

PUBLIC NOTICE

**City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, July 23, 2025
Municipal Building – Glosserman Room
308 W. San Antonio St.**

AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the June 25, 2025 meeting.
4. Consider a request by Andrew Campbell and Mariella Quintanilla, for approval of a 5-foot-tall cedar-wood fence with 50 percent opacity, to be set back 5 feet from the front property line along West Market Street, as provided for in Chapter 12, "Buildings and Building Regulations", Section 12-491(3), of the Lockhart Code of Ordinances for fences within the front building setback area in nonresidential zoning districts, on a property zoned CMB (Commercial Medium Business), and located at 117 Cibilo St.
5. Discuss possible amendment to Chapter 64, Zoning, of the Lockhart Code of Ordinances, to prohibit new manufactured homes in the RMD and RHD zoning districts.
6. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
7. Adjournment.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 10:00 a.m. on the 16th day of July, 2025.

City of Lockhart
Planning and Zoning Commission
June 25, 2025

MINUTES

Members Present: Philip Ruiz, Phil McBride, Julia Haug, Rick Arnic

Members Absent: Ron Peterson, Bradley Lingvai, Manuel Oliva

Staff Present: David Fowler, Romy Brossman

Visitors/Citizens Addressing the Commission: None

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:00 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of the June 11, 2025 meeting.

Commissioner McBride moved to approve the June 11, 2025, minutes. Commissioner Arnic seconded, and the motion passed by a vote of 4 - 0.

4. **SUP-25-09.** Hold a PUBLIC HEARING and consider a request by Earl and Kimberly Landry for a **Specific Use Permit** to allow an **Accessory Dwelling Unit (General Type)** on 0.322 acres on Lot 1-A, Block 1, Replat of Attal Addition, zoned RMD (Residential Medium Density), and located at 614 East Live Oak St.

David Fowler presented the case. The applicant proposes to build a new Accessory Dwelling Unit – General use upon approval of a Specific Use Permit. The ADU would be located to the rear (southwest) of the main house. The size of the subject property exceeds the minimum lot standard. The current driveway is gravel and would need to be paved. There appears to be sufficient room to add the required off-street spaces for covered parking for both the ADU and main house. Staff recommends Approval as the project meets all requirements.

Applicant Kimberly Landry, 107 W. Cone St. Gonzales, TX stepped up to the podium. She shared her intention for the property including building a 1,000 square foot ADU, installing carports for the existing house and proposed ADU as well as paving the entire driveway.

David Fowler reported receiving a letter of protest from one resident which contained the names of five other residents who are also in opposition.

The Commissioners discussed the driveway width and the need for paving.

Commissioner McBride moved to approve SUP-25-09 with the condition the driveway be 12 feet in width and paved. Commissioner Arnic seconded, and the motion passed with a vote of 3 – 1 with Chair Ruiz against.

5. **ZC-25-03.** Hold a PUBLIC HEARING and consider a request by Caroline Kiefer, on behalf of Belinda Gillis, for a **Zoning Change** from *RHD (Residential High Density)* to *CLB (Commercial Light Business)* on 0.142 acres on Lot 1, Block 1, RMSR Subdivision, and located at 115 South Guadalupe St.

Mr. Fowler came to the podium to make the case. The subject property is zoned residential high density; the existing building had long been used for commercial and storage purposes. However, commercial use is no longer grandfathered, and the property would have to be converted to a residential use that is allowed in the RHD district. Due to the size of the lot, the only possible residential use would be a single-family dwelling. The owner wishes to make the building available for occupancy by a low intensity commercial use. There are no other commercial zoning abutting the subject property. Because this zoning change encroaches across a boundary (Guadalupe St.) between nonresidential zoning and a residential classification where there is no existing commercial zoning abutting the property, this might be viewed as an undesirable precedent bordering on spot zoning. The same rezoning of the subject property was attempted in 2014 and again in 2019.

Staff received one visit at City Hall wherein a resident expressed opposition to the zoning change. Staff believes that a small neighborhood-oriented business could be appropriate at this location but also recognizes that opposition by owners of adjacent property should carry significant weight in this decision.

Caroline Kiefer, 196 Kellogg Ct. Dale, TX, came to the podium to represent the property owner. She spoke in support of the zoning change, noting real estate market information and the interests of potential buyers.

Ronda Reagan, 412 W. San Antonio St. Lockhart, spoke in opposition to the zoning change citing historic characteristics of the neighborhood and the negative aspects of spot zoning, among others. She also presented a letter of protest from her neighbors at 422 W. San Antonio St.

Ellen Massey, 402 W. San Antonio St. Lockhart, came to the podium in opposition. She identified the sale listing as having an emphasis on the connection to the downtown and not the residential community.

Staff recommends Denial of the zoning change due to the significant issues that would arise in making it a viable commercial property, especially with parking.

Commissioner Haug moved to recommend denial of ZC-25-03. Commissioner Arnic seconded, and the motion passed with a vote of 4 - 0.

6. **ZC-24-03 and PDD-24-02.** Hold a PUBLIC HEARING and consider a request by Jeffrey Pence of Manumit Investment Group, LLC, for a **Zoning Change** from *PDD (Planned Development District)* to *PDD (Planned Development District)*, including a PDD Development Plan for Maple Park Planned Development, on 32.84 acres in the Francis Berry Survey, Abstract No. 2, and located in the 1300-1400 Block of South Cesar Chavez Parkway Northbound, the 2000 Block of Maple Street, and the 1900-2000 Block of Clear Fork Street.

