

ORDINANCE NO. {{item.sequential_number}}
(FY-24-31-ZC)

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM GENERAL RETAIL AND MANUFACTURED HOME DISTRICTS TO PLANNED DEVELOPMENT - AGRICULTURAL WITH A DEVELOPMENT/SITE PLAN AND CONDITIONAL USE PERMIT FOR A HUD-CODE MANUFACTURED HOME LAND LEASE COMMUNITY (EXPANSION OF BLUEBONNET ESTATES MOBILE HOME PARK) ON APPROXIMATELY 22.109 ACRES NEAR THE SOUTHWEST CORNER OF EAST YOUNG AVENUE AND EAST SHELL AVENUE, LOCATED IN THE BENJAMIN STRACENER SURVEY, ABSTRACT NUMBER 746, IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND ADDRESSED AS 901 EAST YOUNG AVENUE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant owns 47.898 acres, which include the existing Bluebonnet Estates, a HUD-Code Manufactured Home Land Lease Community, also known as a mobile home park (MHP), consisting of 177 mobile home sites, and located on the western side of the property with vacant land on the eastern side - an expansion of the MHP on the 22.109 acres to the east is proposed as Phase II, adding 123 new sites, for a total of 300;

Whereas, the majority of this property is zoned General Retail (GR) District and includes the existing MHP - approximately 6.3 acres at the southeast corner of the property is zoned Manufactured Home (MH) District and is undeveloped;

Whereas, a MHP is not allowed in the GR District, and the MH District no longer exists in the Unified Development Code (UDC) - a MHP is only allowed in the Agricultural (AG) District with a Conditional Use Permit (CUP), subject to specific use standards in UDC Section 5.3.2.;

Whereas, the City Code of Ordinances also has specific requirements for a MHP in Chapter 23, "Manufactured Housing" - the existing MHP is considered grandfathered and cannot be expanded unless it is in compliance with current codes;

Whereas, the applicant is requesting rezoning to allow expansion of the MHP on the eastern 22 acres and is leaving the zoning of the existing park as it currently is, so the nonconforming status of the existing park will not change - Phase II of the MHP must comply with the current codes, some of which are provided as follows:

UDC Section 5.3.2. – Specific Use Standards for HUD Code Manufactured Homes:

- A minimum of 50-foot front yard setback required along perimeter streets.
Planned Development (PD) condition will allow reduction from 50 feet to 30 feet.
- Only double-wide units allowed.
PD condition will allow single-wide units; a minimum of 25 percent of the units must be double-wide, and only double-wide units may be placed along perimeter streets.

- Fencing/screening provided around perimeter.
- A minimum of five percent landscaping required along perimeter streets.
- An age maximum of 15 years on units moved onto the property.

City Code of Ordinances, Chapter 23 – Manufactured Housing

- Maximum density of ten units per acre allowed.
**Site plan proposes density of 5.7 units per acre.*
- Lots must be a minimum of 35 feet wide.
**Site plan proposes a minimum 50-foot width provided for single-wide and 60-foot width for double-wide.*
- Required that a minimum of five percent of Manufactured Home Land Lease Community is set aside for recreational area (2.4 acres for existing and proposed MHP).
**Site plan proposes 2.739 acres provided as a recreational area.*
- Requirement for two parking spaces per unit plus one space per four units for guest parking (31 spaces for guest parking).
**Site plan shows 83 parking spaces provided.*
- Requirement for a minimum of two access points.
**Site plan shows two alternate design entrances provided in accordance with the City's subdivision entry design standards, which will accommodate up to 300 dwelling units.*

Whereas, the applicant has provided a site plan that complies with the provisions of both codes discussed above, with the only exceptions being a reduction in the front yard setback and the allowance of single-wide units, per the PD conditions summarized above;

Whereas, three recreational areas are proposed totaling approximately 2.739 acres, exceeding the required minimum 2.4 acres for the full park - these areas include the following on-site amenities: a swimming pool, an office area, computer access, picnic tables, a grilling area, shaded canopy, and open areas;

Whereas, this property has frontage along Young and Shell Avenues, with Young Avenue being a Community Collector Street on the City's Thoroughfare Plan and Shell Avenue being a Minor Arterial - the City has a Capital Improvement Program (CIP) project to widen Young Avenue to two lanes with a center turn lane from Lower Troy Road to Loop 363;

Whereas, this project includes realigning the Young/Shell intersection to a "T" intersection - and was funded for design and right-of-way in Fiscal Year 2024 but has not moved forward at this time;

Whereas, the Residential Subdivision Entrance/Access Design Standards require a minimum of two alternate design entrances (minimum 41-foot pavement width) for up to 300 dwelling units - the applicant will widen the existing entrance from Young Avenue to alternate design standards and provide another alternate design entrance from Shell Avenue to meet the needs of the existing park and the proposed expansion;

