 80 feet. The maximum number of mobile home spaces on a cul-de-sac shall be 25.
- B. Connections to the Public Street System. The private interior street system of the mobile home park shall connect with the public street system via one or more mobile home park entrance streets. The number of entrance streets and their relationship to the private street system

shall be such that a single blockage on the private street system shall not cut off more than 25 mobile home spaces from the public street system.

Private entrance street connections to the public street system shall conform to the following standards:

1. Entrance street connections shall be at 90 degrees plus or minus 15 degrees.
2. Entrance streets shall have a pavement width measured face-to-face of curbs of at least 40 and no more than 60 feet.
3. The intersection return radius to a public street shall be a minimum of 25 feet except for connections to arterial streets which shall be a minimum of 350 feet.
4. All mobile home park entrance streets shall employ on each side of the entrance street a minimum 15 foot "parkway", or permanent open area not part of any mobile home space, between the curb and the mobile home space boundary line. This "parkway" shall extend for the first 100 feet of the street, from the public street, whichever is greater. Placement of structures within this parkway is prohibited.

#### SECTION 23-16. EFFECT OF PRIOR ORDINANCES

This mobile home ordinance shall effect the design and construction of mobile home parks, or expansions of mobile home parks, which occur after the effective date of this ordinance.

For mobile home parks created prior to the effective date of this ordinance, use and development shall be guided by the particular ordinance(s) in effect at the time of development. Herein granted, however, is the ability to seek a variance from mobile home spacing and setback requirements found in those previous controlling ordinances. Any variances sought under this provision must conform to the requirements of Section 23-14 item c in this ordinance.

Mobile home parks created prior to the effective date of this ordinance which have been abandoned shall not thereafter be reestablished unless done so under the provisions of this ordinance. An abandonment shall occur when the mobile home park ceases to exist for a period of six (6) months or more, or when it is reestablished under the provisions of this ordinance.

#### SECTION 23-17. ACCESSORY BUILDINGS

Buildings accessory to the mobile home park, such as management offices, repair shops and storage areas relating to the mobile home park, sanitary facilities, and indoor recreation areas, shall be permitted in mobile home parks, provided that they comply with the City of Abilene Building Codes, Zoning Ordinance, and any other applicable Code or Ordinance. Buildings accessory to mobile homes, such as individual storage buildings, shall be located in a mobile home space in accordance with Section 23-317 of the Zoning Ordinance of the City of Abilene.



PART 3: If any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in the full force and effect.

PART 4: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars (\$1000.00). Each day such violations shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper as provided by Section 19 of the Charter of the City of Abilene, Texas.

PASSED ON FIRST READING this 8th day of May, A.D. 19 86.

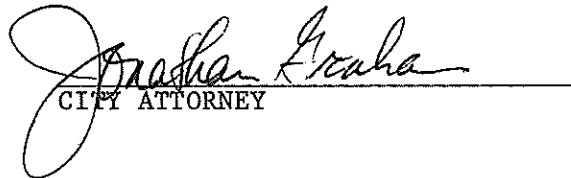
PASSED ON SECOND AND FINAL READING this 12th day of June, A.D. 19 86.

ATTEST:

  
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CITY SECRETARY

  
\_\_\_\_\_  
MAYOR

APPROVED:

  
\_\_\_\_\_  
CITY ATTORNEY