Mr. Fowler presented the case. The Applicant filed an application with the intent to construct a travel plaza/convenience store at the southeast corner of Maple Street and Cesar Chavez. The intended development of the area requires a revision of the PDD to allow the new proposed land use, to update new driveway access to Cesar Chavez Pkwy., to revise the trail location which now crosses said driveway and to revise the PDD since the approval of ZC-24-09/PDD-24-04, which altered the previous boundaries of the PDD. The new PDD covers 32.84 acres, down from the 56 acres the previous version of the PDD covered. The proposed senior housing and hotel remain from the original PDD.

Jeff Pence, 555 Hill Ave., New Braunfels, TX came to the podium. He reported the application for the right turn lane was submitted in January 2024 which was approved by TxDot. The trail was modified to the south side of the right turn lane so that people walking the trail could turn if they didn't want to cross the driveway. Pedestrians could then use sidewalks along Lincoln Lane. Safety measures were added to the plan for the trail and driveway intersection including signs and warning striping.

Amy Reed, 2400 Allision Way Cedar Park, TX, presented the newly proposed convenience store. She discussed the vision for the convenience store, efforts to work with members of the community and the newly redesigned site plan. She identified specific amenities that were removed from plans including showers, lounges and plug in stations. Security cameras will be used 24 hours, 7 days per week. Trucker entry will be from the driveway off Cesar Chavez and they will leave the site using Lincoln Lane.

Imran Sunesa, 14112 McCoy Loop, Austin, TX, came to the podium. He discussed the on-site route for truckers including the driveway entry from Cesar Chavez and exit onto Lincoln Lane. He compared that to the access and routes for smaller, four-wheel vehicles. He identified a green space barrier that would separate the "trucker area" from the small vehicle area.

The Applicants discussed the location of the hike and bike trail with the Commission.

Commissioner McBride asked how overnight stays by truck drivers would be avoided?

Ms. Reed responded, 24/7 security cameras will be used, and signs will be posted. Also, cab hookups have been eliminated.

Mr. Sunesa clarified that the 15 parking spaces are for truckers to use while fueling and while accessing the convenience store and fast-food restaurant.

The following citizens came to the podium individually to speak in opposition to the project. They voiced concern regarding the poor condition of Maple Lane, the proximity of the convenience store to a nearby school, school children walking by and accessing the convenience store and the presence of trucks 24/7, among other concerns.

Linda Didrikson, 1718 Foxglove Cir. Lockhart

Solomon Key, 601 Indian Blanket St. Lockhart

Jeffrey Goodwin, 710 Dogwood St. Lockhart

Angelica Meza, 1515 Foxglove Dr. Lockhart

James Phillips, 1720 Agave Cir. Lockhart

Mary Van Zant, 700 City Line Rd. Lockhart

Michael DeLaughter, 706 Dandelion St. Lockhart

Bertha Parra, 1603 Henbit Ln. Lockhart

Jordan Ely, 700 City Line Rd. Lockhart

Alondra Amaya, 1511 Foxglove Dr. Lockhart

Cynthia Harvey, 607 Indian Blanket St. Lockhart

Mr. Sunesa returned to the podium to address the Resident's concerns. He reiterated the elimination of accommodations for truckers, design changes to the site plan and the other strategies that will be utilized. He shared another possible design change that could be made to the flow of truck traffic. He stated that they are flexible.

Bill Pohl, 125 Taylor Creek Wy. Liberty Hill, TX, suggested contacting TxDot to confirm the safety of the driveway.

Mr. Sunesa returned to share that they are willing to speak with TxDot.

Michael Delaughter stated that his concern is not about truck flow but how this project will impact the community.

David Fowler shared the Staff's concerns including the change of the project's orientation from the community toward the highway, the driveway does not appear accessible from northbound SH 130, the site design does appear to make truck traffic use Lincoln Lane, among others. Staff recommended Denial as submitted.

The Commission discussed the information presented and the concerns of community members.

*Commissioner Haug moved to deny **ZC-24-03 and PDD-24-02**. Commissioner McBride seconded, and the motion passed with a vote of 4 - 0.*

7. **PP-24-01.** Consider a request by Jeffrey Pence of Manumit Investment Group, LLC, for approval of a **Preliminary Plat for Maple Park Planned Development**, consisting of 32.84 acres in the Francis Berry Survey, Abstract No. 2, proposed to be rezoned from PDD (Planned Development District) to PDD (Planned Development District), and located in the 1300-1400 Block of South Cesar Chavez Parkway Northbound, the 2000 Block of Maple Street, and the 1900-2000 Block of Clear Fork Street.

Kevin Waller presented the case. The Applicant proposes revisions to the most recently approved Planned Development District, Development Plan which necessitate a new Preliminary Plat. The revisions include plans for a travel plaza, a new driveway access from South Cesar Chavez Parkway Northbound frontage road, relocation of a portion of the hike and bike trail and the removal of the former Sections Two and Four due to the new One Living Planned Development.

Once Staff's final review comments are addressed the proposed development will comply with all applicable subdivision standards.

Jeff Pence, 555 Hill Avenue, New Braunfels, TX. He identified the changes made to the PDD.

Cynthia Harvey, 607 Indian Blanket St. Lockhart, posed two questions intended to express her concern for the project.

Bill Pohl 125 Taylor Creek Way. Liberty Hill, TX, spoke in support of the project. He shared his concern for the financial viability of a business oriented away from the highway on which it is located.

Kevin Waller returned to the podium. He reported, Staff recommends approval with two conditions including the incorporation of Staff's review comments emailed to the Applicant on 6/10/2025 and the adherence to the Planned Development District Development Plan.

Commissioner Haug moved to approve PP-24-01 with the two recommended conditions. Commissioner Arnic seconded, and the motion passed with a vote of 4 - 0.

8. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.

Mr. Fowler reported the next meeting would be on July 9th. The meeting is cancelled as no applications were received. He then provided an update regarding a prior denial that was approved upon appeal at the last City Council meeting. At that meeting, Council expressed interest in repealing the availability of manufactured housing through SUPs in Residential Zoning districts. This item may be on the agenda at the next P&Z meeting in July or the first meeting in August.

9. Adjournment.

Commissioner Haug moved to adjourn, and Commissioner Arnic seconded. The motion passed by a unanimous vote, and the meeting adjourned at 9:28 p.m.

Approved: _____
(date)

Romy Brossman, Recording Secretary

Philip Ruiz, Chair



117 CIBILO ST

ALLOW A 5 FT CEDAR WOOD FENCE
WITH 50% VISIBILITY IN THE FRONT
YARD SETBACK ALONG W MARKET ST



Scale 1" = 200'



SUBJECT PROPERTY



ZONING BOUNDARY

TO: Planning and Zoning Commission

FROM: Kevin Waller, Senior Planner *KW*

SUBJECT: Fence in Front Yard (Agenda Item 4)

DATE: July 10, 2025

Section 12-491(3) of the Lockhart Code of Ordinances (fence ordinance) requires that any fences in the minimum required front-yard building setback area of a property having a nonresidential zoning classification must be reviewed and approved by the Planning and Zoning Commission. The maximum fence height allowed is 8 feet, with a maximum opacity of 50 percent.

The subject property, located at 117 Cibilo Street, is zoned CMB (Commercial Medium Business). The adjacent property to the west and north, Ace Hardware, is also zoned CMB, as well as the property to the east and across Cibilo Street, being the Napa Auto Parts store and a few vacant commercial buildings associated with the former lumberyard operations. The two properties to the south, across West Market Street, are zoned RMD (Residential Medium Density), and are soon to be redeveloped from the former lumberyard operations to single-family residences. The subject property is also on land that was part of the lumberyard business, and is currently being developed with two smaller buildings to contain the new plant business, Plantasia Texas. The applicant has informed Staff that he intends to erect a fabric shade canopy in the immediate future, to be followed by signage at a later date, which are separate review processes and will require a building permit and sign permit, respectively. A visual mockup of the proposed fence, along with a rough concept of the future canopy and support posts, as well as signage, is included with your agenda packet materials.

The proposed fence will consist of a decorative cedar-wood material, constructed with cedar posts and horizontal cedar pickets, to measure 5 feet in height, with a 50 percent opacity. Wood is an allowed material for fences across all zoning districts, according to Section 12-486(a). Three gates are also proposed, two of which will be located along the property's Market Street frontage, one for deliveries, and one for guest entry, with the third gate located along the Cibilo Street frontage for guests, as shown on the included site plan. Each gate will measure 5 feet tall, with a similar opacity level to the proposed fence, and feature a cedar picket face within steel framing. While the fence and gate will meet the 25-foot front-yard setback requirement along the Cibilo Street frontage, they will encroach into the other 25-foot front-yard setback along West Market Street, being 5 feet from the property line along Market Street, and hence the need for Commission review. The fence will be angled diagonally at the Market/Cibilo Street intersection to allow for traffic visibility and landscaping.

Staff recommends approval of the fence and gates as proposed, as they are consistent with the height and opacity requirements set forth in Section 12-491(3), and with the material allowances of Section 12-486(a).

CELCO SURVEYING

REG. # 10193675
TEL: 830-214-5109

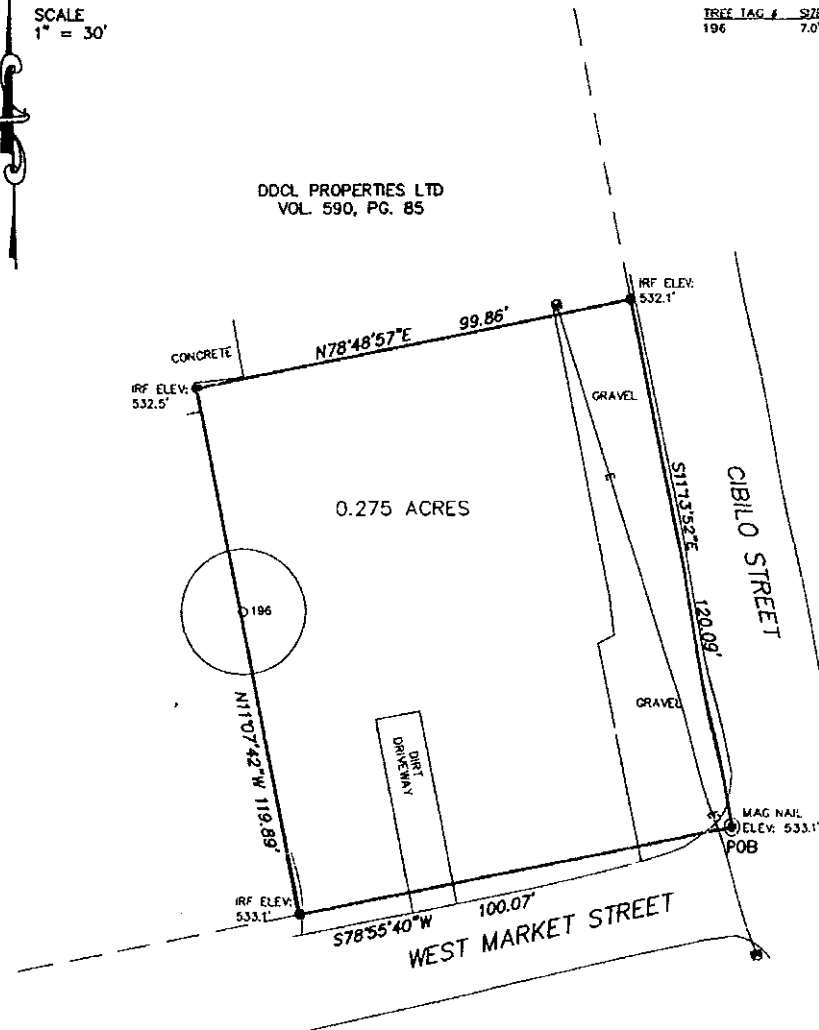
SURVEY PLAT

18018 OVERLOOK LOOP, SUITE 105
UNIT 239
SAN ANTONIO, TEXAS 78259
eddie@celcosurveying.com
www.celcosurveying.com

SCALE
1" = 30'

TREE TAG # SIZE TYPE
196 7.0', 10.5" HACKBERRY

DDCL PROPERTIES LTD
VOL. 590, PG. 85



BEARING BASIS DERIVED FROM TEXAS STATE
PLANE COORDINATE SYSTEM, TEXAS SOUTH
CENTRAL ZONE, NAD 83 DATUM.

THIS SURVEY WAS PREPARED WITHOUT THE
BENEFIT OF A TITLE COMMITMENT AND A
TITLE EXAMINATION WAS NOT REQUESTED NOR
WAS ONE PERFORMED.

LEGEND

- = IRON ROD FOUND
- ⊙ = MAG NAIL FOUND
- POB = POINT OF BEGINNING
- ⊕ = POWER POLE
- E- = O/H POWERLINE

ADDRESS: 117 CIBILO STREET, LOCKHART, TEXAS

LEGAL DESCRIPTION:

BEING A 0.275 ACRE TRACT OR PARCEL OF LAND SITUATED IN CALDWELL COUNTY, TEXAS AND BEING OUT OF
AND A PART OF THE BRAD LOCKHART SURVEY, ABSTRACT NO. 17, CALDWELL COUNTY, TEXAS, AND BEING ALL
OF THAT SAME TRACT OF LAND DESCRIBED IN A DEED TO THE LUMBERYARD LOCKHART LLC IN A DEED
RECORDED IN DOCUMENT NO. 2022004970, DEED RECORDS OF CALDWELL COUNTY, TEXAS, SEE EXHIBIT "A"
ATTACHED HERETO AND MADE A PART HEREOF.

CATEGORY 1A CERTIFICATION

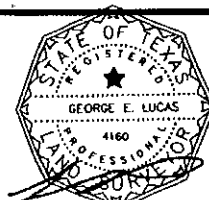
THE UNDERSIGNED DOES HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS SURVEY
SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS
MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1A, TSPS LAND TITLE SURVEY.