Whereas, the internal streets will be private and constructed with a 26-foot pavement width - parking on either side will be prohibited and marked as such with either a no-parking sign or fire lane striping;

Whereas, the City has water lines of varying sizes along both Young and Shell Avenues and private lines in the existing MHP connect to the 12-inch water main at the northwest corner along Young Avenue - a second water service connection will require extension of the eight-inch water main along Shell Avenue;

Whereas, the City has a 15-inch gravity sewer main near the west side of the property, on the west side of the railroad tracks - a 10-inch private line connects to this gravity main to provide service to the existing park and the applicant will extend private lines to provide sewer service to the Phase II development;

Whereas, the utilities, along with drainage needs, will be more fully evaluated with the subdivision plat;

Whereas, at its August 5, 2024 meeting, the Planning and Zoning Commission (PZC) voted 6 to 0 to recommend approval;

Whereas, Staff recommends approval of the requested rezoning, CUP, and site/development plan, subject to the following conditions:

1. The use and development of the property shall conform to the AG Zoning District standards.
2. Development of a HUD-Code Manufactured Home Land Lease Community is allowed subject to compliance with UDC Section 5.3.2., “HUD-Code Manufactured Home Development or Land Lease Community”, and City Code of Ordinances Chapter 23, “Manufactured Housing”, except as follows:
 - a) Single-wide units shall be allowed. A minimum of 25 percent of units shall be double-wide; all units along Young and Shell Avenues shall be double-wide; and
 - b) Reduction in front yard setback along perimeter street frontages from 50 feet to 30 feet.
3. Development of a HUD-Code Manufactured Home Land Lease Community shall substantially comply with the approved site plan, attached hereto and incorporated herein as Exhibit A. The Director of Planning and Development may approve minor changes to the site plan. Major changes will require review/approval by the PZC and City Council.
4. Compliance with UDC Section 3.5.4A-G for a CUP.
5. Perimeter fencing/screening required per UDC 5.3.2.B.
6. Landscaping along street frontages required per UDC Section 7.4.
7. No unit older than 15 years may be moved onto the property.
8. Entrances shall comply with Residential Subdivision Entrance/Access Design Standards.

9. Private streets shall be a minimum of 26-foot-wide pavement. Parking on either side is prohibited and streets shall be marked as such with either a no-parking sign or fire lane striping.
10. A subdivision plat is required prior to site development.
11. Sidewalks required along Young Avenue and Shell Avenue and will be evaluated with the subdivision plat.

Whereas, the City Council has considered these matters and deems it in the public interest to authorize these actions.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council approves a rezoning from General Retail (GR) and Manufactured Home (MH) Districts to Planned Development – Agricultural (PD-AG) with a development/site plan and Conditional Use Permit for a HUD-Cod Manufactured Home Land Lease Community (expansion of Bluebonnets Estates Mobile Home Park) on approximately 22.109 acres near the southwest corner of East Young Avenue and East Shell Avenue, located in the Benjamin Stracener Survey, Abstract No. 746, in the City of Temple, Bell County, Texas, and addressed as 901 East Young Avenue, subject to the following conditions:

1. The use and development of the property shall conform to the AG Zoning District standards.
2. Development of a HUD-Code Manufactured Home Land Lease Community is allowed subject to compliance with UDC Section 5.3.2., “HUD-Code Manufactured Home Development or Land Lease Community”, and City Code of Ordinances Chapter 23, “Manufactured Housing”, except as follows:
 - a) Single-wide units shall be allowed. A minimum of 25 percent of units shall be double-wide; all units along Young and Shell Avenues shall be double-wide; and
 - b) Reduction in front yard setback along perimeter street frontages from 50 feet to 30 feet.
3. Development of a HUD-Code Manufactured Home Land Lease Community shall substantially comply with the approved site plan, attached hereto and incorporated herein as Exhibit A. The Director of Planning and Development may approve minor changes to the site plan. Major changes will require review/approval by the PZC and City Council.
4. Compliance with UDC Section 3.5.4A-G for a CUP.
5. Perimeter fencing/screening required per UDC 5.3.2.B.
6. Landscaping along street frontages required per UDC Section 7.4.
7. No unit older than 15 years may be moved onto the property.
8. Entrances shall comply with Residential Subdivision Entrance/Access Design Standards.

9. Private streets shall be a minimum of 26-foot-wide pavement. Parking on either side is prohibited and streets shall be marked as such with either a no-parking sign or fire lane striping.
10. A subdivision plat is required prior to site development.
11. Sidewalks required along Young Avenue and Shell Avenue and will be evaluated with the subdivision plat.

Part 3: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any section, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such section, paragraph, sentence, clause, or phrase.

Part 5: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **15th** day of **August, 2024.**

PASSED AND APPROVED on Second and Final Reading on the **19th** day of **September, 2024.**

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney