

ORDINANCE NO. 018-2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AMENDING THE BIG SPRING ZONING ORDINANCE, ARTICLE 2 ENTITLED “DEFINITIONS,” SECTION 2-1 “DEFINITIONS OF WORDS AND TERMS,” “TRAVEL TRAILER OR RECREATIONAL VEHICLE” TO PROHIBIT TRAVEL TRAILERS AND RECREATIONAL VEHICLES AS LIVING QUARTERS EXCEPT WITH A SPECIFIC USE PERMIT; AMENDING ARTICLE 7 “SPECIAL APPLICATIONS” BY ADDING A NEW SECTION 7-5 “MOBILE/MANUFACTURED HOMES” TO ESTABLISH REGULATIONS CONCERNING MOBILE AND MANUFACTURED HOUSING; AMENDING ARTICLE 8 “SUPPLEMENTAL USE STANDARDS,” SECTION 8-6 “TEMPORARY USE PERMITS FOR MOBILE/MANUFACTURED HOMES” BY AMENDING THE TITLE OF THE SECTION AND PROHIBITING TEMPORARY USE PERMITS FOR MOBILE HOMES; AND AMENDING SECTION 8-7 “TEMPORARY USE PERMITS FOR TRAVEL TRAILER OR RECREATIONAL VEHICLES AS LIVING QUARTERS,” SUBSECTION (a) TO CLARIFY PERMITTED USES OF MANUFACTURED HOMES AND PROHIBITING MOBILE HOMES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission held a public hearing on January 6, 2021 concerning carports and accessory buildings; and

WHEREAS, the Planning and Zoning Commission submitted its final report to the City Council on March 23, 2021;

WHEREAS, the Planning and Zoning Commission recommends the following amendments to the City of Big Spring Zoning Ordinance;

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

SECTION 1. The Big Spring Zoning Ordinance, Article 2 entitled “Definitions,” Article 2-1 entitled “Definition of Words and Terms,” “Travel Trailer or Recreational Vehicle” is hereby amended to read in its entirety as follows:

ARTICLE 2. – DEFINITIONS

SECTION 2.1 – Definition of words and terms.

...

TRAVEL TRAILER OR RECREATIONAL VEHICLE - A trailer equipped to be transported or

towed and used for temporary occupancy, which does not exceed Transportation Code standards. Recreational vehicles are motorized; travel trailers are towed. Recreational vehicles and travel trailers are prohibited residential living units in the city unless the recreational vehicle or travel trailer is properly authorized pursuant to this code.

...

SECTION 2. The Big Spring Zoning Ordinance, Article 7 entitled “Special Applications,” is hereby amended to add a new Article 7-5 entitled “Mobile and Manufactured Homes” to read in its entirety as follows:

ARTICLE 7 – SPECIAL APPLICATIONS

SECTION 7-5. - Mobile and Manufactured Homes

- (a) Any mobile home located in the City legally, prior to the enactment of this ordinance any mobile home used and occupied as a residential dwelling shall be allowed to remain but shall not be replaced with another mobile home or placed in another location in the city under any circumstance.
- (b) It shall be unlawful for any person, firm or corporation to park, locate or permit the parking or location of any HUD-code manufactured home upon any lot, street or tract of land unless the lot or tract of land is entirely within the SF-3 or GR District or in an approved HUD code manufactured home park pursuant to Section 7-2, Specific Use Permits (34).
- (c) A HUD-code manufactured home shall not be used as an office or business building in any zoning district, except as an office on site in connection with:
 - 1. a manufactured home park, or
 - 2. a bona fide retail manufactured home sales lot or park, or
 - 3. as an approved temporary use in conformance with Section 8-6.
- (d) The placement of a permitted HUD-code manufactured home through the Building Official’s office shall be subject to the following:
 - 1. all utilities must be hooked up or made available in accordance with the building code;
 - 2. the manufactured home shall be placed on an improved surface being properly graded for drainage and stability;

3. the manufactured home should be placed parallel to the adjacent street front; and
4. the manufactured home shall be tied down on the property with the towing tongue removed and appropriate skirting consisting of new materials to prevent the view and access by animals underneath the unit.

SECTION 3. The Big Spring Zoning Ordinance, Article 8 entitled “Supplemental Use Standards,” Article 8-6 entitled “Temporary Use Permits for Mobile/Manufactured Homes” is hereby amended to read in its entirety as follows:

ARTICLE 8 – SUPPLEMENTAL USE STANDARDS

SECTION 8-6. Temporary Use Permits for Manufactured Homes

- A. *Circumstances for Permit Issuance.* Subject to conditions and standards otherwise required by this Ordinance, a temporary use permit may be issued:
 1. To an applicant in the process of building a conventional dwelling to locate a manufactured home on a building lot during the course of construction of the dwelling; such permit shall not be issued until after a building permit for the dwelling has been issued; or
 2. To an applicant to use a manufactured home as a construction office at a job site.
 3. To an applicant whose own health or the health of another necessitates care, and where the facts show that an unnecessary hardship would occur if permitted to locate a manufactured home adjacent to the residence of one who is able to provide such care or in need of such care.
- B. *Length of Permit.* A temporary use permit may be issued by the City Council for a permit not to exceed one (1) year. The temporary permit may be renewed for additional one (1) year periods upon showing of good cause, and with permission to do so. However, at the discretion of the City Council, a temporary use permit may be issued to an applicant for a health- or age-related circumstance for a period coterminous with the health- or age-related circumstance.
- C. *Permit Expiration.* At the time the temporary permit expires, the manufactured and all appurtenances shall be removed from the property within ninety (90) days.
- D. *Utility Requirements.* Manufactured homes used for temporary uses shall have an approved water supply, sewage disposal system, and utility connections.

SECTION 4. The Big Spring Zoning Ordinance, Article 8 entitled “Supplemental Use Standards,” Article 8-7 entitled “Temporary Use Permits for Travel Trailer or Recreational Vehicles as Living Quarters, subsection (a) is hereby amended to read in its entirety as follows:

ARTICLE 8 – SUPPLEMENTAL USE STANDARDS

SECTION 8-7. Temporary Use Permits for Travel Trailer or Recreational Vehicles as Living Quarters

- (a) Permitted: Travel trailers and recreational vehicles are only permitted as living quarters when properly authorized pursuant to this code.

...

SECTION 5. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 7. The City Secretary is hereby ordered and directed to cause the descriptive caption as well as the penalties for violation of this ordinance to be published as required by law.

SECTION 8. This ordinance shall take effect immediately after its publication in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.


PASSED AND APPROVED on first reading at a regular meeting of the City Council on the 23rd day of March, 2021 with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the 13th day of April, 2021 with all members of the Council voting “aye” for the passage of same.



Shannon D. Thomason, Mayor

ATTEST:



Tami L. Davis, Interim City Secretary