BUYER: N/A
TITLE CO: N/A
G.P.F: N/A

LENDER: N/A

PLAN No.: 2023-2803

SURVEY DATE: AUGUST 9, 2023



GEORGE E. LUCAS R.P.L.S. 4160

CELCO SURVEYING

REG. # 10193975

TEL: 830-214-5109

SURVEY PLAT

18018 OVERLOOK LOOP, SUITE 105

UNIT 239

SAN ANTONIO, TEXAS 78259

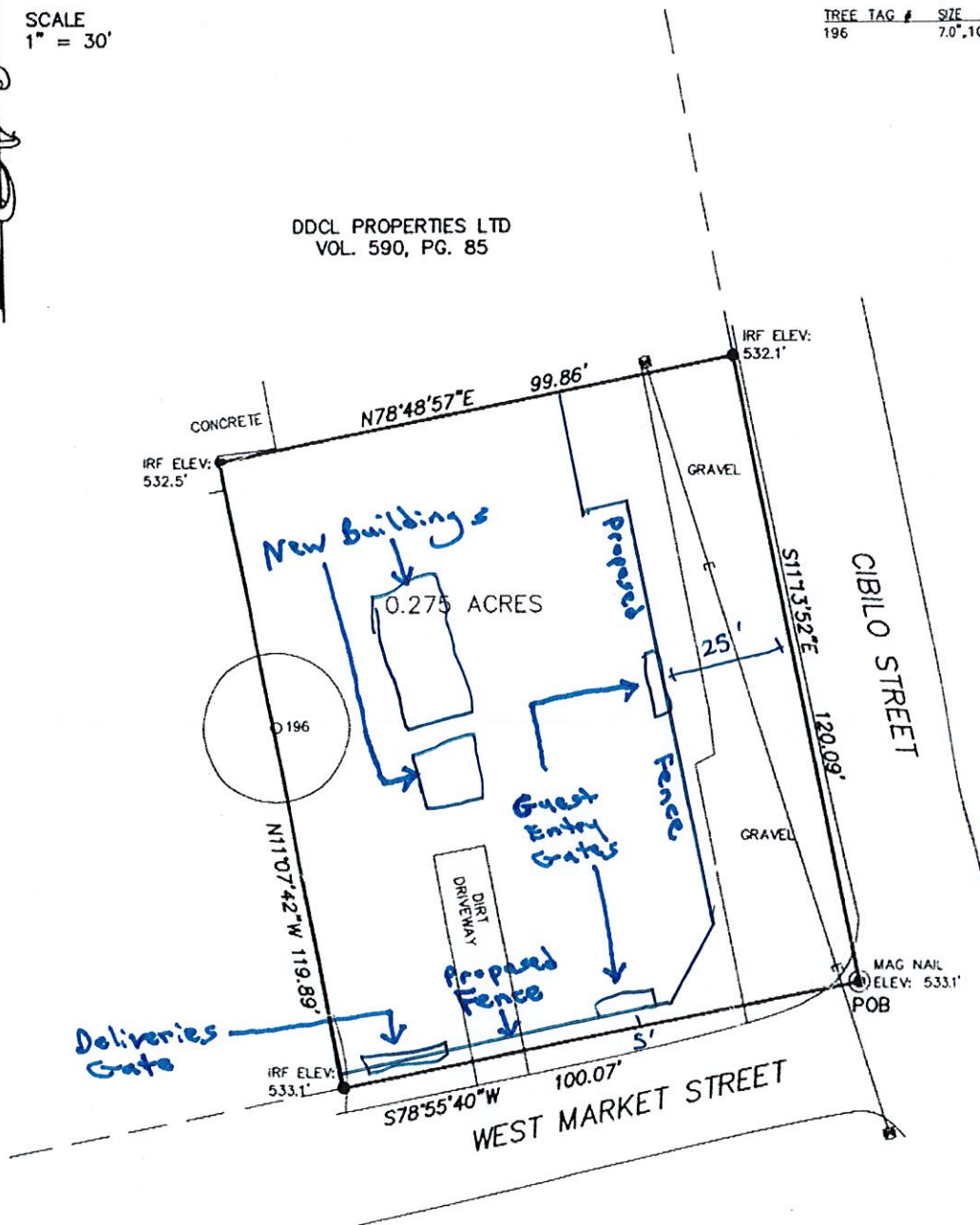
eddie@celcosurveying.com

www.celcosurveying.com

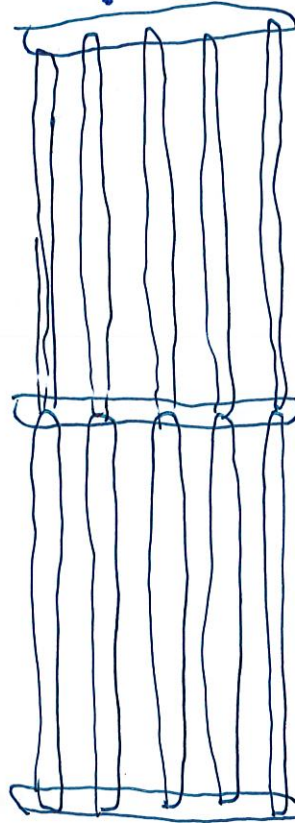
SCALE
1" = 30'

| TREE TAG # | SIZE | TYPE |
|------------|-------------|-----------|
| 196 | 7.0", 10.5" | HACKBERRY |

DDCL PROPERTIES LTD
VOL. 590, PG. 85



Proposed Fence Schematic
5' Tall Cedar-wood



BEARING BASIS DERIVED FROM TEXAS STATE
PLANE COORDINATE SYSTEM, TEXAS SOUTH
CENTRAL ZONE, NAD 83 DATUM.

THIS SURVEY WAS PREPARED WITHOUT THE
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LEGEND

- = IRON ROD FOUND
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- POB = POINT OF BEGINNING
- ⊕ = POWER POLE
- E- = O/H POWERLINE

ADDRESS: 117 CIBILO STREET, LOCKHART, TEXAS

LEGAL DESCRIPTION:

BEING A 0.275 ACRE TRACT OR PARCEL OF LAND SITUATED IN CALDWELL COUNTY, TEXAS AND BEING OUT OF

To: Lockhart Zoning Board
From: Plantasia Texas
Address: 117 Cibilo Street, Lockhart, TX
Subject: Commercial Fence Installation at 117 Cibilo Street

Dear Zoning Board Members,

We are writing to respectfully submit our intent to install a commercial fence at 117 Cibilo Street, the future home of our garden center, Plantasia Texas.

As a retail garden business, many of our products including plants, pots, soil, and garden tools will be displayed outdoors and accessible during business hours. For the security and functionality of our space, it is essential that we enclose the yard with a perimeter fence. This fence will act as our primary security measure, functioning much like front doors ensuring that when we are closed, the space is safely secured and protected from after-hours entry.

We are proposing a decorative cedar wood fence, built with cedar posts and horizontal cedar pickets, spaced to allow 50% visibility, and standing 5 feet tall. This design maintains an open, natural aesthetic in alignment with the character of our plant-based business while providing the necessary boundary and protection.

For our gates, we intend to use a steel frame with a cedar picket face, which will allow for a more durable and secure locking mechanism.

The proposed placement of the fence is:

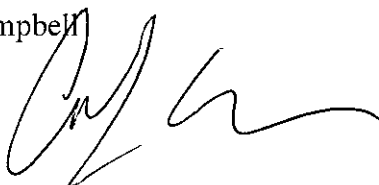
- 25 feet set back from Cibilo Street, with a diagonal angle at the corner of the lot to accommodate landscaping at the intersection;
- 5 feet set back from Market Street, which will allow a planted buffer on the outside of the fence while maximizing usable retail space within.

