

ORDINANCE NO. 09-19-2024-3

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELMENDORF AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 38 ZONING, ARTICLE III. USE REGULATION; ALLOWING FOR THE PLACEMENT OF A MANUFACTURED HOME ON A LOT ZONED R1 IN CERTAIN AREAS AS A CONDITIONAL USE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Elmendorf City Council approved the placement of manufactured homes in certain R1 districts upon the granting of a conditional use in accordance with Sec. 38-47 of the Code of Ordinances;

WHEREAS, the conditional use for manufactured homes in R-1 districts was limited to, among other restrictions, properties that had been under continuous ownership since December 12, 2013;

WHEREAS, the City has received several requests to move manufactured homes on to properties in R-1 districts that comply with the conditional with the exception of continuation of ownership dating back to or before December 12, 2013; and

WHEREAS, the City Council believes that it is in the best interest of the citizens for Elmendorf to remove the December 12, 2013, ownership condition from the conditional use criteria to place a manufactured home on a lot designated as R1, other than lots in Homewood Place, Dickie Clay, Elmendorf Estates and any subdivision platted in accordance with the City of Elmendorf subdivision regulations after January 1, 2018.

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

PART 1. Enacted.

THAT Chapter 38 ZONING is amended by amending Article III, Sec. 38-82(b)(2), which amended and added sections shall read as follows:

Sec. 38-82. – Residential district intent statements.

(b) R1 (*Single-Family Residential*) District.

- (1) The R1, Single-Family Residential District is intended to provide opportunities for development of detached single-family residences, other than manufactured homes, at medium densities. This district is also intended to serve as a holding zone for vacant land areas annexed to the city.

- (2) As set forth in this section, a manufactured home that meets the standards for manufactured homes in the City Code of Ordinance may be approved as a conditional use in accordance with section 38-47.
- a. If a conditional use is granted for a manufactured home to be placed on a lot in a R1 district, the manufactured home will be treated as an existing use under section 38.9(e) after a properly permitted manufactured home is placed on the lot.
 - b. A manufactured home will not be allowed as a conditional use in a R1 district in the following subdivisions and areas:
 - Elmendorf Estates
 - Homewood Place
 - Hickory Ridge
 - any subdivision platted in accordance with the City of Elmendorf subdivision regulations after January 1, 2018
 - c. The applicant for the conditional use must be the owner of the property on the date of the conditional use is requested and through the conditional use process.

PART 2. Severability.

If any section, sub-section, clause, phrase, or portion of this Ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase, or portion shall be deemed to be a separate, distinct, and independent provision and such invalidity shall not affect the validity of the remaining portions.

PART 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.


PART 4. Open Meetings

That it is hereby officially found and determined that the meeting at which this Ordinance is 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, Chapter 551, Texas Government Code.

PART 5. Effective Date.

This Ordinance shall take effect immediately upon its passage and adoption by the City Council.

PASSED and ADOPTED this 19th day of September 2024.



Michael Gonzales, Mayor
City of Elmendorf, Texas

ATTEST:



Roxanne DeLeon, City Secretary