This fence is a critical piece of our site plan and will allow us to operate safely, beautifully, and in harmony with the surrounding neighborhood.

Thank you for your time and consideration. We welcome any questions or feedback, and we're happy to provide additional information as needed.

Warmly,

Mariella Quintanilla and Andy Campbell
Plantasia Texas
plantasiatx@gmail.com

A handwritten signature in black ink, appearing to be a cursive combination of the names Mariella and Andy.

To: Lockhart Zoning Board

From: Celeste and Adrian Quesada

Subject: Owner Approval of Fence Installation at 117 Cibilo Street

Dear Zoning Board Members,

~~We~~ As the owners of the property located at 117 Cibilo Street, Lockhart, TX, we are writing to express our full support for our tenants, Mariella Quintanilla and Andy Campbell, in their proposal to construct a cedar wood fence on the property.

We have reviewed their intended design and placement and are in agreement with the proposed plan. The fence will be:

- Constructed of cedar posts and horizontal cedar pickets with approximately 50% visibility
- Standing at 5 feet in height, with steel-framed gates faced with cedar for added security
- Set back 25 feet from Cibilo Street with a diagonal corner for landscaping, and 5 feet from Market Street to allow for a planted buffer

We understand that the fence will serve as a critical part of their security plan and day-to-day operations as they open Plantasia Texas. We believe this fence will enhance the safety, beauty, and function of the site.

Thank you for your time and consideration.

Sincerely,

Celeste Quesada

DocuSigned by: 7/2/2025
Celeste Quesada
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Adrian Quesada

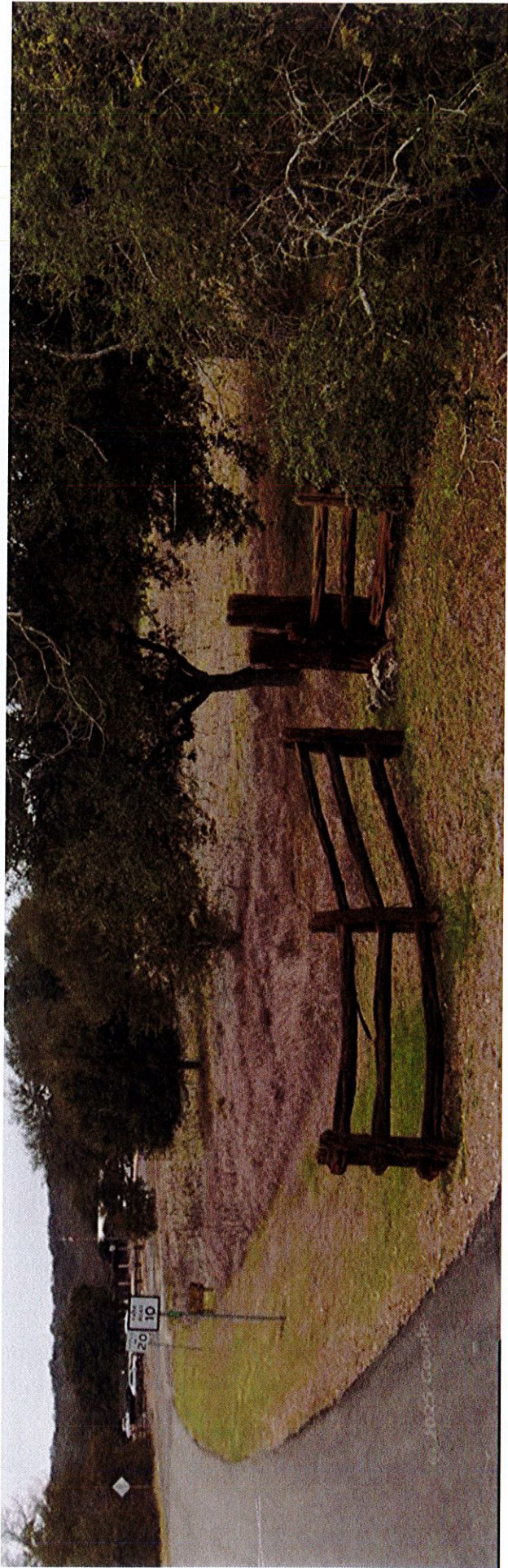
DocuSigned by: 7/2/2025
Adrian Quesada
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TO: Planning and Zoning Commission

FROM: David Fowler, AICP, Planning Director

SUBJECT: Possible text amendment relating to Manufactured Homes in residential districts

DATE: July 16, 2025

Following the City Council hearing regarding the appeal of Council's denial of the proposed manufactured home at 105 Cedar Street, Council member John Castillo contacted City staff regarding removing the provisions that allow Manufactured housing with a Specific Use Permit in the RMD and RHD zoning districts. The Council member's request was discussed at the July 15th, 2025 City Council meeting, and Council directed staff to review the current ordinance and draft ordinance revisions eliminating manufactured housing in residential zoning districts if possible.

One potential constraint is the passage of SB 785 during the 2025 Texas Legislature session. This new bill would not allow the City's current practice of requiring an SUP for a manufactured house in any district in which other residential property types do not require an SUP. From staff's early reading of the ordinance, the City could be able to remove manufactured homes as a potential use in the two residential zoning districts in which they are allowed, due to the fact that Lockhart does have the MF (Manufactured Home) zoning district within its zoning code and the district has been applied to several areas of land within the City's boundaries.

To assist the Commission in familiarizing itself with the legislative environment the potential text amendment would face, the current City codes affecting manufactured housing and the bill text of SB 785 are included in the meeting packet. The public hearing before P&Z regarding this amendment should be held August 13th to get the text amendments approved before SB 7865 goes into effect, keeping the City in compliance with state law.

(e) Residential medium density district (RMD) (formerly R-2) This district provides medium population density areas within the city which allows for tracts with either single or multiple dwelling units, having a single principal structure with necessary accessory buildings for residential purposes and associated specific uses.

(1) Development types allowed in this district:

- a. Single-family-1, SF-1.
- b. Single-family-2, SF-2.
- c. Duplex family-1, DF-1.
- d. Patio home-1, PH-1.

(2) The following development types permitted within this district require a specific use permit:

- a. Townhouse-1, TH-1.
- b. Patio home-2, PH-2.
- c. Combined family-1, CF-1.
- d. Condominium-1, CM-1.
- e. Duplex family-2, DF-2.

(3) The following uses are allowed by-right:

- a. Dwellings of the development type allowed within this district.
- b. Home occupations.
- c. Accessory dwelling unit—Limited.
- d. Temporary real estate sales office in a structure intended for permanent occupancy as a dwelling in a new subdivision.

(4) The following uses require a specific use permit:

- a. Dwellings of the development type permitted within this district.
- b. Manufactured home, in accordance with the standards in subsection 64-200(a) and subject to the requirements of appendix II for the MH district.**
- c. Child care center, in detached structure only.
- d. All uses permitted in the public and institutional district.
- e. All uses permitted in the planned development district.
- f. Wireless telecommunication facility—Low impact, subject to the requirements of section 64-202.
- g. Lodging or boarding house.
- h. Bed and breakfast inn.
- i. Accessory dwelling unit—General.

(f) Residential high density district (RHD) (formerly R-3). This district provides high population density areas within the city which allow for tracts with either single or multiple dwelling units, with either single or multiple principal structures with necessary accessory buildings for residential purposes and associated specific uses.

(1) Development types allowed within this district:

- a. Single-family-1, SF-1.
- b. Single-family-2, SF-2.
- c. Duplex family-1, DF-1.
- d. Duplex family-2, DF-2.
- e. Patio home-1, PH-1.
- f. Patio home-2, PH-2.
- g. Combined family-1, CF-1.
- h. Townhouse-1, TH-1.
- i. Condominium-1, CM-1.
- j. Multifamily-1, MF-1.

(2) The following development types permitted within this district require a specific use permit:

- a. Combined family-2, CF-2.
- b. Townhouse-2, TH-2.
- c. Condominium-2, CM-2.
- d. Multifamily-2, MF-2.

(3) The following uses are allowed by-right:

- a. Dwellings of the development type allowed within this district.
- b. Home occupations, except in MF-2.
- c. Lodging or boarding house.
- d. Bed and breakfast inn.
- e. Accessory dwelling unit—Limited.
- f. Accessory dwelling unit—General.
- g. Temporary real estate sales office in a structure intended for permanent occupancy as a dwelling in a new subdivision.

(4) The following uses require a specific use permit:

- a. Dwellings of the development type permitted within this district.
- b. Manufactured home, in accordance with the standards in subsection 64-200(a) and subject to the requirements of appendix II for the MH district.
- c. Child care center, in detached structure only.
- d. All uses permitted in the public and institutional district.
- e. All uses permitted in the planned development district.
- f. Wireless telecommunication facility—Low impact, subject to the requirements of section 64-202.

Sec. 64-200. - Same—Manufactured homes and modular dwellings.

(a) The installation of a manufactured home on an individual residential lot not within a manufactured home park shall comply with the following standards, except as noted. An existing nonconforming mobile or manufactured home be replaced in the same location with a manufactured home, as defined in section 64-2, not complying with one or more of the following standards if such replacement home is a newer model, is at least as large as the prior manufactured home, and as a minimum complies with subsections (3), (4), (6), (7), and (8), below. This exception does not require approval of a specific use permit, but may be used only once at the same location unless the reason for replacement is damage caused by fire or natural disaster.

(1) The home shall be a new HUD-Code manufactured home not previously installed or occupied in any other location.

(2) Except where limited by the width of lots pre-existing on [effective date of adoption], the widest horizontal dimension of manufactured homes must face the street.

(3) The frame shall be supported by and tied to a foundation and anchoring system meeting the current requirements of the Texas Manufactured Housing Standards Act as administered by the Texas Department of Housing and Community Affairs, Manufactured Housing Division, or successor agency.

(4) Axle and hitch assemblies shall be removed at the time of placement on the foundation.

(5) The finished floor of the manufactured home shall be no more than 25 inches above the average adjacent ground level at the foundation on all sides visible from an abutting street, or from a lot containing a site-built single-family dwelling, except where the floor must be higher in order to be a minimum of 12 inches above the top of the highest abutting street curb or street crown if no curb. If necessary to maintain a minimum of 18 inches required for clearance between the ground and bottom of floor joists, the foundation may be recessed in a pit that is provided with a proper drainage system approved by a registered professional engineer, or by raising the grade of the earth in the yards where needed adjacent to the structure.

(6) A stoop, porch, patio or deck must be provided at each entrance to the manufactured home.

(7) The space between ground level and the manufactured home's floor level shall be skirted with nondegradable materials compatible in color, style and texture with the exterior of the home if a concrete foundation does not already enclose that space.

(8) Site-built attached additions must be compatible in color, style and materials with the exterior of the manufactured home.

(9) The owner shall cancel the personal property title on the manufactured home so that it can be rendered as real property for the purpose of ownership, taxes, insurance and financing.

(10) The land and structure shall be under the same ownership.

(b) The installation of a manufactured home on a leased space in a manufactured home park shall comply with the following standards:

(1) The frame shall be supported by and tied to a foundation and anchoring system meeting the current requirements of the Texas Manufactured Housing Standards Act as administered by the Texas Department of Housing and Community Affairs, Manufactured Housing Division, or successor agency.

(2) A stoop, porch, patio or deck must be provided at each entrance to the manufactured home.

(3) The space between ground level and the manufactured home's floor level shall be skirted with nondegradable materials compatible in color, style and texture with the exterior of the home.

(4) Site-built attached additions must be compatible in color, style and materials with the exterior of the manufactured home.

(c) The installation of a modular dwelling shall comply with the following standards, in addition to the regulations and codes normally applicable to site-built dwellings:

(1) The dwelling and lot shall have an estimated taxable value after installation of the dwelling equal to or greater than the median taxable value for each single-family dwelling located within 300 feet of the lot on which the modular home is proposed to be located, as determined by the most recent certified tax appraisal roll.

(2) The exterior siding, roofing, roof pitch, foundation fascia, and fenestration shall be compatible with single-family dwellings located within 300 feet of the lot on which the modular home is to be located.

(Ord. No. 97-21, § V(28-7-5), 10-7-97; Ord. No. 98-03, § II, 2-17-98; Ord. No. 98-15, § II, 7-7-98; Ord. No. 04-34, § II, 12-21-04; Ord. No. 08-02, § II, 3-18-08)

Cross reference— Manufactured home parks, ch. 34.

From Chapter 64, Appendix II Table:

District: MH (Manufactured Home) (Note 9)

Minimum Lot Area (sq. ft.): 7,000

Minimum Lot Dimensions (ft.): 65 wide by 100 deep

Maximum Lot Coverage with Structures: 30 percent

Minimum Building Setbacks from Property Line (ft.): Street- 25; Side- 7.5 each side abutting another lot; and Rear- 10

Maximum Height: 2 stories

Off-Street Parking Spaces Required: 2, plus 1 for each additional bedroom over 3 bedrooms

On corner lots, the street setback shall be 25 ft. minimum on one street and 15 ft. minimum on the other street. See Chapter 34, Code of Ordinances for manufactured home parks.

Note 9: These requirements are only for manufactured homes or site-built single-family dwellings on residential lots. Manufactured home parks shall comply with the provisions of chapter 34, City Code.

AN ACT

relating to the regulation of new HUD-code manufactured housing.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1201.008, Occupations Code, is amended by amending Subsections (b) and (d) and adding Subsections (d-1), (g), and (h) to read as follows:

(b) Subject to Subsection (g), on [0a] application, the municipality shall permit the installation of a HUD-code manufactured home for use as a dwelling in any area determined appropriate by the municipality, including a subdivision, planned unit development, single lot, and rental community or park. An application to install a new HUD-code manufactured home for use as a dwelling is considered to be granted unless the municipality in writing denies the application and states the reason for the denial not later than the 45th day after the date the application is received.

(d) Except as approved by the department and subject to Subsection (d-1), a local governmental unit may not require a permit, a fee, a bond, or insurance for the transportation and installation of manufactured housing by a licensed retailer or installer. This subsection does not prohibit the collection of actual costs incurred by a local governmental unit that result from the transportation of a manufactured home.

(d-1) A municipality may not require a specific use permit or

1 other permit that serves a similar purpose to a specific use permit
2 for a new HUD-code manufactured home if:

3 (1) the home has been constructed in accordance with
4 federal law and this chapter; and

5 (2) the municipality does not require a specific use
6 permit for other residential property in the same zoning
7 classification.

8 (g) Except as provided by Subsection (h), a municipality
9 with zoning regulations or zoning district boundaries:

10 (1) shall permit the installation, by right, of a new
11 HUD-code manufactured home for use as a dwelling within the
12 municipality's boundaries under at least one:

13 (A) residential zoning classification;

14 (B) type of residential zoning district; or

15 (C) dedicated zoning classification for
16 residential HUD-code manufactured homes;

17 (2) shall ensure at least one of the residential
18 zoning classifications or districts described by Subdivision (1)
19 has been adopted and applies to an area of land within the
20 municipality's boundaries; and

21 (3) if the municipality has a comprehensive zoning
22 classification map, shall indicate on the map the areas within the
23 municipality's boundaries that comply with Subdivision (2).

24 (h) Subsection (g) does not:

25 (1) limit the authority of a municipality to adopt or
26 enforce an ordinance, rule, or other measure to protect historic
27 landmarks or include properties within the boundaries of a local

- 1 historic district;
2 (2) affect deed restrictions established before
3 January 2, 2025; or
4 (3) apply to a municipality:
5 (A) in which all areas zoned for residential use
6 have deed restrictions on September 1, 2025, prohibiting the
7 placement of manufactured homes; or
8 (B) that does not have any areas or districts
9 zoned for business or industrial use.

10 SECTION 2. This Act takes effect September 1, 2026.

S.B. No. 785

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 785 passed the Senate on April 10, 2025, by the following vote: Yeas 28, Nays 2; and that the Senate concurred in House amendment on May 30, 2025, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 785 passed the House, with amendment, on May 27, 2025, by the following vote: Yeas 96, Nays 41, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor